

**Village of Mackinaw City  
Special Meeting  
Planning Commission  
April 8, 2010  
Approved Minutes**

Members: Rob Most (Chairman), John Riemer, Bo Whipkey, Florence Tracy, Mary Clark, Paul Allers, and Nancy Dean

Staff: Jeff Lawson (Village Manager)

Guests: Sandy Planisek, Dick Moehl, Paul Michalak, Mike Ayala

<b>REGULAR MEETING</b>	
<b>1</b>	<b>Call to Order and Welcome</b>
<b>2</b>	<p><b>Roll Call</b></p> <p>The meeting was called to order at 7:00 p.m. by Chairman Most. Roll call members present: J. Riemer, B. Whipkey, F. Tracy, P. Allers, R. Most, and N. Dean. Members Absent: M. Clark</p>
<b>3</b>	<b>Pledge to Flag</b>
<b>4</b>	<p><b>Approval of Minutes</b></p> <p><b>Motion Allers seconded Whipley to accept the minutes of the meeting held on March 25, 2010, as presented. Voice vote – all ayes. Absent – M. Clark. Motion carried.</b></p>
<b>5</b>	<p><b>Public Comment</b></p> <p>Dick Moehl thanked the Village for all the the work done at the new Maritime Park.</p>
<b>6</b>	<b>NEW BUSINESS</b>
<b>6</b>	No new business was presented.
<b>7</b>	<b>OLD BUSINESS</b>
<b>7 a</b>	<p><b>Wind Turbine Generator Ordinance - Discussion</b></p> <p>Mr. Riemer provided a review of the proposed Wind Turbine Generator Ordinance. The following items were addressed:</p> <ul style="list-style-type: none"> <li>- <u>Section C, 12:</u> Staff explained that large facilities may not have common ownership with the property owner and may have multiple corporate owners of the property. The language defines separate applications. No revisions were identified.</li> <li>- <u>Section D, 2, f:</u> This section was revised as follows: <ul style="list-style-type: none"> <li>f. A site plan, drawn to a scale of <u>not less than 1 inch = 40 feet if subject parcel is less than 3 acres; and not less than 1 inch to 100 feet if it is 3 acres or more.,- showing the parcel boundaries and a legal description, support facilities, access, proposed landscaping or fencing. Site Plan shall provide required elements as identified in the Village of Mackinaw City Zoning Ordinance, Section 4-117, Item C and D. A professional sealed plan will be required for large wind energy facilities. Small wind energy facilities do not require a professional seal.</u></li> </ul> </li> <li>- <u>Section D, 2, o:</u> This section was revised as follows: <ul style="list-style-type: none"> <li>o. <u>Towers shall not be lit except as required by FAA or the Michigan Tall Structures Act. A plan statement indicating how the large or small wind energy facility will be lit shall be provided if applicable.,- if applicable. Lighting as required by the FAA and is required by the Michigan Tall Structures Act.</u></li> </ul> </li> </ul>

-Section D, 7: This section was revised as follows:

7. A certificate of insurance with a minimum of \$1,000,000 liability coverage per incidence, per occurrence shall be required for **large** wind energy systems. Each renewal period will require a copy of certificate of insurance be provided to the Village. An expired insurance certificate or an unacceptable liability coverage amount is grounds for revocation of the use permit.

-Section F, 1, a: No changes were identified.

-Section F, 2, f: Commissioner Riemer will continue to complete research on braking systems for overspeed protection. This will be discussed after further research.

-Section F, 2, k: This section was revised as follows:

k. The owner **and/or applicant** of the large and small wind energy facility (~~applicant~~) shall reimburse the Village and/or County for any and all repairs and reconstruction to the public roads, culverts, and natural drainage ways resulting directly from the construction of the large and small wind energy facility. A qualified independent third party, agreed to by the Village and/or County and **owner and/or applicant**, and paid for by the **owner and/or applicant**, shall be hired to inspect the roadways to be used during construction. This third party shall be hired to evaluate, document, videotape, and rate road conditions prior to the construction of the large and small wind energy facility and again upon notification of completion of the large and small wind energy facility project. Any road damage done by the applicant or subcontractors shall be repaired or reconstructed at the applicant's expense. The Village may require a bond or cash escrow, held in trust in favor of the Village to recover the costs associated with the repair of roadways damaged by the construction of any turbines.

-Section G, a, b and c: Commissioners would like to eliminate waivers and establish an appeals process as a standard policy if required. Appeal criteria should be established in the absence of a waiver. Staff will request a legal opinion.

-Section H, 1, a: Commissioners agreed to eliminate the waiver language. A legal opinion will be obtained.

-Section H, 5, a and b: Commissioners agreed to eliminate the waiver language. A legal opinion will be obtained.

-Section P, 6 and 7: This section was revised as follows:

6. The Owner shall post and maintain decommissioning funds in an amount ~~equal to Net Decommissioning Costs; provided, that at no point shall decommissioning funds be no~~ less than twenty-five percent (25%) of decommissioning costs. The decommissioning funds shall be posted and maintained with a bonding company or Federal or State chartered lending institution chosen by the Owner and participating landowner posting the financial security, provided that the bonding company or lending institution is authorized to conduct business within the State and is approved by the Village.

7. Decommissioning funds may be in the form of a performance bond, surety bond, ~~letter of credit, corporate guarantee~~ or other form of financial assurance as may be acceptable to the Village.

-Section E: Changes are not necessary with regard to the existing turbines located on the State Dock and the Wastewater Treatment Plant. No changes were identified.

**Most called for recess at 8:30 p.m.  
Meeting called to order at 8:34 p.m.**

7bi **Master Plan – Readopt 1998 Comprehensive Development Plan**

**Motion Allers seconded Dean to recommend to Council to be in compliance to readopt the 1998 Comprehensive Development Plan as written. Voice Vote – all ayes. Absent – Clark. Motion carried.**

7bii	<p><b>Master Plan – Commercial and Industrial Goals and Objectives</b></p> <p>Staff provided a review of the proposed Commercial and Industrial Goals and Objectives in preparation of the public hearing targeted for early June. The DDA and EDC have been provided copies of the proposed goals and were directed to provide input as a focus group.</p> <p>Goal 1 refers to commercial development in general, not to specific district. Objectives reviewed are promoting a mix of commercial uses for year round activity. Objectives defined were appropriate uses, parking, downtown integration within commercial development, housing and incentive programs that allow for low to moderate income housing within town, parking standards and ratios, overlay zones and form based codes, and to discourage sprawl.</p> <p>Goal 2 refers to the pedestrian and bicycle use in commercial areas. Objectives reviewed types of businesses near I-75, urban and suburban types of development, promoting and development of trail connections between commercial districts and pedestrians, keeping businesses close to sidewalks in support of the Walkability Study, and integration of parking areas.</p>
8	<p><b>Commissioner Comments</b></p> <p>-Most expressed thanks to Village personnel for maintaining the new Maritime Park.          -Concerns were identified with regard to the Census count. Forms can be obtained from the Recreation Center Monday, Wednesday and Friday from 9:00 a.m. to 11:00 a.m. and from 4:00 p.m. to 7:00 p.m.</p>
9	<p><b>Commissioner Calendar</b></p> <p>April 22, 2010 – Regular Meeting          May 13, 2010 – Special Meeting          May 27, 2010 – Regular Meeting</p>
10	<p><b>Motion Dean seconded Allers to adjourn at 9:14 p.m. Voice vote – all ayes. Absent – Clark. Motion carried.</b></p>

Planning Commission Minutes respectfully submitted:

Rob Most, Chairman

Mary Clark, Secretary