

TOWN OF GREEN BAY PLANNING COMMISSION MINUTES

DATE: 12/18/07

TIME: 7:07 p.m.

PRESENT: John Metzler, Mike Gilson, Dawn Goodman, Bob Boncher, Gary Jonet, Bob Geyer, Dianne Jacobs.

NONE ABSENT

*Also present were community members Charolette Gilson and 2 representatives from Emerging Energies of Wisconsin, LLC.

APPROVAL OF LAST MEETING'S MINUTES: John Metzler opened the meeting & noted that it was properly posted in 3 places. The minutes from 11/6/7 were reviewed.

MOTION MADE BY: Bob Geyer to accept the minutes.

MOTION 2NDED BY: Bob Boncher.

AYES: 7

NAYS: None

MOTION CARRIED.

ISSUE #1: The Wind Turbine Ordinance Development. (7:15-8:55pm)

2 Representatives from Emerging Energies of Wisconsin, Tim Osterberg and Bill Rakoev, gave a presentation on Wind Turbines, their company in particular and discussed their potential plans for this area. Planning Commission members questioned them on various aspects of the presentation and issues relative to projects in this area such as:

- Types of Agreements they have entered into with other area townships.
- The Glenmore Project.
- Stray Voltage.
- Chemical hazards.
- Equipment upkeep and integrity.
- Monetary implications for the company, landowners and the Town of Green Bay.
- Decommission and Dismantling of a project.
- Land use around wind turbine projects.

Dianne Jacobs gave out a copy of the Glenmore Wind Energy Ordinance for the Planning Commission to refer to as a potential guide for the Town of Green Bay to use. Emerging Energies helped Glenmore in developing this ordinance. They offered to help the Town of Green Bay do the same.

Dawn Goodman asked that the Planning Commission first review the options in the Wisconsin Towns Association 60th Annual Convention publication, "Regulation Wind Farms: What Towns Can and Cannot Do" (10/23/07). She read aloud the town options (pages 3-9) as the Planning Commission followed along:

- A. Do nothing, i.e. defer to the PSC, County or private property easement negotiation process.
- B. Amend local zoning ordinance to specifically allow a wind energy facility located in an agricultural district if a permit has been obtained from the County.
- C. Regulate as permitted or conditional use under town zoning ordinance.
- D. Consider a moratorium.
- E. Use non-zoning ordinance (including licesnsing/permit ordinance; driveway/culvert ordinance; land-clearing/erosion control/stormwater management regulations).
- F. Development Agreements (comprehensive means of regulation project; recognized legal authority; suggested general conditions; special conditions).

Bob Geyer said we owed it to the Town of Green Bay to do something and that Suggestion A (do nothing) was not acceptable and actually is a bad option. Other Planning Commission members agreed.

John Metzler said that he would like the Planning Commission to also review the Glenmore Wind Energy Ordinance and perhaps use it. He said that he had talked with the Brown County Planning Commission representative, Mike Parmentier in regards to what they think we should use. Mike Parmentier recommended we continue to work with the Town of Rockland Ordinances, as we had initially been doing.

John Metzler suggested we still review the new information (the Glenmore Wind Energy Ordinance) before making a decision.

Bob Boncher questioned the Emerging Energies representatives as to how many other townships they helped design ordinances with. They named several.

Emerging Energies said the method listed in Option C (Regulate as permitted or conditional use under town zoning ordinance) is becoming the method used on larger projects they develop.

Emerging Energies questioned how the Planning Commission feels about the information presented.

Dianne Jacobs said there is interest. John Metzler said that the Planning Commission wants to make sure things are done safely and correctly if there is to be such a project. Dawn Goodman expressed to them that while their information is useful, we have to proceed with caution using their information since they have a vested interest in the matter and that we would need to have the lawyer review anything we do. Mike Gilson asked Dianne Jacobs if she could talk to the Glenmore Planning Commission and Glenmore Town Board members to see how they feel about their ordinance.

In Conclusion: The Planning Commission agreed to **Table this issue and discuss the matter further at its January 22, 2008 Planning Commission meeting** in order to review the Glenmore Wind Energy Ordinance and hear what Dianne finds out from the Town of Glenmore.

ISSUE #2: Work on Outdoor Wood Burner Ordinance (8:55-9:10 p.m.)

The Planning Commission reviewed the letter received from Town of Green Bay Attorney, Steven Gillis regarding the draft sent to him to review of the Outdoor Furnaces Ordinance for the Town of Green Bay. The Planning Commission does not agree with the Attorney that a 3 chapter ordinance be developed. The intention was to regulate only outdoor wood burners. Any further regulations were felt by the Planning Commission to be too restrictive at this time due to the significant rural nature of our township. Gary Jonet pointed out that this issue can actually be addressed and dealt with in the Nuisance laws (see page 1 of the Nuisance Ordinance, Public Nuisance 1.02). He pointed out that the issue with the residents in the Oakleaf Drive neighborhood was clearly a Nuisance issue and was dealt with accordingly. He suggested that if further similar issues occur like this, that they too can be handled using the Nuisance Ordinance.

MOTION MADE BY: Dianne Jacobs to lift the moratorium on outdoor wood burners because the Nuisance ordinance should be sufficient to address the problems and in the event this does not address the problems in the future, the Planning Commission will revisit it at that time.

MOTION 2NDED BY: Gary Jonet

AYES: 6 (Bob Geyer had to leave early at 8:30pm, so he was no longer present)

NAYS: None

MOTION CARRIED.

ISSUE #3: A Sex Offender Ordinance (9:11-9:39 p.m.)

The Planning Commission discussed the situation regarding the Sex Offenders that moved into the Town of Humboldt and the information gathered at the community meeting held at Wequiock School on December 17, 2007. Dawn Goodman and Dianne Jacobs passed out copies of the Department of Corrections information that they received at the meeting for the Planning Commission to refer to. They explained that the Town of Green Bay Chairman, Lee Dechamps, asked them to attend that meeting in order to gather information to prepare an eventual sex offender ordinance for the Town of Green Bay. The Planning Commission was alarmed at the serious nature of the information and the situation. It agreed the situation needs to be addressed in order to avoid a similar situation from occurring here. Per the request of the Town of Green Bay Chairman, Lee Dechamps, the Planning Commission agreed to have some of its members attend an upcoming special meeting at the Town of Scott Town Hall on Thursday December 20, 2007 for more information on how they plan to deal with the situation and if they plan to defend the moratorium that was in place and should have protected them from sex offenders locating in the area. What happens with them could impact the Town of Green Bay's plans to put a Moratorium in place and defend it, because we have the same attorney.

In conclusion: The Planning Commission members agreed to attend the 12/20/08 Special Town of Scott Meeting to gather more information and agreed to **Table this matter until the January 22, 2008 Planning Commission meeting.**

ISSUE #4: Any Other Business

There were no other issues or business addressed.

DATE & TIME OF NEXT MEETING: Tuesday, January 22, 2008 at 7:00 p.m.

MOTION: John Metzler made a motion to Adjourn, Mike Gilson seconded.

AYES: 6 (Bob Geyer had to leave early at 8:30pm, so he was no longer present)

NAYS: None

MOTION CARRIED.

TIME OF ADJOURNMENT: 9:40 p.m.

Planning Commission Chairman

Planning Commission Secretary