

ALPINE TOWNSHIP PLANNING COMMISSION REGULAR MEETING
Thursday, October 16, 2008

08-40 CALL TO ORDER/ APPROVAL OF MINUTES/PUBLIC COMMENT

The Alpine Township Planning Commission held its regular meeting on Thursday, October 16, 2008, at 7:30 PM, at the Alpine Township Center, 5255 Alpine Ave., NW, Comstock Park, MI 49321, with due notice. Present were Chair Jim Townsend, Vice-Chair Greg Madura, Secretary Nelda Johnson, and members Jim May and Dick Sedlecky. Excused was Max Dunneback. Absent was Jason Rosenzweig. Also in attendance were Planning Director Sue Thomas and Recording Secretary Patricia Kolkman.

Townsend called the meeting to order with the Pledge of Allegiance at 7:30 PM.

Rosenzweig arrives 7:32 PM.

Townsend first shared with Commissioners an unsigned note he had received, presumably from a Township resident, requesting that the Township consider installing a sidewalk along Division Ave., from 6 Mile Rd. to 7 Mile Rd. Thomas also read a note she had received from an anonymous Township citizen asking that the new MPUD Ordinance be utilized to provide housing and activities to seniors in the Township. Madura commented that he hopes any developer designing an MPUD would address this need.

There was limited discussion among Commissioners regarding the minutes of the September 18, 2008 regular meeting. After confirming who had made and seconded the first motion, **Madura moved, with May's support, to approve the minutes from the Regular Planning Commission meeting of September 18, 2008, with the additions specified.**

Ayes: 6

Nays: 0

Motion carried.

No audience was present for public comments.

08-41 DISCUSSION: DRAFT WIND ENERGY SYSTEMS ORDINANCE

Thomas then reminded Commissioners of her memo in their packets which summarized that adopting a Wind Energy Ordinance will also require changes to other chapters in the Zoning Ordinance, and she has provided those alterations for review. She informed the PC that Senate Bill 213 was recently signed into law by Governor Granholm, which requires 10 percent of electrical energy generated in Michigan to come from renewable energy sources by 2015. The final version of the law did not give the State jurisdiction over local municipalities' regulations of Wind Energy Systems.

On direction from the Chair, Thomas also shared additional information on the Township's proposed Outdoor Furnace Ordinance. She said that while she had made the changes the Planning Commission had requested at previous meetings, she had also contacted Nelson Township for information as Rosenzweig had suggested. She

found that Nelson Township is amending its ordinance, after realizing that the minimum chimney height of 20 feet was too restrictive since many of the manufacturers recommended lesser heights. Nelson Township required all those with outdoor furnaces to have them registered with the Township but did not require Mechanical Permits, since they themselves did not realize they were required until halfway through their process.

In response to a question from Townsend, Thomas said she did not believe there was any reason to deviate too far from the State's recommendations on WES (Wind Energy Systems). She then asked Commissioners to review the changes that had been made to the new ordinance after last month's meeting. There was considerable discussion regarding whether a minimum distance between a residence and a WES should be specified in the ordinance. Comments included the unlikely possibility of "ice shedding" during the actual operation of the WES. Thomas reminded Commissioners that if the WES were 65 feet or less, it would be considered an accessory use, serving the primary structure or use. Sedlecky pointed out that the design of the structure considers the weather in the area, the anchoring used to secure it, as well as the inherent value of the structure, so if installed according to manufacturer's specifications and the requirements in the Building Code, damage to other structures should be limited while in operation.

The language used on page 5 was briefly clarified. Sedlecky pointed out that installation of a rooftop WES would be similar to a spire or bell tower on a church, or the "weather ball" once installed on a bank building downtown. Thomas pointed out that any regulations enacted for WES should be consistent with those for cell towers and co-locations of antennae. In both cases, the underlying structure must be evaluated and confirmed before the Building Official could approve an attached structure installation.

Discussion continued regarding decibel level limits allowed from WES (Section 21.09 (b) (1), and several Commissioners asked for examples on tape of various decibel levels before they felt comfortable with setting a standard. Thomas said she would try to locate an audio sampler for Commissioner review. May wondered if after the Township sets acceptable decibel levels for WES they might someday be expanded to also cover "frost fans" used in orchards or "hail cannons", both of which are used by farmers to protect crops from weather risks. It was pointed out that the Right to Farm Act would protect farmers from unnecessary regulation, although it would not prohibit a resident from making a complaint about noise. Because there was some concern about using the term "ambient" when determining sound levels for WES, Johnson suggested including the definition of "ambient" in the Ordinance definitions.

Dunneback arrives 8:30 PM.

Commissioners discussed the requirements in the proposed ordinance for removal of non-working or abandoned WES. Dunneback pointed out that a property owner may lease a portion of land to an energy company for a lengthy period (such as 30 years) and have no authority over abandoned equipment. Commissioners agreed that since the structures are costly, it isn't likely they would be "abandoned" without reason. Thomas agreed to find out what language is used in other municipalities to regulate removal of equipment no longer in use or working properly.

Thomas went on to say that in her discussions with Solon Township regarding its ordinance, she found that Solon allowed wind towers of 100 feet, but prohibits those with

a vertical axis, lattice construction, and/or having more than 3 blades. Additionally, Solon's required setbacks are one and one-half times the height of the tower, with a maximum tower height of 199 feet. Their Planning Commission is authorized to grant an exception to this height requirement after review. Thomas pointed out that towers in any location which are 200 feet or taller are required by FAA regulations to have aeronautic lighting installed.

**08-42 PUBLIC COMMENT/ COMMISSIONER COMMENT/ STAFF UPDATE/
ADJOURNMENT**

Townsend then noted that there was no audience for public comment and asked if Commissioners had anything to add.

May noted that in some locations, cable television installations are on pre-existing Consumers Energy power poles, but Consumers requires them to be a specific distance *below* their power lines. May asks that the minimum height for any cable installation be raised and regulated at the County or State level, since farm equipment is now taller than these cables and accidents have occurred.

Sedlecky, Johnson, and Dunneback had no comment.

Rosenzweig recognized that this may be Townsend's last meeting on the Planning Commission, since the local election will be held on November 4th. He wanted to express his pleasure at working with Townsend for the last 4 years.

Madura concurred. He added that May should bring the request for sidewalks on Division Avenue to the Township Board at its next meeting October 20th.

Thomas informed Commissioners that the revised Sign Ordinance (Chapter 20) was provided to them and the Zoning Board of Appeals.

Townsend said he doesn't know if this is his last PC meeting or not, but he feels that much has been accomplished in the last 4 years and he has appreciated the experience, and enjoyed working with this group very much.

Madura moved, with support from Rosenzweig, to adjourn.

Ayes: 7

Nays: 0

Motion carried.

Nelda Johnson, Secretary

Patricia Kolkman, Recording Secretary