

## SECTION 1308. ON-SITE USE WIND ENERGY SYSTEM REQUIREMENTS

1. An on-site use wind energy system is intended to primarily serve the needs of the consumer. An on-site use wind energy system with a tip height of 45 meters (150 feet) or higher shall be considered a utility grid wind energy system for siting purposes.
2. Anemometer towers more than 20 meters (66 feet) in height used to conduct a wind site assessment for possible installation of an On Site Use wind energy system must conform to the Oliver Township zoning ordinance.
3. Prior to the installation of an On Site Use wind energy system, an application for a Site Permit shall be filed with the Zoning Administrator that will include:
  - a) Applicant identification
  - b) A site plan
  - c) Documentation that sound pressure level, construction code, tower, interconnection (if applicable), and safety requirements have been met
  - d) Proof of the applicant's public liability insurance.

Prior to the installation of an anemometer tower more than 20 meters (66 feet) in height, a Site Permit shall be filed with the Oliver Township Zoning Administrator that will include:

- a) Applicant identification
  - b) A site plan
  - c) A copy of that portion of the applicant's lease with the land owner granting authority to install the Met tower and requiring the applicant to remove all equipment and restore the site after completion of the wind site assessment
  - d) Proof of the applicant's public liability insurance.
4. **On-Site Wind Energy Systems Site Permit Application.**
- a) An on-site wind energy system is designed and intended to primarily serve the needs of the consumer. Prior to the installation of an on-site wind energy system, an application for a Site Permit must be filed and subsequently approved by the Oliver Township Zoning Administrator and shall include the following:
    - 1) Applicant Identification: Applicant name, address, and contact information.
    - 2) Project Description: A general description of the proposed project including a legal description of the property on which the project would be located.
    - 3) **Site Plan:** The site plan shall include maps showing the physical features and land uses of the project area, both before and after construction of the proposed project. The site plan shall include 1) the project area boundaries, 2) the location, height, and dimensions of all existing and proposed structures and fencing, 3) the

location, grades, and dimensions of all temporary and permanent on-site and access roads from the nearest county or state maintained road, 4) existing topography, 5) water bodies, waterways, wetlands, and drainage channels, and 6) all new infrastructure above ground related to the project. Additional site plan requirements are described in Section 305.

- 4) **Insurance:** Proof of the applicant's public liability insurance.
  - 5) **Consent Documents:** Copies of any written waivers from neighboring property owners.
  - 6) **Sound Pressure Level:** Copy of the modeling and analysis report.
  - 7) **Certifications:** Certification that applicant has complied or will comply with all applicable state and federal laws and regulations.
5. An On-site wind energy system shall meet the following standards and requirements:
- a) **Property Setback.**
    - 1) The distance between an on-site use wind energy system and the owner's property lines shall be at least 1.5 times the height of the wind energy system tower including the top of the blade in its vertical position (tip height).
    - 2) The distance between an anemometer (met) tower and the owner's property lines shall be at least 1.5 times the height of the tower.
    - 3) Exceptions for neighboring property are allowed with the written consent of those property owners. Written consent letters must be submitted at the time of the Site Permit.
    - 4) No part of the wind energy system structure, including guy wire anchors, may extend closer than ten feet to the owner's property lines.
  - b) **Other Required Setbacks.**
    - 1) The distance between an on-site use wind energy system and a road or a public right-of-way shall be at least 1.5 times the height of the wind energy system tower including the top of the blade in its vertical position (tip height).
    - 2) The distance between an anemometer (met) tower and a road or a public right-of-way shall be at least 1.5 times the height of the tower.
    - 3) No part of the wind energy system structure, including guy wire anchors, may extend closer than ten feet to a road or a public right-of-way.
  - c) **Sound Pressure Level.**
    - 1) On Site Use wind energy systems shall not exceed 55 dB(A) at the property line closest to the wind energy system.

- 2) Exceptions for neighboring property are allowed with the written consent of those property owners.
- 3) This sound pressure level may be exceeded during short-term events such as utility outages and/or severe wind storms. If the ambient sound pressure level exceeds 55 dB(A), the standard shall be ambient dB(A) plus 5 dB(A).

**d) Construction Codes, Towers, & Interconnection Standards.**

- 1) On-site use wind energy systems including towers shall comply with all applicable state construction and electrical codes and local building permit requirements
- 2) On-site use wind energy systems including towers shall comply with Federal Aviation Administration requirements, the Michigan Airport Zoning Act (Public Act 23 of 1950), the Michigan Tall Structures Act (Public Act 259 of 1959), and local jurisdiction airport overlay zone regulations.
- 3) An interconnected on-site use wind energy system shall comply with Michigan Public Service Commission and utility interconnection requirements. Off-grid systems are exempt from this requirement.

**e) Safety.**

- 1) An on-site use wind energy system shall have a governing, or a feathering system to prevent uncontrolled rotation or over speeding.
- 2) All wind towers shall have lightning protection.
- 3) If a tower is supported by guy wires, the wires shall be clearly visible to a height of at least six feet above the guy wire anchors.
- 4) The minimum vertical blade tip clearance from grade shall be 20 feet for a wind energy system employing a horizontal axis rotor.