

LAKE TOWNSHIP

Huron County, Michigan

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NOTICE OF PUBLIC HEARING

Notice is hereby given that the Lake Township Board of Trustees will hold a public hearing on Monday, June 20, 2011 at the Lake Township Hall, 4988 W. Kinde Road, Caseville, Michigan. This public hearing will take place during the regular board meeting which has been rescheduled to begin at 7:00 P.M.

The purpose of the public hearing will be to take public input on proposed amendments to the Lake Township Zoning Ordinance of 2007, **specifically an amendment to include a Wind Energy Facility Overlay Zoning Ordinance as follows:**

SECTION 1. PURPOSE AND INTENT - The purpose of this Article is to provide a regulatory scheme for the designation of properties suitable for the location, construction and operation of Wind Energy Conversion Facilities (Wind Energy Facilities) in Lake Township, Huron County....

SECTION 2. DEFINITIONS - As used in this Article, the following terms shall have the meaning...

SECTION 3. REGULATORY FRAMEWORK

3.1 Zoning - Wind Energy Facility may be constructed on land that is zoned Agricultural...

3.2 Principal or Accessory Use - Wind Energy Facility and related accessory uses...

SECTION 4.0 APPLICABILITY - A Wind Energy Conversion Facility (WECF) or Wind Energy Facility (WEF) shall be permitted in Agricultural Districts with a Wind Energy Facility Overlay District Classification....

SECTION 5.0 WIND ENERGY FACILITIES SITE PLAN REVIEW PROCEDURE - The following process shall be utilized when reviewing an application for a Wind Energy Facility Permit....

5.1 Site Plan Review Required.

5.2 Application Fee:

5.3 - Application Material.

A. Avian Analysis.

B. Visual Appearance; Lighting; Power lines.

C. Setbacks, Separation and Security.

1) Inhabited structures: On a participating parcel, each wind turbine shall be set back from the nearest inhabited structure a distance of no less than 1000 feet....

2) Property line setbacks: Excepting locations of public roads (see below), drain rights-of-way and parcels with inhabited structures, wind turbines shall not be subject to a property line setback....

3) Public Roads: Each wind turbine shall be set back from the nearest public road a distance no less than 400 feet or 1.5 times its Hub Height, whichever is greater....

4) Communication and electrical lines: Each wind turbine shall be set back from the nearest above-ground public electric power line or telephone line a distance no less than 400 feet or 1.5 times its Hub Height....

5) Tower separation: Turbine/tower separation shall be based on 1) industry standards, 2) manufacturer recommendation, and 3) the characteristics [prevailing wind, topography, etc.] of the particular site location...

6) Following the completion of construction, the applicant shall certify that all construction is completed pursuant to the Wind Energy Site Permit and...

D. Wind Turbine/Tower Height (Total Height): The total height of a wind turbine shall be the distance to the center of the hub of the wind turbine plus the distance to the tip of the turbine blade at its height point....

E. Noise

1) On participating parcels, audible noise or the sound pressure level from the operation of a WEF shall not exceed 45 dBA or the ambient sound pressure level plus five (5) dBA, whichever is greater, for more than ten percent (10%) of any hour, measured at any residence....

2) In the event audible noise from the operation of the Wind Energy Facility contains a steady pure tone...

3) The ambient noise level absent any and all turbine noise shall be expressed in terms of the highest whole number sound pressure level in dBA, which is exceeded for more than ninety (90) percent of an hour as a function of wind speed....

4) Any noise level falling between two whole decibels shall be the lower of the two.

5) In the event the noise levels resulting from the Wind Energy Facility exceed the criteria listed above, a waiver to said levels may be approved provided that the following has been accomplished....

F. Minimum Ground Clearance - The blade tip of any Wind Turbine shall, at its lowest point, have ground clearance of not less than seventy-five (75) feet.

G. Signal Interference No Wind Energy Facility shall be installed in any location where its proximity with existing fixed broadcast...

H. Safety

1) All collection system wiring shall comply with all applicable safety and stray voltage standards.

2) Wind Turbine towers shall not be climbable on the exterior.

3) All access doors to wind turbine towers and electrical equipment shall be lockable.

4) Appropriate warning signs shall be placed on wind turbine towers, electrical equipment, and Wind Energy Facility entrances.

SECTION 6.0 CERTIFICATION. Operation of a wind energy facility shall require certification of compliance...

SECTION 7.0 INSPECTIONS. The applicant (owner/operator) shall submit annual reports to the Planning Commission or its designated officer confirming continued compliance with applicable Lake Township codes or ordinances....

SECTION 7.01 COMPLAINT RESOLUTION. The Michigan Zoning Enabling Act allows a local unit of government to enact through ordinance regulations to achieve specific land management objectives and avert or solve specific land use problems; see MCL 125.3201(3)....

SECTION 8.0 DECOMMISSIONING. The applicant shall submit a plan describing the intended disposition of the Wind Energy Facilities at the end of their useful life....

Interested persons are invited to attend this hearing and/or comment on this proposed amendment. Written comments will be accepted and entered into the record if received by June 20, 2011. Comments may be submitted in person at the Lake Township Hall, by mail to Lake Township Clerk, P O Box 429, Caseville, MI 48725 or by email to info@laketownship.net. The complete text of the Lake Township Zoning Ordinance and the proposed Wind Energy Facility Overlay Zoning amendment are available for review on the Lake Township website www.laketownship.net or at the Lake Township Hall, 4988 W. Kinde Road, Caseville, Michigan, Monday through Friday from 10 AM to 2 PM. Should there be

any questions concerning this notice, please contact the township offices at 989.856.4867.

This notice is published and disseminated pursuant to requirements in the 2006 Michigan Zoning Enabling Act, Public Act 110 of 2006.

Valerie McCallum, Clerk

Published: June 2, 2011 – Huron County View

Posted: June 3, 2011