December 6, 2012
Emmet County Office of Planning, Zoning, and Construction Resources
CASES FROM PREVIOUS MEETING
1. Case #12A-09 TEXT AMENDMENT

- Applicant: Emmet County Planning Commission
- Text Amendment: Wind Energy Systems
Add a definition:

**QUALIFIED ACOUSTICS PROFESSIONAL** shall meet one of the following minimum requirements:

a) Board Certified by the Institute of Noise Control Engineering, or

b) Standard membership in the Institute of Noise Control Engineering combined with documented experience from wind power projects.
6. Maximum Noise Levels. From 6:00 AM until 10:00 PM, any proposed WES shall produce sound pressure levels that are no more than forty (40) decibels as measured on the dB(A) scale at the property lines or the lease unit boundary of the site in question, whichever is farther from the source of the noise. This sound pressure level shall not be exceeded for more than three consecutive minutes during any hour of the day. If the ambient sound pressure level exceeds forty 40 dB(A), the standard shall be the same as the ambient dB(A) plus five (5) dB(A).

From 10:00 PM until 6:00 AM Any proposed WES shall produce sound pressure levels that are no more than forty (40) decibels as measured on the dB(A) scale at the property lines or the lease unit boundary of the site in question, whichever is farther from the source of the noise. This sound pressure level shall not be exceeded for more than three consecutive minutes during any hour of the day. If the ambient sound pressure level exceeds forty (40) dB(A), the standard shall be the same as the ambient dB(A) plus zero (0) dB(A).
A noise report impact assessment shall be prepared by a qualified acoustics professional and shall include the following, at a minimum:

a. A description and map of the project’s noise producing features, including the range of noise levels expected, and the basis of the expectation.

b. Description and map of the noise sensitive environment, including any sensitive noise receptors, i.e. residences, hospitals, libraries, schools, places of worship, parks, areas with outdoor workers and other facilities where quiet is important or where noise could be a nuisance within two (2) miles of the proposed facility.

c. A survey and report prepared by a qualified acoustics professional engineer that analyzes the preexisting ambient noise (including seasonal variation) and the affected sensitive receptors located within two (2) miles of the proposed project site. Potential sensitive receptors at relatively less windy or quieter locations than the project shall be emphasized and any problem areas identified;

d. A description and map of the cumulative noise impacts with any problem areas identified; and

e. A description of the project’s proposed noise control features and specific measures proposed to mitigate noise impacts for sensitive receptors as identified above to a level of insignificance.
8. Transmission Lines. The on-site electrical transmission lines connecting the Utility Grid WES to the public utility electricity distribution system shall be located underground wherever possible as determined by the Planning Commission.
Bear Creek – approval
Bliss – recommended to retain current ordinance
Cross Village - approval
Littlefield - approval
Friendship - approval
Maple River – approval - except no +5 during daytime hours (*modified to retain lowest decibel level that is legally defensible*)
Readmond Township (4-1) – retain current ordinance (*preserve rural character*)
Springvale – approval
Carp Lake (4-1 approval)
Mason Lampton – Bliss property owner
Susan Barber – Bliss property owner
Robin Mallory – Bliss property owner
Susan Mallory – Bliss property owner
Mary Fortney – Bliss property owner
Norm & Shirley Schnieder – Bliss property owners
Richard James – E-Coustics Solutions
Pat & Dan Smith – Bliss property owners
William Marshall – Petoskey property owner
Chris Stahl – Lake Effect Energy owner
Tom Seger – Bliss property owner (consider monitoring system for all WESs – at the property line).
New letter from Ed Timm, PhD, PE
New email from Chris Stahl
New email from Susan Barber
New email from Jerry Burgess
- Civil counsel has reviewed the proposed text amendment.
- Staff requested professional review...Board postponed decision until November – no action of discussion by Board of Commissioners.
- Request of Board of Commissioners to consider support of federal tax incentives for installation of WESs...no action taken.
- Board of Commissioners has final authority over text amendment.
Ordinance as written:

“3. Setbacks. All on-site WESs shall be setback a distance equal to one time the height of the WES from the property line of the property on which the WES is located.”

Proposed amended subsection C

“3. Setbacks. All on-site WESs shall be setback a distance equal to twice the height of the highest arc of the WES from the property line of the property on which the WES is located.”
Ordinance as written:

“6. Maximum Noise Levels. Any proposed WES shall produce sound pressure levels that are no more than thirty-five (35) decibels as measured on the dB(A) scale at the property lines of the site in question. A noise report shall be submitted with any application for a WES.”
Proposed amended subsection C:

“6. Maximum Noise Levels. Any proposed WES shall produce sound pressure levels that are indistinguishable from background sound pressure levels as measured on both the dBA and dBC scales using an ordinary field grade sound pressure level meter following the protocol set forth by the Emmet County Planning and Zoning Department. This must be true under all weather conditions anytime the system is rotating. Additionally, the acoustic spectrum of the wind energy system shall not feature any significant monospectral peaks when analyzed from 10Hz to 40kHz. A noise report shall be submitted with any application for a WES.”

(This protocol will have to be developed through careful thought and consultation. I have several ideas concerning this Protocol but have reached no firm conclusions as yet.)
2. Case #68A-01
SITE PLAN REVIEW

- Applicant: Ellsworth Farmers Exchange
- Township: Littlefield
- Address: 7488 M-68 Hwy, Section 11
• Proposal to utilize existing building for retail sales.
• Retail sales use, propane storage/sales and fertilizer processing/sales approved by BOC.
• No proposed changes to building.
• Existing drainage system operational.
• Parking at 1/800 sq. ft. provided.
• Existing trees to remain.
• Existing access to be utilized.
• Existing setbacks to be maintained.
• Utilizing existing site plan – no physical site changes.
• Township recommended approval.
NEW CASES
3. Case #24-12 SPECIAL USE PERMIT-100’ Communications Tower (Internet)

- Applicant: Barbara Schlappi & Sylvia Jania
- Township: Cross Village
- Address: 5544 Cemetery Rd, Section 2
Proposal to construct 100’ tall tower for internet access.
• Tower meets all setback standards.
• Site is primarily wooded.
• Location is on a lightly traveled road.
• No lights required for the tower.
• Township recommended approval.
3. Case #103C-99 SPECIAL USE PERMIT-Larger than maximum sized accessory building

- Applicant: Duane Pretzer
- Township: Littlefield
- Address: 7897 Lakeview Rd, Section 11
Site Plan
4. Case #25-12 SPECIAL USE PERMIT - Home Occupation-counseling

- Applicant: P. Michael Sullivan
- Township: Bear Creek
- Address: 5397 Howard Rd., Section 31
Photos
PUBLIC COMMENT
ED TIMM

OTHER BUSINESS

• Little Traverse Township – Zoning Coordinating Committee - Signs
• Critical Dunes Memo
• Enforcement Report
• Resort Township Resolution of Support
Wayfinding Sign Project

Little Traverse Wheelway
Connecting Charlevoix, Petoskey & Harbor Springs