

ISABELLA COUNTY  
PLANNING COMMISSION

December 14, 2017

A Regular Meeting of the Isabella County Planning Commission was held on December 14, 2017 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Tim O'Neil, Phillip Vogel, Jim Horton, Nancy White, Ann Silker, Jeremy Murphy, Kelly Bean

MEMBERS ABSENT: Gordon Gilchrist, Bob Campbell

SUPPORT STAFF PRESENT: Timothy A. Nieporte, Community Development Director  
Ray Johnson, Zoning Administrator

The meeting was called to order by Mr. Bean at 7:00 pm.

The Pledge of Allegiance was recited by the commission.

**APPROVAL OF AGENDA**

Mr. Bean requested that the agenda be approved as presented.

A motion was made by Mr. Murphy supported by Mr. Horton to approve the agenda.

Yes: Tim O'Neil, Phillip Vogel, Jim Horton, Nancy White, Ann Silker, Jeremy Murphy, Kelly Bean

No: None

Motion carried

**PREVIOUS MINUTES**

Minutes of the November 2017 regular meeting were circulated to the commission prior to the meeting for their review.

A motion was made by Mr. O'Neil supported by Mr. Vogel to approve the minutes.

Yes: Tim O'Neil, Phillip Vogel, Jim Horton, Nancy White, Ann Silker, Jeremy Murphy, Kelly Bean

No: None

Motion carried

## **LIAISON REPORTS**

Zoning Board of Appeals – Mr. Vogel reported that one variance for a new home was heard last month and approved.

Parks & Recreation – Mr. Murphy reported that the board reviewed the grant project for Coldwater Park improvements.

Board of Commissioners – Mr. Horton reported that the County has approved a firm to assist with grant writing for park improvements. Also five counties and the health department have approved the point of sale inspections for well and septic systems.

## **TOWNSHIP CONCERNS**

Denver – Mrs. Curtis reported that a petition has been submitted to the Township to implement their own zoning.

Gilmore – Mr. Gibbs reported that he has heard talk of a similar petition but nothing has been submitted.

Sherman – None.

## **PUBLIC COMMENT**

### **Opened at 7:04 p.m.**

Nathan Rogers presented a handout of factors that he found were important for our county which summarized differences between the Isabella County Zoning ordinance and other municipalities' regulations relating to wind turbine setbacks. Mr. Rogers reviewed these differences and stated he would like to see Isabella County strengthen their setback requirements for property lines, homes and sound levels. Mr. Rogers stated that he met with Albert from Apex the day before and he believes that if a project is brought forward they will do so responsibly. Mr. Rogers further suggested a post construction sound study paid for by the applicant. Mr. Rogers stated he was impressed with Mr. Nieporte's use of GIS and his preparation for their meeting in Mr. Nieporte's office.

Albert Jongewaard of Apex Clean Energy stated that he welcomes questions and encourages the public to come to the Apex office in Rosebush.

Jim McBryde, President of Middle Michigan Development Corporation stated he sees wind turbines as a good economic opportunity for Isabella County and cited state law concerning a mandate of 15% of the state's energy come from renewable resources. Mr. McBryde suggests the county not derail this great opportunity for the County, Townships, revenue and development.

Frank Lynch suggests everyone on the board take the time to research the project.

Michelle Anderson stated the state is down in enrollment specifically schools in rural areas. Mrs. Anderson stated school enrollment is down in Breckenridge and that money is lost. Mrs. Anderson stated she can't pinpoint why students are leaving and added that she would not locate her family to an area with turbines.

Ken Brown expressed concerns about turbines breaking down and not being maintained.

Mr. Nieporte clarified that the decommissioning plan will address these issues.

Terry Meier stated that the township relies on the county for zoning. He asked for the county to protect the residents because the township isn't helping. Mr. Meier stated that Mr. Rogers presented a document with some changes. Mr. Meier feels the current regulations are too liberal and is asking the county to make changes to help the residents. He expressed his concerns on future expansion of the turbine project.

Colleen Vogel expressed her concerns about a lease presented to her by Apex which she did not sign. She had concerns about setbacks, noise, and property values and asked the commission look at how this project affects the future of the county.

**Public Comment Closed at 7:40 p.m.**

The consensus of the board was to take a look at the information that was provided regarding distance to a non-participating property line, distance to an occupied structure, reducing the decibel levels during nighttime hours and the requirement of a post construction sound study. Staff was instructed to place an item on the agenda for discussion of these four issues.

**Special Use Permit #17-09 Apex Clean Energy – Anemometer Tower – Gilmore Township**

An application was received by Apex Clean Energy for a special use permit to establish 196.85 ft anemometer tower located at 6000 block of N. Fordyce Rd., Gilmore Township, Section 34.

As indicated on the site plan the proposed tower would be established near the northeast corner of the property. Apex has indicated to staff that this anemometer tower, sometimes referred to as meteorological evaluation tower (MET tower) is temporary and if approved they anticipate the tower to be completely removed within 5 years.

Mr. Johnson explained that the proposed tower would not have an access road. Apex has indicated to staff that one or two pickups would be used for delivering the tower to the site and setup typically takes one to two days. All monitoring of the tower is done remotely and the tower would have no interconnectivity or need for electricity, a small solar panel and onsite batteries would power the meteorological equipment. Apex has also informed staff the tower will be of monopole design with attached guy wires. Fencing and visibility sleeves on the guy wires will be used.

Mr. Johnson stated that if the planning commission is going to make an approval, staff would recommend the following stipulations be incorporated into a motion.

1. The applicant will comply with all requirements of the Isabella County Zoning Ordinance including federal, state and local permits, and shall not broadcast a signal that causes interference with other communication systems.
2. The decommissioning plan for the anemometer tower and all associated components is such that it shall be removed within five (5) years of the date of permit issuance, unless otherwise approved by the planning commission.

Mr. Johnson reported that a letter of support was received from the property owner and two letters in opposition of the special use permit were received. These letters were distributed to the commission.

Public comment opened at 7:50 p.m.

Mr. Scott Hawken indicated this is a temporary meteorological tower to measure the wind resource and is available to answer questions.

Frank Lynch – Stated the tower on his property was placed in an incorrect location and was moved a few days later to the correct location.

Public comment closed at 7:53 p.m.

A Motion was made by Mrs. White supported by Mr. Vogel to approve Special Use Permit #17-09 (Sup#17-09) submitted by Apex Clean Energy with the following conditions:

1. The applicant will comply with all requirements of the Isabella County Zoning Ordinance including federal, state and local permits, and shall not broadcast a signal that causes interference with other communication systems.
2. The decommissioning plan for the anemometer tower and all associated components is such that it shall be removed within five (5) years of the date of permit issuance, unless otherwise approved by the planning commission.

The approval is based on the fact the applicant has submitted a complete application that meets all special use permit requirements.

Yes: Tim O'Neil, Phillip Vogel, Jim Horton, Nancy White, Ann Silker, Jeremy Murphy, Kelly Bean

No: None

Motion carries.

**Text Amendment ZA#17-09 - Industrial District Conditional Use Requirement**

Mr. Nieporte reviewed the history of the proposed text amendment and the commission's request for staff to present setback options. These options were presented at last month's meeting using the GIS demonstrating how the reduction from 1,000 ft to 150 ft opens up the industrial districts to development.

Public comment opened 7:56 p.m.

Public comment closed 7:56 p.m.

A Motion was made by Mrs. White supported by Mr. Murphy to recommend approval of Zoning Amendment 17-09 (ZA#17-09) to modify the setback requirements for industrial uses to a residential district in Section 8.06 (C) Conditional Use Requirements in Article 8, Light Industrial District. The recommendation is based upon the fact that the amendment will increase available land for industrial district development.

Mr. Horton asked about public notification for this amendment.

Mr. Nieporte clarified text amendment notification requirements.

Mrs. Silker expressed concerns that dropping from 1,000 ft to 150 may be too much of a decrease.

Yes: Tim O'Neil, Phillip Vogel, Jim Horton, Nancy White, Jeremy Murphy, Kelly Bean

No: Ann Silker

Motion carries.

### **Surrey Township, Clare County - Draft Master Plan**

The community development office received a draft copy of a master plan update for Surrey Township in Clare County. Upon review by staff it appears the future land use is consistent with Isabella County's future land use for Gilmore Township to the south of Surrey Township. Staff has no other comments or concerns with the master plan.

Mr. Nieporte stated staff will forward a letter back to Surrey Township indicating the planning commission had no comments.

### **PUBLIC COMMENT**

Opened at 8:04 p.m.

Nathan Rogers stated the clean energy mandate mentioned by Mr. McBride from the state has been dropped from a mandate to a recommendation the percentage of energy from renewable sources was increased. Mr. Rogers also made comments the Tuscola County tax revenue, the depreciated value of wind turbines and overspending of municipalities.

Mr. Nieporte commented on taxable values depreciating after a number of years and then remaining at 30% for the life of the project.

Mr. Horton stated the County Board is always looking out 3-5 years and an increase in tax base could be used to fund legacy costs.

Helen Meier compared the differences between Isabella County and other municipalities in the Midwest and feels Isabella County is fairly densely populated. She stated that her research of anecdotal information on the internet and blog sites shows that people have problems with wind turbine syndrome though there is not much scientific research, and stated that the number of people effected is miniscule. She asks the commission to evaluate the project without thinking of the money.

Carolyn Glacken asked the board to look into the health issues and expressed concerns about health effects related to wind turbines.

Helen Meier expressed concerns about the grievance process and feels the county should have a grievance process reviewed by a 3<sup>rd</sup> party.

Lou Ann Mogg expressed her concern on decommissioning and stated a specific dollar amount should be added. She also expressed her concerns on potential fire hazards and the proximity to homes. She additionally asked that the commission get a safety manual on wind turbines because it states that if a turbine catches on fire no one should be within 1,640 ft of the turbine. Mrs. Mogg asked why the ordinance does not have a height restriction.

Mr. Nieporte stated that the decommissioning plan will be a multi-paged signed contact with dollar amounts and values within it. Mr. Nieporte clarified that potential turbine heights are restricted by the setback requirements in the ordinance. He offered to have Mrs. Mogg come into the office to view the setback information in the GIS.

Public Comment Closed at 8:28 p.m.

#### **STAFF COMMENTS**

Mr. Nieporte reminded the commission that the organizational meeting will take place in January where the meeting dates/times will be set and officers will be elected.

Mr. Johnson reminded the board to please leave their copy of the ordinance at their seat and staff will update them and return them in January.

#### **PLANNING COMMISSIONER'S COMMENTS**

None.

#### **ADJOURNMENT**

A motion was made by Mr. Murphy to adjourn the meeting seconded by Mrs. White at 8:29 p.m.

Yes: Tim O'Neil, Phillip Vogel, Jim Horton, Nancy White, Ann Silker, Jeremy Murphy, Kelly Bean

No: None

Motion carried

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Nancy White, Secretary

UNAPPROVED