

Planning Commission

Special Meeting

July 18, 2019

1. Call to order: 7:00 p.m.
2. Planning Commission members Present: Houghtaling, Gruber, Dohrmann, Kaijala, Prime. Absent: Prime
3. Approval of Agenda:
Motion: Houghtaling
2nd: Kaijala
Motion carried
4. New Business: Public hearing Amendment to the approved Special Use Permit (SUP01-2018) for a Utility Grid Wind Energy System granted to NextEra Energy Resources/Pegasus wind llc on 8/8/2018
 - a. Motion to open public hearing: Kaijala 2nd: Houghtaling Motion passed unanimously
 - b. Overview of proposed special use permit amendment (Spicer): Alan Bean gave overview of SUP and process involved in the amendment to the application.
 - c. Presentation by Applicant: Nextera provided update on plan amendment. Representative from Nextera said no hazard determination was made for turbines in April. Representation noted past developments in community and community support.
 - d. Public Comment:
 - i. Public Members commented on the following topics: Public likes having power 24/7 and in favor of wind project, Participation Agreement potential flaws first round and availability to renewal, Public wanted to reflect on section numbers with proposed development.
 - e. Presentation of Planning Consultant's staff report:
Spicer reflected application is complete and highlighted potential conditions.
 - f. Motion to close public hearing:
Motion: Dohrmann
2nd: Houghtaling
Motion Carried
5. Public Comment/Discussion/Review/Consideration of Action:
 - a. Legal Representation reflected on conflict of interest of commission members. Members were polled. All present members noted no conflict of interest with financial gain of the proposed amendments.
 - b. Chairman asked for input or questions from planning commission: None
 - c. Member Kaijala Motioned 2nd Dohrmann to change wording of conditions from if to as when noting if surety bond and host community agreemtn

- d. Member Houghtaling motioned to accept option #1 of conditions as noted below in these minutes. 2nd Kaijala

Roll Call vote, Kaijala, Dohrmann, Gruber, Houghtaling voted yes. No nay votes

6. Public Comments:

- a. Public asked questions about height of new turbine models.

7. Site Plan Review: Tuesday August 7, 2019 at 7:00pm

8. Meeting Adjourned 7:54 PM

Special Use Permit Amendment – Gilford Township (7/18/2019)

A motion to approve the amendment to the August 8, 2018 conditionally-approved Special Use Permit (SUP01-2018) for the Pegasus Wind Energy Center application, which was submitted by Pegasus Wind, LLC, as represented by NextEra Energy Resources on May 10, 2019, with updates through July 17, 2019, inclusive of all the additional parcels listed in Appendix B, which satisfactorily addresses the requirements of Sections 7.2(g)(1) and 7.28(d) of the zoning ordinance, and to require all previously approved conditions be applied to this amendment, including the following conditions:

1. Prior to the issuance of building permits:
 - a. Maintain, and update as necessary, the previously approved host-community agreement between Gilford Township and Pegasus Wind LLC,
 - b. Maintain, and update as necessary, the previously approved surety bond and decommissioning agreement per Section 7.28 (e)(12),
 - c. To ensure conformance to Section 7.28 (d)(7) – Certifications, applicant shall demonstrate all appropriate permits are being pursued and to provide the Planning Commission with an estimated timeframe for obtaining approvals on said permits, including anticipated dates of permit issuance, if applicable, from MDOT Tall Structures and the Tuscola Area Airport. A copy of all permits shall be furnished to the Township planning consultant when issued.
 - d. To ensure conformance to Section 7.28 (e)(5) – Construction Codes, Towers, and Interconnection Standards, applicant shall comply with all applicable construction, electric code, and local building permit requirements, as well as provide documentation of no hazard from the FAA and copies of any FAA applications and correspondence indicating implementation requirements, if any, for the aircraft detection lighting system (ADLS). No building permit may be issued prior to the issuance of a zoning permit.
 - e. Provide the Township with copies of any permits that may be issued by the Tuscola Area Airport, and
 - f. Provide Planning Commission copies of any Federal Aviation Administration (FAA) applications and correspondence indicating the process to implement the aircraft detection lighting system (ADLS).
2. Applicant shall restore any damaged road to the same or better condition that existed prior to the beginning of construction of the Pegasus Wind Project as determined by the Tuscola County Road Commission.
3. Post-construction:

- a. Applicant shall submit on an annual basis insurance policy certificates to ensure conformance with Section 7.28 (d)(4),
 - b. Applicant shall submit on a quarterly basis Pegasus Wind complaints to ensure conformance with Section 7.28 (e)(13),
 - c. Within 60 days after commercial operation, applicant shall submit a sound modeling report that conforms to Section 7.28 (e)(4), and
 - d. Within one year after commercial operation, the applicant shall submit as-built drawings of the Utility Grid Wind Energy System, in electronic PDF and hard copy formats, including locational data of site features that can be read in both CAD and GIS mapping systems.
4. Other: Any approved Special Use Permit amendment is valid for one year per the requirements of Section 7.2(d) of the Gilford Township zoning ordinance requiring construction of the Pegasus Wind project to commence prior to July 18, 2020.