PINE TOWNSHIP PLANNING COMMISSION MINUTES

Thursday, November 4, 2021

The meeting was called to order at 5:00 p.m. by Scott Millard, followed by the Pledge of Allegiance. Meeting held at the Pine Township Hall.

Present: Bob Behrenwald, Gary Christensen, Scott Millard, Jamie Gorby, Dan Main, and Chris Bell arrived at 5:07 p.m. Tyler Nadeau absent due to his wife just having third child.

Also present was attorney, Leslie Abdoo, of Foster Swift Collins & Smith, P.C. Attorneys, who has been retained by Pine Township, was present to help give guidance and clarification on terminology in working with the Energy Systems Ordinance update.

Chair, Scott Millard asked for clarification from Ms. Leslie Abdoo as to the wording of the P.C. Bylaws, concerning a liaison not having the ability to vote, and if that would include the board representative /member? Attorney Abdoo explained that the board representative /member who sits on the Planning Commission has full voting rights. The wording in the by-laws would pertain to someone like herself, the Supervisor, etc. who may be attending a meeting and having voice.

The Planning Commission, with copies in hand of Sidney Township’s newly adopted ordinance, began to go through sections, beginning with section 2.09. The members of the PC took their own notes, and this ordinance was not provided to the person taking these minutes, making it difficult to note – but was generally clarification of terms in the ordinance.

Height of structure, 300 feet – is tip to base. It is typical to have some sort of height restriction.

If there is a “Waiver Deed”, where a non-participating landowner allows for modifications, this deed is registered with the Title Office, so that it is known to future owners, and stays with the property.

Repairs and maintenance or decommissioning Bond – is good to have in the event it’s needed

 Repairs suggested 30 days

 Decommissioning suggested – 6- 12 months

Ask owner to supply sound analysis – modeling studies

 Decommissioning – Recommend third party insured

The section In the Sidney ordinance where the underground lines are required to be 20’ deep was raised. Dan Main explained that he had been studying, and learned that in some instances, issues had come about from other wind turbine projects, not due to the concrete from the base itself, but because there had been a shale bed that had been disturbed. He highly suggested that as water is one of our most important things, that a hydrological study be completed prior to any approval. Also, since putting down 20’ below the surface wires would hurt the soil, at decommissioning, taking it back up at a later date, would harm it even more. It would be better to leave some of the materials in place.

Considering required Hydrological studies

 Escrow Account $25,000 to be replenished as used

 Whatever escrow account amount is set, can be sent by resolution of the Township Board to be replenished within whatever amount of set days is made.

Associated Buildings – Substations – Elec-Transfer Stations

 What will the parcel size be?

There were some questions to Attorney Abdoo as to her opinion on Judge Kollenda’s presentation, and “demonstrated need”.

As the Planning Commission members reached the end of their questions and discussion for the evening, Ms. Abdoo asked that they consider extending the wind moratorium. She explained that after the Planning Commission might be ready to recommend an Ordinance or change, it needed to be sent to the County Board of Commissioners, with follow up of a Public Hearing (with the proper notice) before moving it to the Township Board,

Attorney Leslie Abdoo will email Supervisor Drews the wording for the ordinance to take the Township Board meeting for November 8, 2021, to extend the Wind Moratorium from the day it is published for six months, which can be extended if needed.

Chairman Millard asked if everyone had a chance to look at the paperwork for The “Leash of Honor” Dog Kennel Business. – Everything was approved. Chairman Millard stated that he wanted to postpone deciding on officers of the Planning Commission until Tyler Nadeau and all members were present.

PUBLIC COMMENT:

Robert Scott – Sidney Twp – Thank you to the Planning Commission

Mike Rotter – Pine Twp – Consider the results of the survey

Ryan with Apex – I have confidence in Foster Swift. Talk to other areas that have dealt with escrow accounts and what to do and not to do

Dave Bean – Pine Twp – We are the generation now – 2 generations down the road might not want to consider what their likes are and property. They will want more than 8’ of ground. Why settle for a $15,000 turbine when down the road might be better and more $$

Close of public comment 6:45 p.m.

Next Planning Commission Meetings – December 14, 2021 5:00 p.m.

 December 20, 2021 5:00 p.m.

Meeting was Adjourned.

Minutes submitted by

Julie Drews, Deputy Supervisor

Pine Township

(Assisting the Planning Commission)