

- (10) A statement from the applicant that the MET tower will be installed in compliance with the manufacturer's specifications and a copy of the manufacturer's specifications.
  - (11) A description of the tower maintenance program.
  - (12) A decommissioning plan explaining the process to be undertaken by the applicant for tearing down the tower and removing all tower equipment, materials and structures and restoring the site so it can be used by a use permitted in that Zoning District.
  - (13) Security measures including emergency contact personnel.
  - (14) Other relevant information as may be reasonably requested.
  - (15) Signature of the Applicant.
- (E) General Requirements. A MET tower shall comply with all of the following:
- (1) The tower shall be setback from all property lines a distance of not less than 1.1 times the height of the tower as measured from the base of the tower.
  - (2) All applicable state construction and electrical codes and local building permit requirements.
  - (3) Federal Aviation Administration requirements. All tower lighting required by the FAA shall be shielded to the extent possible to reduce glare and visibility from the ground. The tower shaft shall not be illuminated unless required by the FAA, and the minimum FAA lighting standards shall not be exceeded.
  - (4) The Michigan Airport Zoning Act (Public Act 23 of 1950), as amended.
  - (5) The Michigan Tall Structure Act (Public Act 259 of 1959), as amended.

- (6) A MET tower which is unused or abandoned shall be removed, along with any associated buildings and structures, by the owner/operator within 90 days of the date of a written notice from the Township. An extension of 90 days may be granted by the Zoning Administrator upon a request from the owner/operator citing extenuating circumstances beyond their control in removing the tower within the initial 90-day period.
- (7) In removing the tower the owner/operator shall comply with the decommissioning plan submitted by the applicant and as approved by the Township.
- (F) Review. The Zoning Administrator shall review the proposed MET tower according to the standards of this section. If there will be more than one MET, the Planning Commission shall review the proposed towers. The Commission may impose reasonable conditions at its approval of a MET tower in accordance with Section 1.0340.4.C and D herein including, but not limited to a requirement that the applicant provide a performance guarantee in a form and amount acceptable to the Township for the cost of removing the MET tower and restoration of the site and a requirement that the applicant provide regular reports regarding the maintenance and condition of the tower.
- (G) Applicant and/or property owner must abide by terms of permit and will be liable for violations of said permit.

**1.0340.5 INTERCONNECTED WIND ENERGY SYSTEMS AND ON-SITE USE WIND ENERGY SYSTEMS WITH TOWER HEIGHTS IN EXCESS OF 80 FEET**

- (A) On-Site Use Wind Energy Systems with tower height(s) exceeding 80 feet and all Interconnected Wind Energy Systems shall be considered a Special Use in all zoning districts where such structures are allowed subject to the requirements of this Section and the site requirements and standards contained in Section 1501.48.
- (B) Wind Energy System Farm. Two or more Interconnected WES structures of any height on a single parcel (or adjacent parcels in common ownership) intended for commercial production of electricity. Wind Energy System Farms shall be allowed in agricultural zoning district only, and are subject to the requirements of this Article.

- (C) Submittal Requirements. An applicant for a WES shall submit a zoning permit application with the following required information:
- (1) The contact information for the owner(s)/operator(s) of the WES as well as the contact information for all property owners on which the WES is located.
  - (2) A copy of the lease, or recorded document with personal and financial information redacted, with the landowner(s) if the applicant does not own the land for the proposed WES. A statement from the landowner(s) of the leased site that he/she will abide by all applicable terms and conditions of the use permit, if approved.
  - (3) The location of all occupied dwellings and structures within three hundred (300) feet of the WES.
  - (4) Documented compliance with the noise and shadow flicker requirements set forth in this Ordinance.
  - (5) A statement indicating what hazardous material will be used and stored on the property.
  - (6) A site plan that includes maps (drawn to scale) showing proposed type of WES to be constructed and the expected length of the time that the WES will be in operation. The site plan must also include the manufacturer and model, product specification including maximum noise output (measured in decibels), total rated generating capacity, dimensions, rotor diameter, and a description of ancillary facilities. The site plan must also include the location, total height, and number of proposed WES, proposed location of all components and ancillary equipment of the WES, property lines, physical dimensions of the property, existing building(s) set back lines, right-of-way lines, public easements, overhead utility lines, sidewalks, non-motorized pathways, roads and contours. The site plan must also include adjoining properties as well as the location and use of all structures thereon.
  - (7) A site plan drawn to scale shall also contain at a minimum the following information unless specifically waived by the Zoning Administrator.
    - (a) The date on which the site plan was prepared.
    - (b) A north arrow and legal description of the property.

- (c) Property lines and dimensions of the parcel containing the tower, the height of the WES and its distance to all property lines.
  - (d) Any buildings or structures existing on the site, and the use of the parcel.
  - (e) The distance to the closest building on adjacent property.
  - (f) The location of any overhead transmission lines on the site or on adjacent property which might be affected by the WES.
  - (g) Guy wires, guy wire anchors and any other tower supporting structure or device.
  - (h) Type and height of fencing to be installed around the WES or an equipment building.
  - (i) Elevation drawings of any buildings designed to serve the WES.
  - (j) Access road; width and construction standards. A description of the routes to be used by construction and delivery vehicles shall be shown, with any street or private road improvements that will be necessary to accommodate construction vehicles, equipment or other deliveries, and an agreement or bond that guarantees the repair of any damage caused by construction of the WES.
  - (k) Any lighting proposed to be located on the WES.
- (8) The anticipated construction schedule.
  - (9) Evidence that the utility company has been informed of the customer's intent to install an interconnected, customer-owned generator and that such connection has been approved.
  - (10) Proof of applicant's liability insurance for the WES.
  - (11) A statement from the applicant that the WES will be installed in compliance with the manufacturer's specifications and a copy of the manufacturer's specifications.

- (12) A description of the WES' maintenance and operation plan, including regular and unscheduled maintenance.
  - (13) A decommissioning plan explaining the process to be undertaken by the applicant for tearing down the WES and removing all structure equipment, materials and restoring the site so it can be used by a use permitted in that Zoning District. A statement providing the method of ensuring that funds will be available for decommissioning and site restoration.
  - (14) Security measures including emergency contact personnel.
  - (15) Following completion of construction, the applicant shall certify that all construction is completed pursuant to the Special Use Permit.
  - (16) Other relevant information as may be reasonably requested.
  - (17) Signature of the Applicant.
- (D) Manufacturer Information. Each site plan submission shall be accompanied by a complete set of the manufacturer's instructions which shall at a minimum include:
- (1) A standard foundation and anchor design.
  - (2) A detailed parts list.
  - (3) Clearly written instructions for assembly, installation, checkout, operation, and maintenance of the WES on site.
  - (4) A list of warning documents to be provided as required herein.
  - (5) Grounding and lighting procedures which follow the National Electrical Code, Article 250 – Grounding, and Article 280 – Lightning Arresters.
  - (6) Underwriters label where appropriate.
  - (7) A certified registered engineer shall certify that the WES meets or exceeds the manufacturer's construction and installation standards.

(E) WES Connected to Power Grid:

In the case of a WES proposed to be interconnected with the power grid of the local electric utility, the applicant shall provide proof of written notice to the utility of the proposed interconnection and the utility's response thereto. The applicant shall comply with all requirements of the servicing utility if the WES is to be interfaced with the utility grid. The utility shall install appropriate electric metering and the applicant shall be required to install a disconnecting device adjacent to the electric meter(s).

(F) Decommissioning:

The applicant shall submit a plan describing the intended disposition of the WES at the end of its useful life, and shall describe any agreement with the landowner regarding equipment removal upon termination of the lease. Each WES will be presumed to be at the end of its useful life if no electricity is generated for a continuous period of twelve (12) months. All decommissioning expenses are the responsibility of the owner(s) or operator(s). A performance security or equivalent financial instrument shall be posted in an amount determined by the Township Board (to be utilized in the event the decommissioning plan must be enforced with respect to tower removal, site restoration, etc.).

## (G) Applicant and/or property owner must abide by terms of permit and will be liable for violations of said permit.

**1.0341 Garage and Yard Sale Regulations**

Garage, yard, basement and multiple household goods sales shall be allowed on premises within the Township containing dwellings or residential uses subject to the following conditions and limitations:

- a. No sales shall continue for a period of more than three (3) days.
- b. No more than three (3) such sales may be conducted per calendar year from same premises.
- c. Sale hours are limited to between 8:00 a.m. and 8:00 p.m. daily.
- d. All merchandise offered for sale shall not be stored outdoors except during the hours of sale.

- e. Signs for such sales shall be permitted subject to the limitation that they must be removed within 24 hours of the conclusion of the sale.
- f. Within 24 hours of the close of the sale all items not sold or being held for pickup shall be placed inside a fully enclosed building.
- g. No such sales shall be conducted in a manner as to constitute an unreasonable nuisance to the neighborhood due to noise, traffic, lighting, hours of operation or the nature of the merchandise offered.
- h. Failure or refusal to abide by the garage and yard sale regulations on properties with residential use shall constitute a violation of the Manlius Township Zoning Ordinance.