| Meeting Minutes  Pine Township Planning Commission |
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Call to Order

A meeting of the Pine Township Planning Commission held at the Pine Township Hall, 7900 W. 2nd Street, Langston, Michigan on December 14, 2021.

Meeting called to order at 5:00 p.m., by Scott Millard, followed by the Pledge of Allegiance

Attendees

Attendees include: Bob Behrenwald, Gary Christensen, Jamie Gorby, Dan Main, Scott Millard, Tyler Nadeau

Members not in attendance

Chris Bell

1. Approval of Agenda

Moved by Bob Behrenwald; supported by Dan Main.

MOTION PASSED

2. Approval of Minutes

November 4, 2021

Moved by Scott Millard; supported by Jamie Gorby. All were in favor.

MOTION PASSED

October 11, 2021

Moved by Tyler Nadeau; supported by Bob Behrenwald. All were in favor.

MOTION PASSED

August 2, 2021

Moved by Tyler Nadeau; supported by Dan Main. All were in favor.

MOTION PASSED

3. New Business

Wind Ordinance

L. Abdoo presented amendatory ordinance to fit Pine Township’s zoning ordinance

Discussion had as follows:

Zoning District Table

Hydrologic study & report to address groundwater contamination concerns, soil erosion plan; mitigation within 5 days. All are required as part of application process. At the discretion of PC to determine whether results of study and report are deemed sufficient to grant special land use

FAA radar activated lighting required per FAA

Township topography – define height of structure measured X’ above sea level – L. Abdoo to add, revise, or amend language in definition section and advised it may be detrimental to rule out any other zoning districts beyond what is contained in draft

Add language regarding groundwater contamination

Setbacks - 5x tip height or 3,000, whichever is greater from any property line of non-participating parcel - discussion regarding restrictiveness – discussion of 4x tip height, 2-mile setback from lakes, rivers/tributaries

Decision made to keep strict numbers in place (5x, 3,000, 2.5 miles) add waivers for non-participating property owners as to setback and flicker to loosen restrictiveness - L. Abdoo recommended adding waiver language and will draft same

If site is within 2.5 miles of body of water, it is at the discretion of PC to approve special use permit, which would allow neighboring property owners to have input through notice and public hearing

Upon decommissioning, cut underground lines at 10’ rather than remove underground lines at 20’

All leases in Pine Twp must comply with our ordinance

Escrow accounts are transferable to any subsequent owner

Escrow revisited every 3 years rather than every 5 years

Escrow to remain replenished at all times

Fire suppression & Emergency plan – add language to provide evidence of specific resources available to effectuate plan – L. Abdoo will draft language

Master Plan supports and defends, if lawsuit arises, protecting health, safety, and welfare of the township – L. Abdoo said Master Plan is certainly a factor to cite to if you had to defend a claim

Discussion of prime farmland excluded from wind energy use – L. Abdoo suggested rezoning or having an overlay area

Upon decommissioning, cement removal of X’ and add a minimum of 10” of topsoil depending on type of soil - L. Abdoo to draft language

Upon decommissioning, cut wire at 10’ below grade and leave the rest at true. More of a detriment to remove all wire than leave it in the ground

Adequate review time for approval of permits - PC has no shot clock

Application must be complete before PC reviews application. If application is deficient, no need to hold public hearing. PC should notify applicant of deficiency(s)

Develop checklist for PC to refer to in the application phase – L. Abdoo to draft language

Discussion regarding recent technology or retrofit to mitigate noise from blades – L. Abdoo said too difficult to add language with specificity if technology is not readily available

4. Old Business:

Appoint Officers (upon recommendation of L. Abdoo/Quorum)

Tyler Nadeau moved to appoint Scott Millard as Chairperson; Bob Behrenwald supported. All were in favor.

MOTION PASSED

Bob Behrenwald moved to appoint Gary Christenen as Vice Chairperson; Dan Main supported. All were in favor.

MOTION PASSED

Dan Main moved to appoint Jamie Gorby as secretary; Gary Christensen supported. All were in favor.

MOTION PASSED

(Jamie Gorby delegated minute-taking to Leslie Rydahl)

1. PUBLIC COMMENT:

Began at 6:28

Judy Graham inquired as to substations. L. Abdoo said it is part of the ordinance

Robert Scott suggested, if FAA does not approve RADAR activated lighting, then they cannot put up turbines. Also, non-participating parcels across township lines, not separated by roadway, shall be protected by setbacks. Also, protect body of water with setbacks, i.e., Clifford Lake just outside Pine Twp. Mr. Scott provided tax revenue handout comparing tax revenue vs leaseholder payments

Shelley Grube is thankful for the PC’s effort and work involved in drafting the ordinance

Dave Bean inquired whether, in L. Abdoo’s opinion, the ordinance is restrictive or not at this point. Or will she express her opinion at the conclusion of the draft ordinance. Also, will she be onboard throughout the entire process – L. Abdoo stated she has been commenting throughout the drafting process whether ideas/suggestions are appropriate or not based on other ordinances and whether suggestions are feasible in Pine Twp. - L. Abdoo stated Pine Township makes the final decisions

Joe Hansen Sidney Twp. All concrete should be removed to avoid groundwater contamination for future generations

Terry Crawford expressed concerns, when decommissioning is completed and funds are gone, relative to oil leaks/responsibility for cleanup - L. Abdoo referred to allocation of funds for cleanup, et cetera

Robin Poulsen inquired as to depletion of funds and replenishment of same

Dan Main referred to additional requirements and liability insurance to cover claims of property damage, livestock damage, and cleanup. Requested L. Abdoo to add language to cover environmental costs for clean-up and restoration

Gordy Gorby inquired as to clean-up after turbine decommissioning if contamination arises – L. Abdoo verified that owner would continue to maintain

insurance

Dawn Sweet is thankful to PC for work done on behalf of citizens. Questions pertaining to escrow policing. Who assumes responsibility for auditing escrows and

what are the repercussions if escrow is deficient? D. Sweet inquired whether sanctions will be imposed

Tyler Nadeau inquired whether oversight of the fund becomes the duty of the treasurer or clerk. Will taxpayers be willing to pay for those services? Would that warrant an increase in salary – L. Abdoo advised that could be part of the escrow requirement or complaint resolution process; enforce requirements, which could result in revocation of permit(s) or result in immediate decommissioning

Tyler Nadeau inquired, upon decommissioning, can the township have control at which institution funds are held – L. Abdoo advised township could require funds

be held at a particular institution – T. Nadeau requested language be drafted

requiring funds be maintained at Pine’s banking institution

Gary Christensen inquired if amendments to our ordinance affect validity of current lease(s) and how that might affect the township - L. Abdoo advised ordinance applies to the construction regardless of pre-existing, existing, or future lease agreements. If lease(s) are inconsistent with township zoning ordinance, the

township ordinance governs and township is not liable

Jamie Gorby inquired if township can hire someone to oversee complaint resolution – L. Abdoo advised either zoning administrator can oversee complaints or township can hire additional administrative personnel to oversee complaints at the expense of owner

(Public Comment concluded at 6:55 p.m.)

1. MOTION TO ADJOURN:

Moved by Gary Christensen; supported by Tyler Nadeau. All were in favor.

MOTION PASSED

Minutes submitted by:

Leslie Rydahl, Recording Secretary

Pine Township Planning Committee

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| Recording Secretary |  | Date of approval |