

DRAFT

Public Meeting of Casco Township Planning Commission
Wind Energy Ordinance
December 12, 2012, 6 PM

MEMBERS PRESENT: Bruce Barker, John Stroud, Dian Liepe, Daniel Fleming, Paul Macyauski, and Judy Graff

ABSENT: David Campbell is excused

STAFF PRESENT: Janet Chambers, Recording Secretary; Patrick Hudson, Planner

ALSO PRESENT: Approximately 15 interested citizens

1. Call to order and review of agenda

The open meeting was called to order at 6:06 PM for the purpose of gathering information from the public on the proposed Ordinances for Wind Energy Conversion Systems (WECS). There were no changes to the agenda.

2. Wind Energy Conversions System Ordinance Additions and Amendments :

Hudson led Commissioners through Revision 3 (attachment #1) as changes were discussed.

3. Public Comment Correspondence; From, Date Received & Subject: None

4. Open Meeting on Wind Energy Conversion Systems amendments and additions to current ordinance in the Casco Township Zoning Ordinance

Chairman Barker stated that there have been requests from residences for wind farms, windmills for individual facilities and residential wind energy. This meeting will be mainly for discussion of wind farms. This is for public comment. A Public Hearing could be in January.

Matt Super, Sparta Village Manager, shared copies of the Sparta WECS Ordinance (attachment #2).

Discussion ensued about whether the ordinance implied there would be no Site Plan Review because the same requirements covered in a site plan review were covered at length in the ordinance. After discussion Commissioners agreed, due to the technical nature of WECSs, it would be good to include details that will also be covered in a Site Plan Review. Barker suggested that it could be stated in the ordinance that the requirements will also be part of the Site Plan Review. Anything in Section 15 is subject to a Site Plan Review.

Chairman Barker stated that Campbell (not present) suggested there be three separate sections in the WECS Ordinances to cover 1) wind farms, 2) Individual facilities, and 3) private wind towers.

Discussion ensued about whether to allow individual single property windmills without going through a Site Plan Review, as long as the setback and height requirements were met. Martin Super said Sparta allowed one windmill as a "freebee", and additional ones require a Site Plan Review. The

“freebee” would be approved by the Zoning Administrator. The setback requirements prohibit residential areas from putting up wind towers.

Most homes are upgrading to 200 kilowatt service. To allow residence to power their whole house the maximum kilowatt hours could be raised to 250 kilowatts.

David Diny, 153 62nd Street, South Haven, asked what the maximum number of towers would be for a Wind Farm. Hudson replied that there would be 2.5 acre spacing, so there would be natural limits, depending on acreage.

Fleming questioned why an individual should be limited to one wind tower. Hudson said it might be obtrusive to the neighbors. Fleming questioned whether it an esthetics issue or a noise issue, because esthetics are not suppose to be in the ordinance.

Super asked if the commission had considered roof mounted units. Barker said they will be covered by the height limits also.

After discussion changes made to draft #3 included:

- Page 1, 2b will be removed and blended into Page 8, Section 3.35b
Changing “on-site” to “*property*”, and change “100” ft. to 250 ft. and 100 kilowatts to 250 kilowatts
- Page 5, m last sentence changed to “*repair of damage to public and private roads, and public and private utilities caused by the construction of the WECS.*”
- Page 5, #9 the last line the word may will be changed to “*shall*”
- Page 7, Section 2.22, 5th definition: Change “On-Site” to “*Property*” and change “100” kilowatts to “*250*” kilowatts.
- Page 7, Section 2.22, 6th definition: Change “On-Site” to “*Property*” and change “100” kilowatts to “*250*” kilowatts.

Ted Ostermann, 7364 North Shore Drive, asked about WECSs being on roof tops. He also asked about blades falling off and becoming a projectile. Hudson said the structure will be governed by engineering requirements. When something starts to fail, the system is supposed to shut itself down. Casco is required by law to provide for WECS and limitations cannot be so strict as to prohibit WECSs.

David Diny questioned whether there should be consideration in the ordinance for esthetic because of its effect on surrounding property values.

Jan Carlburg, 779 70th St., South Haven asked if the Commission compared types of wind towers to determine which causes disturbance to neighbors. She also pointed out that 100 ft is the same as a 10 story hotel, and 250 ft would be the height of a 25 story building. 50 to 55 decibels is extremely loud. The community is concerned about music. 50 decibels can be heard a block away. Could you sleep with that noise? She suggested the Commission check into types of blades that might be quieter than others? Will neighbors have the right to sign off that they are ok with the towers being next to them, and will they be made aware that it will affect their property value? Tourism is the number one business along the lake. Esthetics is important in a tourist area. Financial benefits of tourism vs. wind farms need to be considered.

Chairman Barker said that he drove to Ludington near the towers, shut off his radio and could not hear the towers.

Carlburg suggested the Commission look at wind farms in other areas, some are loud.

Diane Ostermann had information she will share with Hudson on inaudible sound below 20 htz. Below that frequency there are health effects. She had articles on "What You Don't Hear Can Hurt You". Industrial size wind towers make about 10% of the population sick. There are several types of sound waves; DBA, DBC, DBZ and DBG. DBA only measures the audible sounds. The ordinance is only concerned with DBA. She also stated that in other countries, the setback requirements are much greater.

Graff requested that Ostermann make a recommendation for safe sound levels and share her research on the subject. She will provide Hudson with her information.

Dr. Larry Blackmer, 1000 Blue Star Highway, South Haven, said that across the road from his home is agricultural property that could be subdivided into 32 parcels. He would not like to wake up and see 32 towers across the street. He added that even if the towers ran 24/7, 365 days a year, they would not yield a great amount of electricity. He asked who is pursuing Wind Farms in Casco. Barker said local farmers have been approached to lease their properties for wind farms.

Graff questioned the meaning of "agreement or bond" on page 5, 5m. Barker said the Performance Guarantees could be worded as it is in Section 21.05.

Hudson will ask Bultje about the length of time listed on page 5, #9.

Hudson pointed out that the red type is for information only. It will not be in the final ordinances, but will remain in the draft copies for Commissioners and the public

Hudson will take information discussed at the meeting, Diane Ostermann's information on sound levels, and information from MSU's audio experts to prepare a draft #4. Extensive rework will be in red type, and present changes in bold. It will be sent to Attorney Bultje for review.

There will be at least one more open meeting for public input. Once a final ordinance is ready, it will go to a Public Hearing when the Planning Commission will take action to recommend to the Township Board to accept or not accept the ordinance as written. Wednesday, January 16th, 7 PM to 9PM, will be the next open public meeting, following a 6 PM meeting on 433 drain issues.

5. **Resolutions requiring Planning Commission action;** none required tonight

6. **Public Comment**

Diny asked if the reason the PC is establishing a WECS Ordinance is because the State may mandate a certain number of wind farms in Allegan County. Hudson explained that Casco is trying to adopt reasonable WECS ordinance because it is illegal to prohibit a legitimate use. The State could take

away the authority to regulate wind farms if there is no provision in the ordinances. Diny said the Public Utility Commission and Wind Commission have been meeting on the subject.

Tom Mucha, North Shore Drive, asked if anyone from the township is meeting with them and suggested it would be advisable to be informed. Hudson said his assistant is on one of the advisory committees. Hudson will ask her if there is going to be a public meeting.

Will Hart, 876.5 Blue Star Highway, South Haven, added if we don't do some sort of regulation they (the State) will do it for us.

Mucha stated that he did not know all of this was going on and is pleased that Casco was being proactive.

Carlburg stated that because the towers are very high, they should require approval of all immediate neighbors. Chairman Barker stated that once the ordinance is in place, a wind farm would go before a Site Plan Review and a public hearing would be held. If conditions of the ordinance are met, it would be approved. That is why the ordinance needs to be thorough.

Anna Super, 7736 North Shore Drive, stated that there would be very few wind towers for private homes because they are too expensive for the payoff. She was not sure about wind farms.

Motion to adjourn was made by Fleming, seconded by Stroud. All in favor, MSC. Meeting adjourned at 8:30 PM.

The January Planning Commission Meeting will be Wednesday, January 9th.

Minutes prepared by Janet Chambers, Recording Secretary

Attachment #1: WECS Ordinance Revision #3, Nov. 21, 2012

Attachment #2: Village of Sparta WECS Ordinance, March 8, 2012