

TOWN OF GREEN BAY PLANNING COMMISSION MINUTES

DATE: 1/22/08

TIME: 7:03 p.m.

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

NONE ABSENT

*Also present were 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 12/18/07 were reviewed.

MOTION MADE BY: Dianne Jacobs to accept the minutes.

MOTION 2NDED BY: Bob Geyer.

AYES: 7

NAYS: None

MOTION CARRIED.

ISSUE #1: The Wind Turbine Ordinance Development. (7:15-8:40 pm)

Dianne Jacobs stated she had spoken more with the Town of Glenmore secretary who referred her to some state regulation (**Municipal Law Subchapter IV, Regulation 66.0401**) "**Regulation Relating to Solar and Wind Energy Systems**" (1), which says: Authority to restrict systems limited. No county, city, town or village may place any restrictions, either directly or in effect, on the installation or use of a solar energy systems or a wind energy system...". Dianne also passed out extensive information she researched on the National Wind Watch website from various states, including Wisconsin, Massachusetts, Kansas, Oregon, and Maine. She also provided copies of "Health Effects of Wind Turbine Noise" by Nina Pierpont, MD, PhD.

John Metzler also provided information he gathered regarding ongoing concerns and issues from the Lincoln wind turbine program and people who lived in that area, which covered: People's Health and Quality of Life; Wildlife and Environment; Property Prices; and Tourism. He also provided a German study he found from the Journal of Sound and Vibration "Effects of the Wind and Profile At Night On Wind Turbine Sound" by G.P. van den Berg.

Bob Boncher provided articles he gathered from the December 2007 issue of "Power" titled "Steel Winds Project, Lackawanna, New York", and "Developing Wind Projects in California—or Anywhere".

Mike Gilson questioned if the Planning Commission has enough expertise to do this ordinance. The Planning Commission members discussed this and decided that just as on any other issue tackled so far, if enough information is gathered, and the Brown County Planning Commission is consulted as needed, and the Lawyer reviews the final models for the ordinance in question, the Town Planning Commission should be able to deal with this issue of a Wind Turbine Ordinance. Emerging Energy representatives once again offered to assist in the process as well.

Faced now with at least 4 inches of new documentation too comprehensive to read at this time, the Planning Commission decided to start a binder to be kept at the Town Hall with all the information being gathered so that they and the Public may refer to it as needed.

The Planning Commission then discussed various issues with the 2 Representatives from Emerging Energies of Wisconsin, Tim Osterberg and Bill Rakoey, including how they deal with the impact of equipment and construction on area roadways; Turbine site determination, and shadowing issues; connections of the turbines to the utilities; tax incentive lapses due to changes in the National Energy Bill and how they would affect development here; the number of households that would benefit from development here; and potential conflicts of interest among Planning Commission members while developing this ordinance.

Dianne Jacobs stated that after reviewing all of this information, and after comparing the 2 ordinances (Glenmore and Rockland), that she liked the Town of Glenmore's Ordinance better than the Town of Rockland's model because it seemed simpler to understand and work with. The only downside is that they do not at this time have a Small Wind Turbine Ordinance in place that we could also use as a model.

Dawn Goodman reminded the Planning Commission that this matter should be addressed as soon as possible because a member of the community has been waiting for the Town to develop their ordinance since April of 2007 in order to put up his own small wind turbine on his business property. She further reminded the Planning Commission that his inquiry was why the ordinance came about. She suggested that the Planning Commission use the Town of Rockland's Small Wind Turbine Ordinance. Other Planning Commission members thought it might be better to try to work with the Large Wind Turbine Ordinance first and add the Small Wind Turbine Ordinance once Glenmore is done with theirs. They also suggested, along with Emerging Energy representatives, that conditional use permits might be utilized.

Copies of the Glenmore Ordinance and sections that it refers to on "Blasting" and "Rite of Way" were distributed. Dawn Goodman suggested that Blasting and Rite of Way provisions might also need to be developed along with the Wind Turbine ordinance because the Town of Green Bay does not address them in its own ordinances. There was strong disagreement regarding this because it was felt by some Planning Commission members that Blasting was already addressed by State and Federal regulations. Dawn Goodman disagreed, pointing out that she had requested that the Town develop regulations on Blasting at it's Annual meeting a number of years ago after a neighbor had issues with unannounced intense blasting on a new home construction site near his home. She went on to say that the Town Board approved the motion and passed it on to the Planning Commission where it was then tabled all this time due to conflicts of interest by some Planning Commission members and because of other pressing issues. Dawn suggested it was necessary to address this issue because erecting large wind turbines could involve blasting in the Town due to its rocky geography. Other members of the Planning Commission did not agree. John Metzler asked that this particular part concerning Blasting be tabled with the Rite of Way section until the next meeting.

In Conclusion: The Planning Commission agreed to have Planning Commission Secretary Dawn Goodman draw up a tentative Large Wind Turbine Ordinance based upon the Town of Glenmore model for Dianne Jacobs to present to Town Chairman Lee Dechamps and the Lawyer for review.

ISSUE #2: A Sex Offender Ordinance (8:42-9:00 p.m.)

The Planning Commission agreed to take immediate action on the matter based on the request of the Town Chairman Lee Dechamps to have the Planning Commission take immediate and protective action and based on the severity of the situation in the neighboring community of the Town of Humboldt, in order to avoid a similar situation from occurring here.

MOTION MADE BY: Dianne Jacobs to recommend to the Town Board that notice is hereby given that a public hearing will be held by the Town Board at the Town Hall on February 12, 2008 at 6:45 p.m at the request of the Planning Commission to impose a temporary moratorium on the Town's acceptance, review and approval of sexual and violent offenders as residents of the Town of Green Bay.

MOTION 2NDED BY: Bob Geyer

AYES: 7

NAYS: None

MOTION CARRIED.

ISSUE #3: Any Other Business

There were no other issues or business addressed.

DATE & TIME OF NEXT MEETING: Tuesday, February 19, 2008 at 7:00 p.m.

MOTION: John Metzler made a motion to Adjourn, Bob Geyer seconded.

AYES: 7

NAYS: None

MOTION CARRIED.

TIME OF ADJOURNMENT: 9:00 p.m.

Planning Commission Chairman

Planning Commission Secretary