

ISABELLA COUNTY, MICHIGAN

PLANNING COMMISSION

SPECIAL MEETING

WEDNESDAY, AUGUST 28, 2019

7:00 P.M.

APPROVED:

PLANNING COMMISSION MEMBERS:

Jeremy Murphy, Chairperson

Kelly Bean, Vice-Chair

Tim O'Neil, Secretary

Ann Silker, Commissioner

Bob Campbell, Commissioner

Jerry Neyer, Commissioner (Excused - due to conflict)

Nathan Rogers, Commissioner (Excused - due to conflict)

Phillip Vogel, Commissioner (Excused - due to conflict)

Jim Horton, Commissioner (Not present)

(Quorum present.)

COUNTY REPRESENTATIVES:

Tim Nieporte, Community Development Director

Ray Johnson, Planner/Zoning Administrator

William Fahey, County Attorney

ALSO PRESENT:

Alan Bean (Spicer Group)

Jennifer Clawson (Spicer Group)

MINUTES RECORDED BY:

Quentina R. Snowden, (CSR-5519)

Certified Shorthand Reporter & Notary Public

1. CALL TO ORDER: Chairperson Murphy called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance was recited.

3. Approval of Agenda

Motion to approve the agenda

Motion: Rogers Support: Bean
 Abstained: (None.) Opposed: (None.)

(All Ayes to approve the agenda.)

4. Minutes from the August 8, 2019 Meeting

Motion to approve minutes from August 8, 2019 meeting

Motion: Neyer Support: Vogel
 Abstained: (None.) Opposed: (None.)

(All Ayes to approve the minutes.)

5. Public Comments (None.); Opened at 7:02 p.m., closed at 7:02 p.m.
6. Conflict of Interest Declarations

Attorney Fahey stated the following Planning Commissioners have no conflict of interest:

Chairperson Jeremy Murphy; Vice-Chair Kelly Bean (nephew Todd Bean lives within the project's notice area. Brother Jeff Bean received notice of the project, but only by virtue of his position as the Vernon Township Supervisor - no personal financial interest nor property); Secretary Tim O'Neil; Commissioner Jim Horton; Commissioner Ann Silker; Commissioner Bob Campbell.

He stated the following Planning Commissioners have a conflict of interest:

Commissioner Jerry Neyer (brother owns property that is leased for the project); Commissioner Phillip Vogel (owns property as a member of an LLC that is leased for the project); Commissioner Nathan Rogers (owns property within the project's notice area and within 300 feet of the project area.)

He stated pursuant to the bylaws, a Planning Commission Member must disqualify himself/herself based upon a conflict of interest. (Commissioners Neyer, Vogel, Rogers exited the hearing room.)

7. Scrivener's Error

Attorney Fahey stated there was an error made in one of the documents prepared for the Commission by himself. He stated the name of the applicant on the resolution was not correct.

He explained there are a layer of owners that are all LLCs with respect to this project. He stated to be correct, the actual applicant should be Isabella Wind, LLC.

A motion was made to correct the name of the applicant to Isabella Wind, LLC on the January 31, 2019 Isabella County Planning Commission decision granting special use permit SUP 18-09 with conditions.

Motion: Silker Support: O'Neil

Abstained: (None.) Opposed: (None.)

(All eyes to approve motion.)

8. Site Plan Review #19-10 Wind Energy Conversation System (WECS) Isabella Wind LLC

a. Denver Township

MR. ALAN BEAN discussed over the past six months, Spicer received some portions of their Special Use application to comply with the 32 conditions that were issued in January, 2019. He stated included were also detailed site plans for the full project.

He stated the project evolved a little bit over the summer, and to this point today, they are looking at a total of 150 GE wind turbines, approximately 582 feet (15 feet shorter than the previously proposed Vestas.) He stated Apex is looking to build 136 turbines.

He stated tonight they are looking at Denver Township and Isabella Township only.

He further discussed the PowerPoint presentation that summarized the conditions that were imposed on the project in January 2019. He stated at that time, the red items were noted as conditions that were going to need to be addressed prior to construction. He stated the others are items that are in compliance. He stated the red text highlighted in yellow have now been complied with. There are 9 conditions that still need to be addressed by the applicant, and that those will need to be submitted and finalized prior to building permits being issued.

He explained the legend for the map to help orient the Commission. He explained they tried to condense a lot of information into the staff report.

MR. ALAN BEAN discussed Denver Township, Section 2:

Setback from Non-participating property lines

Requirement 582 Feet (Turbine complies.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbine complies.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbine complies.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbine complies.)

Above-ground utility lines

Setback requirement 30 feet (Dickinson property powerline; He stated it's incumbent upon the applicant to know where the property lines are and not build on non-participating property. He stated it is very close to the property line and they will use Alta site plans at the time of building permit application to ensure that that powerline does not cross over into the non-participating property.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (Turbine complies.)

MR. ALAN BEAN discussed Denver Township, Section 3 (Turbines F20, F21, F22):

Setback from Non-participating property lines

Requirement 582 Feet (Turbines comply.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbines comply.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbines comply.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbines comply.)

Above-ground utility lines

Setback requirement 30 feet (Turbines comply.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailement required for all.)

Sound

50 dBA at a non-participating property line. (NRO Mode 3 for turbine F20; NRO Mode 2 for turbine F21; NRO Mode for turbine F22 required for compliance.) Sound contour around F22 was discussed because it is close to a non-participating parcel (Thomas Prout).

MR. ALAN BEAN discussed the overhead transmission lines in Sections 4 and 5.

MR. NIEPORTE stated there is shadow flicker contours in Sections 4 and 5, but no turbines within it.

MR. ALAN BEAN discussed Denver Township, Section 6 (Turbine F19):

Setback from Non-participating property lines

Requirement 582 Feet (Turbine complies.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbine complies.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbine complies.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbine complies.)

Above-ground utility lines

Setback requirement 30 feet (Turbine complies.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (Turbine complies - normal operation.)

MR. ALAN BEAN discussed Denver Township, Section 7 (Turbines E23, E24, E25):

Setback from Non-participating property lines

Requirement 582 Feet (Turbines comply.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbines comply.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbines comply.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbines comply.)

Above-ground utility lines

Setback requirement 30 feet (Turbines comply.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required for all.)

Sound

50 dBA at a non-participating property line. (Normal operation for turbine E23; NRO Mode 2 for turbine E24; NRO Mode 1 for turbine E25 required for compliance.)

MR. ALAN BEAN discussed Denver Township, Section 18 (Turbine D24):

Setback from Non-participating property lines

Requirement 582 Feet (Turbine complies.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbine complies.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbine complies.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbine complies.)

Above-ground utility lines

Setback requirement 30 feet (Turbine complies.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (NRO Mode 1 required for compliance.) He stated one item to note, the sound contour is close to a non-participating parcel in the southwest corner of the Section. He stated they'll be looking at it just to make sure that there is no sound exceeding 50 decibels on the non-participating property.

MR. ALAN BEAN discussed Denver Township, Section 19 (Turbines C27 and C28):

Setback from Non-participating property lines

Requirement 582 Feet (Turbines comply.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbines comply.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbines comply.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbines comply.)

Above-ground utility lines

Setback requirement 30 feet (Turbines comply.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (NRO Mode 1 for turbine C27 required for compliance; C28 normal operation.) Sound contour is close to non-participating parcels.

ATTORNEY FAHEY discussed the document entitled: Isabella County Planning Commission Decision Granting Partial Site Plan Approval (SUP 18-09) with Conditions - Denver Township Portions of Isabella Wind Energy Project. He discussed in detail the Findings, Conclusions and Conditions.

VICE-CHAIR BEAN questioned whether Section 12.05 QQ(24) dealt with setbacks.

ATTORNEY FAHEY stated siting can only be changed if all setbacks are still met. He stated they have 100-foot leeway with the approval of the Zoning Department.

Motion to approve and grant Partial Site Plan SUP 18-09 with conditions (Denver Township).

Motion: Bean Support: Campbell

Abstained: (*See below) Opposed: (None.)

ROLL CALL VOTE:

(All ayes to approve motion - Chair Murphy, Vice-Chair Bean, Secretary O'Neil, Commissioner Silker, Commissioner Campbell.

*Commissioners Neyer, Vogel and Rogers were disqualified/abstained

8. Site Plan Review #19-10 Wind Energy Conversation System
(WECS) Isabella Wind LLC

b. Isabella Township

MR. ALAN BEAN discussed Isabella Township, Section 5 (Turbines F15 and F18):

Setback from Non-participating property lines

Requirement 582 Feet (Turbines comply.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbines comply.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbines comply.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbines comply.)

Above-ground utility lines

Setback requirement 30 feet (Turbines comply.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailement required.)

Sound

50 dBA at a non-participating property line. (NRO Mode 1 for turbine F15 required for compliance; F18 normal operation.)

He discussed the communication tower 1,700 feet to the southwest of F15 and an existing MET tower 435 feet southeast of turbine F18. He stated none of these structures interfere with the setbacks.

COMMISSIONER CAMPBELL questioned where Rosebush was. Mr. Alan Bean indicated on the map.

MR. ALAN BEAN discussed Isabella Township, Section 6 (Turbines F12, F13 and F14):

Setback from Non-participating property lines

Requirement 582 Feet (Turbines comply.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbines comply.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbines comply.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbines comply.)

Above-ground utility lines

Setback requirement 30 feet (Turbines comply.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (NRO Mode 3 for turbine F14 required for compliance; F12 and F13 normal operation.)

MR. ALAN BEAN discussed Isabella Township, Section 7 (Turbines E15, E16, E17 and E18):

Setback from Non-participating property lines

Requirement 582 Feet (Turbines comply.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbines comply.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbines comply.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbines comply.)

Above-ground utility lines

Setback requirement 30 feet (Turbines comply.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (NRO Mode 3 for turbine E17; NRO Mode 1 for turbine E18 required for compliance; E15 and E16 normal operation.)

MR. ALAN BEAN discussed Isabella Township, Section 8 (Turbine E19):

Setback from Non-participating property lines

Requirement 582 Feet (Turbine complies.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbine complies.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbine complies.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbine complies.)

Above-ground utility lines

Setback requirement 30 feet (Turbine complies.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (E19 normal operation.)

MR. ALAN BEAN discussed Isabella Township, Section 9 (Turbines E20, E21 and E22):

Setback from Non-participating property lines

Requirement 582 Feet (Turbines comply.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbines comply.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbines comply.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbines comply.)

Above-ground utility lines

Setback requirement 30 feet (Turbines comply.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (None required.)

Sound

50 dBA at a non-participating property line. (NRO Mode 1 for turbine E21 - may require NRO Mode 2 for compliance; E20 and E22 normal operation.)

MR. ALAN BEAN discussed Isabella Township, Sections 13, 14 and 15:

Section 13 has an above-ground powerline and collection lines and a contour for shadow flicker in the southeast part of the section.

Section 14 has an above-ground powerline, underground powerline. No shadow flicker nor sound issues for this section.

Section 15 has an above-ground powerline and underground powerline. He pointed out where the substation is.

MR. ALAN BEAN discussed Isabella Township, Section 16 (Turbine D23):

Setback from Non-participating property lines

Requirement 582 Feet (Turbine complies.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbine complies.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbine complies.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbine complies.)

Above-ground utility lines

Setback requirement 30 feet (Turbine complies.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (Normal operation.)

MR. ALAN BEAN discussed Isabella Township, Section 17 (Turbines D21 and D22):

Setback from Non-participating property lines

Requirement 582 Feet (Turbines comply.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbines comply.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbines comply.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbines comply.)

Above-ground utility lines

Setback requirement 30 feet (Turbines comply.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (NRO Mode 3 for turbine D22 required for compliance; D21 normal operation.)

MR. ALAN BEAN discussed Isabella Township, Section 18 (Turbines D16, D17, D18, D19 and D20):

Setback from Non-participating property lines

Requirement 582 Feet (Turbines comply.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbines comply.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbines comply.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbines comply.)

Above-ground utility lines

Setback requirement 30 feet (Turbines comply.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (NRO Mode 3 for turbine D16; NRO Mode 1 for turbines E17, E18, E19 and E20 required for compliance.)

MR. ALAN BEAN discussed Isabella Township, Section 19 (Turbines C16, C17 and C18):

Setback from Non-participating property lines

Requirement 582 Feet (Turbines comply.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbines comply.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbines comply.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbines comply.)

Above-ground utility lines

Setback requirement 30 feet (Turbines comply.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (NRO Mode 1 for turbines C16, C17 and C18 required for compliance.)

MR. ALAN BEAN discussed Isabella Township, Section 20 (Turbine C19):

Setback from Non-participating property lines

Requirement 582 Feet (Turbine complies.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbine complies.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbine complies.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbine complies.)

Above-ground utility lines

Setback requirement 30 feet (Turbine complies.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (Normal operation - however, close to a non-participating parcel - needs review.)

MR. ALAN BEAN discussed Isabella Township, Section 21 (Turbines C20, C21, C22 and C23):

Setback from Non-participating property lines

Requirement 582 Feet (Turbines comply.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbines comply.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbines comply.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbines comply.)

Above-ground utility lines

Setback requirement 30 feet (Turbines comply.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (NRO Mode 1 for turbines C20, C21 and C23; NRO Mode 3 for turbine C22 required for compliance.)

He pointed out there are some proposed collection lines in the northeast corner that are pretty close to the non-participating

property line. He stated they will look at that, at the time of Alta surveys being submitted.

MR. ALAN BEAN discussed Isabella Township, Section 22 (Turbine C24)

Setback from Non-participating property lines

Requirement 582 Feet (Turbine complies.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbine complies.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbine complies.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbine complies.)

Above-ground utility lines

Setback requirement 30 feet (Turbine complies.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (Normal operation.)

MR. ALAN BEAN discussed Isabella Township, Section 24 (Turbines C25 and C26):

Setback from Non-participating property lines

Requirement 582 Feet (Turbines comply.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbines comply.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbines comply.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbines comply.)

Above-ground utility lines

Setback requirement 30 feet (Turbines comply.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (Normal operation; however, C25 is close to a non-participating line.)

MR. ALAN BEAN discussed Isabella Township, Section 28 (Turbine B20):

Setback from Non-participating property lines

Requirement 582 Feet (Turbine complies.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbine complies.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbine complies.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbine complies.)

Above-ground utility lines

Setback requirement 30 feet (Turbine complies.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (Normal operation.)

MR. ALAN BEAN discussed Isabella Township, Section 29 (Turbines B18 and B19):

Setback from Non-participating property lines

Requirement 582 Feet (Turbines comply.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbines comply.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbines comply.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbines comply.)

Above-ground utility lines

Setback requirement 30 feet (Turbines comply.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (NRO Mode 2 for turbine B19 required for compliance; Normal operation for B18.)

MR. ALAN BEAN discussed Isabella Township, Section 30 (Turbines B14, B15, B16 and B17):

Setback from Non-participating property lines

Requirement 582 Feet (Turbines comply.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbines comply.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbines comply.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbines comply.)

Above-ground utility lines

Setback requirement 30 feet (Turbines comply.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (NRO Mode 2 for turbine B14; NRO Mode 1 for turbine B15; normal operation for turbines B16 and B17.)

He stated that turbines B15 and B17 are close to the sound contours are close to non-participating properties. He stated there are also some collection lines that are close as well.

MR. ALAN BEAN discussed Isabella Township, Section 31 (Turbines A11, A12 and A13):

Setback from Non-participating property lines

Requirement 582 Feet (Turbines comply.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbines comply.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbines comply.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbines comply.)

Above-ground utility lines

Setback requirement 30 feet (Turbines comply.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (NRO Mode 2 for turbine A11; NRO Mode 3 for turbine A13; normal operation for turbine A12.)

He stated on the site plan they note that a sound contour associated with A11 is close to a non-participating property.

MR. ALAN BEAN discussed Isabella Township, Section 32 (Turbine A14):

Setback from Non-participating property lines

Requirement 582 Feet (Turbine complies.)

Tower Height Requirement from Public Roads

Requirement 1.5 tower height - 874 Feet (Turbine complies.)

Tower Height from a Railroad

Requirement 1.5 tower height (Turbine complies.)

Tower Height Occupied buildings

Requirement 2.5 tower height - 1,165 feet (Turbine complies.)

Above-ground utility lines

Setback requirement 30 feet (Turbine complies.)

Shadow Flicker

Requirement - no more than 30 hours per year on an occupied building. (Curtailed required.)

Sound

50 dBA at a non-participating property line. (NRO Mode 1 required for compliance.) He stated there is a sound contour close to a non-participating property.

ATTORNEY FAHEY discussed the document entitled: Isabella County Planning Commission Decision Granting Partial Site Plan Approval

(SUP 18-09) with Conditions - Isabella Township Portions of Isabella Wind Energy Project. He discussed in detail the Findings, Conclusions and Conditions.

Motion to approve and grant Partial Site Plan SUP 18-09 with conditions (Isabella Township).

Motion: O'Neil Support: Bean

Abstained: (*See below) Opposed: (None.)

ROLL CALL VOTE:

(All ayes to approve motion - Chair Murphy, Vice-Chair Bean, Secretary O'Neil, Commissioner Silker, Commissioner Campbell.

***Commissioners Neyer, Vogel and Rogers were disqualified/abstained**

8. Site Plan Review #19-10 Wind Energy Conversation System (WECS) Isabella Wind LLC

c. Laydown yard

MR. ALAN BEAN discussed the laydown yard is in Isabella Township, located in Section 17. He stated the site plan submitted is generally helpful to understand what they want to do with the site. He pointed out the two access points. He pointed out the storage area, parking spaces, tool rooms and various trailers that will be present labeled as Safety, Fagen, Apex, GE, DTE, MJ and Fischer. He noted this is a temporary facility. He stated there are some items missing, which they are going to ask the applicant to provide, as required by the Zoning Ordinance, prior to securing building permits. He discussed several of their concerns and asked Trip Stakem to address those concerns.

MR. TRIP STAKEM stated he is the project manager for Apex, and has been working on this project from its conception, acting as civil engineer. He stated they are looking to start construction of the laydown area as early as they can, within the next week or two, assuming everything goes with the meeting and the other permits.

He stated it will be for the duration of the project, which they expect to end December 2020. He stated it may go a little bit longer if the site trailers need to remain to do any restoration

that's been agreed to with the landowners and any other agreements; the longest they anticipate it would be maybe March or April of 2021, at which point the site will be returned to agricultural land.

In regards to the lighting issue, the contractor has stated there will be some very small temporary lights that will be put on the buildings; he believes these would be turned off at night. He stated he needed to verify that. He stated there would be no permanent lighting.

He stated there is a site plan that indicates all of the lighting on site will be in accordance with the Zoning Ordinance.

He stated the site will not be fenced.

He stated there will be a project sign that will be at the entrance. He stated it will be a board, also in accordance with the Sign Ordinance. He stated they can provide a template of that, if requested.

He stated that soil stockpiles is not addressed on the site plan, but he believes the soil will be removed from the site and stockpiled off-location, and then returned at restoration.

MR. NIEPORTE requested that the site where the stockpile will be, be disclosed to them. Mr. Stakem stated he would look into that and provide that information.

MR. STAKEM indicated there will not be any temporary batch plant on site. He stated all of the concrete is coming from local plants.

He addressed the drainage ditch. He stated they have a letter from the civil engineer that addresses the requirement for the drainage ditch; essentially it is to collect any run-off that would otherwise run into the field.

ATTORNEY FAHEY discussed the document entitled: Isabella County Planning Commission Decision Granting Partial Site Plan Approval (SUP 18-09) with Conditions - Laydown yard Portion of Isabella Wind Energy Project.) He discussed in detail the Findings, Conclusions and Conditions.

Motion to approve and grant Partial Site Plan SUP 18-09 with conditions (Laydown yard).

Motion: Bean Support: Campbell

Abstained: (*See below) Opposed: (None.)

ROLL CALL VOTE:

(All ayes to approve motion - Chair Murphy, Vice-Chair Bean, Secretary O'Neil, Commissioner Silker, Commissioner Campbell.

*Commissioners Neyer, Vogel and Rogers were disqualified/abstained

8. Site Plan Review #19-10 Wind Energy Conversation System (WECS) Isabella Wind LLC

d. Substation

MR. ALAN BEAN stated the substation is proposed to be in Section 22 of Isabella Township. He discussed their concerns as outlined in the staff report.

MR. STAKEM stated there is a newer version of the site plan that addresses some of their concerns. He stated the new version does show the setbacks from the property lines, as well as the adjacent zoning for the parcels on either side.

He stated the new plan will include details and specifications for the 7-foot chain-link fence that goes all the way around.

He stated the red lines that indicate hold, those are parts of the substation that are still under consideration by the operator, and so they are trying to figure out in those areas what equipment they wanted to have there specifically. He said this still needs to be determined.

He stated the layout will change, and they are expecting the new version of the drawing that will show the proper orientation, at which time they will submit that information.

He stated there is a wetland on the site, and that has been included in the application to EGLE. He stated they understand none of the work is to take place until they have that permit.

He stated there will be some lighting on the site. The new site plan will address that.

He stated there will be safety signage at the entrances, indicating who the owner is and contact information in case of emergencies. He stated they will submit that as well.

MR. ALAN BEAN questioned whether the footprint has changed at all.

MR. STAKEM stated this is the final footprint.

MR. NIEPORTE questioned whether the modifications would be to the equipment inside of the fenced area, but that the perimeter of the fenced area is as it is submitted now.

MR. STAKEM stated he believes so, but has to verify it with the date on the site plan.

ATTORNEY FAHEY discussed the document entitled: Isabella County Planning Commission Decision Granting Partial Site Plan Approval (SUP 18-09) with Conditions - Substation Portion of Isabella Wind Energy Project.) He discussed in detail the Findings, Conclusions and Conditions.

Motion to approve and grant Partial Site Plan SUP 18-09 with conditions (Substation).

Motion: Bean Support: O'Neil

Abstained: (*See below) Opposed: (None.)

ROLL CALL VOTE:

(All ayes to approve motion - Chair Murphy, Vice-Chair Bean, Secretary O'Neil, Commissioner Silker, Commissioner Campbell.)

*Commissioners Neyer, Vogel and Rogers were disqualified/abstained

9. Public Comment (Opened at 8:50 p.m.)

MS. HELEN MEIER approached to discuss shadow flicker, how you need light and motion to create flicker. She

questioned why the shadow flicker was measured by the hub height but did not include the blades.

MR. RICHARD LAMPETER (Epsilon Associates) approached. He stated the shadow flicker analysis takes into account both the hub height and the rotor diameter.

CHAIRPERSON MURPHY questioned whether the model as it stands right now takes into account the entire turbine. Mr. Lampeter affirmed.

MS. HELEN MEIER stated she had an individual who made a living teaching physics and mathematics do some calculating. She indicated a structure of 400 feet in height with a sun angle of 3 degrees will cast a shadow of 7,632 feet, which is 1.45 miles. She questioned why they only measured to 1.25.

MR. LAMPETER stated their calculations limit shadow flicker out to 1.25 miles. He stated that's on the conservative side for what's out there as far as calculation distances. He stated some studies suggest only 10 times the rotor diameter, which is less than what they do.

He stated based on some observations of actual shadow flicker and how the perception of flicker will decrease with distance so that your intensity is closer, this analysis is strictly a duration or a time.

He stated it doesn't look at intensity, but at some point shadow flicker ceases to exist at a distance, so they used conservatively approximately 1.25 miles.

MS. HELEN MEIER stated her prior shadow flicker exposure was over 28 hours and now over 22 hours. She questioned how a difference of 17 feet can make that much difference.

MR. LAMPETER stated he's not sure which home she is referring to and what has changed from version to version, but indicated that both the hub height and rotor diameter will change when you change the model, and would impact that calculation.

SECRETARY O'NEIL and MR. NIEPORTE both stated it doesn't change the Ordinance which states no more than 30 hours.

CHAIRPERSON MURPHY invited further public comment; no one approached.

(Public comment was closed at 8:58 p.m.)

10. Adjournment - Motion by Bean; Support by O'Neil to adjourn;
(All ayes to adjourn.)

(Meeting adjourned at 8:58 p.m.)

Minutes certified by:



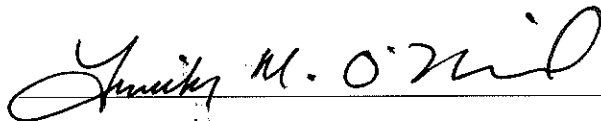
/s/ Quentina Rochelle Snowden, CSR-5519

Certified on: September 2, 2019

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Tim O'Neil Secretary, Isabella County Planning Commission