

Charter Township of Filer
Minutes of the Planning Commission Regular Meeting
Held on March 21, 2017

Present: Roger Dittmer, Shirley Ball, Richard Mark, Karen Kolk, Linda Rogers and Jennifer Williams.

Absent: Christa Johnson,

Also present: Jim Tondu, T.E.S. Filer City Station, Alan Atkins, T.E.S. Site Manager, Peter Wendling, T.E.S. Attorney, Brad Fisher, Filer Township Attorney, Brian Sousa, Wade Trim and Lynn Kooyers, Filer Township Zoning Administrator.

Meeting called to order at 7:00 p.m. by Chairman Mark.

7:01 p.m. Christa Johnson entered the meeting.

Motion by Ball, seconded by Kolk to approve the February 21, 2017 Regular Meeting Minutes as presented. All in favor. M/C

Welcome and introduction of Larry Thompson, new Filer Township Zoning Administrator.

T.E.S. Filer City Station Site Plan Revision Discussion

Zoning Administrator Kooyers reviewed the revised T.E.S. Site Plan dated March 13, 2017. The revised site plan proposes the replacement of the current coal boiler equipment with one natural gas turbine, instead of four smaller gas turbines as previously discussed. The proposed single turbine would be located on Parcel "C".

Alan Atkins, T.E.S. Site Manager spoke about the proposed changes. The single turbine will produce 225 megawatts and provide the same amount of steam to PCA. There will be only one 150' stack. The turbine, compressor and air inlets will be individually enclosed. The manufacturer's specifications for this turbine report 85 dBA at 3ft. from the turbine at a height of 5 ft. It was noted that safety devices cannot be silenced.

Brian Sousa from Wade Trim discussed his memorandum to the Planning Commission (See attachment "A"). His recommendation after completing a water-main hydraulic model to provide sufficient water flow for fire protection remains that same. Removing the 8 inch main from Staunton to Sheridan, adding an 8 inch main on Staunton from Falleen to Mee, and changing the 4 inch main to an 8 inch main from Staunton to Sheridan. This should provide 2,195 gpm.

Wade Trim's noise level recommendation for the project would be that the decibel levels should not exceed 60 dBA at any given time, measured at any point along the property line. Brian commented that according to his calculations, 85 dBA would be reduced to 56 decibels at a distance of 100 ft.

Brian suggested that reasonable vibration levels to protect area residents should be restricted to no detectable vibration at or beyond the property line.

Reasonable steam venting silencer levels should be left to the plant designer, keeping in mind the proposed restriction of 60 dBA at the property line.

Peter Wendling, T.E.S. Attorney spoke regarding the resume initially filed by T.E.S. in December 2016 with the Planning Commission. He stated that T.E.S. is changing their operating conditions by replacing the existing coal burning equipment with natural gas fueled equipment that will continue to produce the same products of electricity and process steam. He asked the Planning Commission to consider this statement during the permitting process.

Filer Township Attorney Brad Fisher presented the Commission with his written legal memorandum regarding the T.E.S. project.

Motion by Williams, seconded by Rogers to enter into closed session to discuss the presented legal memorandum and invite Terry Walker, Brad Fisher and Brian Sousa into the session. Roll Call vote: Rogers-yes, Williams-yes, Dittmer-yes, Johnson-yes, Mark-yes, Ball-yes, Kolk-yes. 7 yeas, 0 nays. M/C

7:45 p.m. Planning Commission moved into closed session.

8:21 p.m. Planning Commission resumed their Regular Meeting.

Township Attorney Fisher stated that the Township is willing to entertain the statement made by T.E.S. that the replacement of the coal burning equipment with natural gas fueled equipment is a change in operating conditions, with the stipulation that the equipment change will take place on Parcels "A" and "C" only, as allowed in the original 1988 T.E.S. permit, with no use of Block II. The Township requests that a new site plan be drafted that does not use Block II, if it is possible to make this change. In the mean- time, the Township would like to investigate the current operating noise levels at T.E.S. by arranging to have a sound study done as soon as possible. Once the new site plan is received and deemed complete, the permitting process can move forward.

Motion by Williams, seconded by Johnson to have Wade Trim contact a sound company and request a proposal for a sound study. All in favor. M/C

Article 55-General Commercial District Proposals

Chairman Mark opened the sealed bids received for updates to Article 55 of the Filer Township code of ordinances. Following bids were received:

- 1-Wade Trim \$15,250.00
- 2- McKenna Associates \$12,500.00

It was discussed that the bids should be shared with the Filer Township DDA to determine if the bids received fulfilled the request for proposal as advertised, and to determine the amount of the financial contribution to be made by the DDA.

Motion by Ball, seconded by Johnson to refer the proposals received from Wade Trim and McKenna Associates to the DDA for their input. All in favor. M/C

Public Comment

Johnson informed the Commission that she had received a junk complaint from a resident regarding property located on Pruess Rd. The Zoning Office will conduct a site inspection of the property to confirm the violation and proceed accordingly.

Johnson asked the Planning Commission to consider inviting Shelly DeFranco to give a presentation regarding Phragmites Management.

Motion by Johnson, seconded by Kolk to contact Shelly DeFranco and invite her to give a presentation to the Planning Commission to educate us about invasive plant species management. All in favor. M/C

Redevelopment Ready Community Topics

Due to time constraints, this topic will be discussed at the April meeting.

Motion by Williams, seconded by Johnson, to adjourn the meeting. All in favor. M/C

Meeting adjourned at 8:57 p.m.

Respectfully submitted,

Roger Dittmer, Secretary
Charter Township of Filer Planning Commission