

# Bainbridge Township Berrien County, Michigan



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Bill Hodge, Supervisor  
Patty Hiler-Molter, Clerk  
Nancy Weber, Treasurer

## **LARGE WIND ENERGY CONVERSION SYSTEM PERMIT Article XXV**

**Applications for Large Wind Energy Conversion System Permit shall be submitted through the Zoning Administrator to Planning Commission accompanied by a \$250.00 filing fee. Checks should be payable to “Bainbridge Township”.**

Include the following:

1. Application.
2. Site Plan in conformance with Article XI (11) including:
  1. Elevation of proposed wind energy conversion system.
  2. Contours with appropriate intervals for site elevation.
  3. Location and dimension of all existing structures within 300 feet of system.
  4. Height of any structures or trees of 35 feet within 500 feet radius of wind energy conversion system.
  5. Surrounding land uses and structures, irrespective of height within 500 feet of wind energy conversion system.
3. Copy of current paid tax bill, deed or other proof of ownership, which includes a legal description of the property, property tax number and proof of taxes paid of said property.
4. Statement of Compliance.
5. Request for the Public Hearing.
6. Registered engineer’s drawing of structural components and safety of tower to withstand 85 mph winds and no potential damage would exist if turbine were to fail.

8. Feasibility study from a qualified individual.
9. Certification from qualified individual that rotor and over speed control have been designed for proposed use and site.

Applicant should attend the Planning Commission meeting and Public Hearing to answer any questions that may arise. If a special meeting of Planning Commission is requested, a charge of \$500.00 is required to defray Township expenses.

**APPLICATION FOR LARGE WIND ENERGY  
CONVERSION SYSTEM PERMIT**

Applicant Name: \_\_\_\_\_

\_\_\_\_\_  
(Address) (City) (State) (Zip)

Home Phone #: \_\_\_\_\_ Work/Mobile Phone #: \_\_\_\_\_

Tax Code Number: 11-01- \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Zone District: \_\_\_\_\_

**\_\_\_\_\_**  
Describe WECS requested including evidence that there is substantial need for proposed system:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe noise and vibration at the property line:

\_\_\_\_\_  
\_\_\_\_\_

Describe any construction that would be necessary:

\_\_\_\_\_  
\_\_\_\_\_

Describe potential impact on wildlife, including native and migrating birds and glare impacts of adjacent properties:

\_\_\_\_\_  
\_\_\_\_\_

Describe aesthetic impacts on adjoining properties:

\_\_\_\_\_  
\_\_\_\_\_

Describe equipment and or materials to be used for proposed use including color and surface treatment of supporting structures:

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Describe ability to adequately provide for the service and facility under consideration:

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Describe additional public services needed for proposed use:

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Describe FAA warning light requirements, if any:

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Is the proposed WECS able to satisfy the following limitations:

1. Setbacks. Large WECS shall maintain a minimum setback of two (2) times the total height of the tower and blade height from any property line.
2. Large WECS shall maintain a minimum setback of at least five (5) times the tower height and blade from the right-of-way line of any public road or highway.
3. In all cases the large WECS shall maintain a minimum distance of at least one and one-fourth (1.25) times the tower and blade height from any habitable structure.
4. Dimensions. A large WECS shall be located on a parcel at least two and one-half (2-1/2) acres in size.
5. A large WECS shall not exceed a total tower and blade height of one hundred fifty (150) feet unless the parcel on which the large WECS is to be located is ten (10) acres or larger, in which case the maximum total tower and blade height may be two hundred (200) feet.
6. In all cases the minimum height of the lowest position of the large WECS blade shall be at least thirty (30) feet above the ground.

7. Safety Measures. Each large WECS shall be equipped with both manual and automatic controls to limit the rotational speed of the rotor blade so it does not exceed the design limits of the rotor.
8. Each large WECS shall be properly grounded to safely sustain natural lightning strikes in conformance with the National Electrical Code.
9. Any large WECS facility shall be equipped with anti-climbing devices. Tower climbing apparatus shall not be located within twelve (12) feet of the ground. A locked, protective fence at least six (6) feet high shall enclose a tower capable of being climbed.
10. The large WECS shall be warranted against any systems failures reasonably expected in severe weather operation conditions as a condition of approval.
11. Large WECS shall include no sign or advertising of any kind, except for one sign, not to exceed two (2) square feet posted at the base of the tower, and said sign shall contain the following information:
  - a. "Warning: high voltage"
  - b. Manufacturer's name
  - c. Operator's name
  - d. Emergency phone number
  - e. Emergency shutdown procedures

Persons to Contact for:

Engineering: Name: \_\_\_\_\_ Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Maintenance: Name: \_\_\_\_\_ Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Until a permit has been granted pursuant to the Special Land Use Permit, there shall be no construction or excavation of said land nor shall use of the land be made toward the intended purposes of such Special Land Use Permit.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_



## STATEMENT OF COMPLIANCE

1. I represent that the enclosed application will comply with the following General Standards:
  - a. The special land use shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.
  - b. The special land use shall not inappropriately change the essential character of the surrounding area.
  - c. The special land use shall not interfere with the general enjoyment of adjacent property.
  - d. The special land use shall represent an improvement to the use or character of the property under consideration and the surrounding area in general, yet also be in keeping with the natural environment of the site.
  - e. The special land use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare.
  - f. The special land use shall be adequately served by essential public facilities and services, or it shall be demonstrated that the person responsible for the proposed special land use shall be able to continually provide adequately for the services and facilities deemed essential to the special use under consideration.
  - g. The special land use shall not place demands on public services and facilities in excess of available capacity.
  - h. The special land use shall be consistent with the intent and purpose of this Ordinance, and the objectives of any currently adopted Bainbridge Township Development Plan.

Signature of Applicant: \_\_\_\_\_ / Date: \_\_\_\_\_

**PUBLIC HEARING REQUEST FOR  
WIND ENERGY CONVERSION SYSTEM PERMIT**

11-01- \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
Property Tax Code Number

I hereby request a public hearing for the purpose of securing a Wind Energy Conversion System Permit for property described by the property tax code number shown above.

The address of this property is:

\_\_\_\_\_  
(Address) (City) (State) (Zip)

The requested Wind Energy Conversion System Permit is for the following purpose:

\_\_\_\_\_  
\_\_\_\_\_

I enclose application, site plan, proof of ownership and legal description of the property, proof of paid taxes, a list of names and addresses of the owners of property within 300 feet of the property covered by this application, and a statement of compliance.

\_\_\_\_\_  
(Name of applicant)

\_\_\_\_\_  
(Street and Number)

\_\_\_\_\_  
(City) (State) (Zip)

\_\_\_\_\_/\_\_\_\_\_  
(Signature) (Date)



# ARTICLE XI

## Site Plan and Scaled Drawing Requirements

### Section 11.01 - Intent

- A. The intent of requiring site plan or scaled drawing submittal and review in certain instances specified herein is to facilitate determination of whether certain development proposals meet all applicable requirements and are in harmony with the purpose, intent and spirit of this Ordinance.
- B. It is further the intent to assist township officials in encouraging and assisting proposers of land development to design and implement land use proposals which foster orderly, efficient, compatible and aesthetic uses of land in Bainbridge Township.

### Section 11.02 - When Required

- A. Variance or Special Land Use – Except for Single-Family, Two-Family: A site plan shall be prepared and submitted in accordance with Sections 11.03 A. and 11.04 with any application for:
  - 1. Variance or Special Land Use Permit, other than for a Special Land Use Permit for a Home Occupation;
  - 2. With any application for Rezoning, other than Rezoning for the sole purpose of constructing a single-family, two-family or agricultural permitted principal use;
  - 3. With any application for a Zoning Compliance Permit or Building Permit, other than for the sole purpose of constructing a single-family, two-family or agricultural permitted principal use or accessory use thereto; and
  - 4. With any application for a Planned Unit Development or Condominium.
- B. Rezoning – Single-Family, Two-Family: A scaled drawing shall be prepared for the sole purpose of constructing a single-family, two-family or agricultural permitted principal use or accessory use thereto and submitted in accordance with Sections 11.03 B. and 11.04 with any application for:
  - 1. Rezoning;
  - 2. Zoning Compliance Permit;
  - 3. Building Permit; or
  - 4. Variance.

### **Section 11.03 - Contents**

- A. A required site plan shall be drawn at a scale of one (1) inch equals one hundred (100) feet and shall contain the following information:
1. The boundary lines of the area included in the site plan, including angles, dimensions and reference to a section corner, quarter corner or point on a recorded plat, an arrow pointing north, and the individual lot areas and dimensions of the land included in the site plan.
  2. Existing and proposed topography, drainage systems, and structures, with topographic contour intervals of not more than two (2) feet.
  3. The shape, size and location of all structures on the lot including yard dimensions, height, floor area and ground coverage ratios and the finished ground and basement floor grades.
  4. Natural features such as wood lots, trees of more than one (1) foot in diameter, streams and lakes or ponds, and man-made features such as existing roads and structures, with indication as to which features are to be retained and which removed or altered. Adjacent properties and their uses shall be identified.
  5. Proposed streets, driveways, parking spaces, curb cuts, loading spaces and sidewalks, with indication of direction of travel for one-way streets and drives and the inside radius of all curves. The width of streets, driveways and sidewalks, and the total number and layout of parking spaces shall be shown.
  6. The size and location of all existing and proposed public and private utilities and required landscaping.
  7. A vicinity sketch showing location of the site in relation to the surrounding street system.
  8. A legal description of the land and lots included in the site plan.
  9. Any other information necessary to establish compliance with this and any other ordinances.
  10. The availability of adequate utility capacity.
  11. The name, signature, title and mailing address of the person who prepared the site plan. A site plan for any development shall be prepared by a registered architect, engineer, professional community planner or land surveyor.
- B. A required scaled drawing shall be drawn at a scale appropriate to the dimensions of development and shall contain the following information:
1. A legal description of the land involved.
  2. A vicinity sketch showing location of the site in relation to the surrounding street system.

3. The size and location of all structures proposed for and presently located on the site.
4. The boundary lines of the parcel of land involved including dimensions and an arrow pointing north.
5. Proposed streets and driveways. The width of streets and driveways shall be shown.
6. Any other information necessary to establish compliance with this and any other ordinances.
7. The name, signature and mailing address of the person who prepared the scaled drawing.

#### **Section 11.04 - Review Process and Approval**

- A. Any required site plan or scaled drawing shall be submitted, of original quality, to the Zoning Administrator along with a cover letter signed by the owner of the land and/or prospective developer providing a general explanation and background information on the proposed development.
- B. The Zoning Administrator shall examine the site plan or scaled drawing as to proper form and content and particularly as to compliance with all applicable requirements of this Ordinance.
- C. If the proposed development does not require the issuance of a Special Land Use Permit by the Planning Commission, Variance by the Board of Appeals or a Rezoning of land by the Township Board, within thirty (30) days after receipt the Zoning Administrator shall notify in writing the proposer of the development of the approval or disapproval of the site plan or scaled drawing. If the site plan or scaled drawing is disapproved, the reasons therefore shall be given. Such disapproval shall be limited to inadequacy or defect in form or content and/or noncompliance with identified applicable provisions of this Ordinance. The Zoning Administrator may, at his discretion, request consultation with the Planning Commission prior to his approval or disapproval of the site plan.
- D. If the proposed development requires issuance of a Special Land Use Permit, the Zoning Administrator shall transmit his findings as described in paragraph C. above, to the Planning Commission along with a copy of the site plan and covering letter. The proposer of the development shall be notified of the status of his requested site plan approval.
- E. If the proposed development requires a rezoning of land, the Zoning Administrator shall transmit his findings as described in paragraph C., above, to the Township Board which shall follow the amendment procedure as provided in Article XV (15). The site plan or scaled drawing and cover letter shall accompany the Zoning Administrator's findings. The proposer of the development shall be notified of the status of his requested site plan or scaled drawing for approval.

- F. If the proposed development requires a Variance, the Zoning Administrator shall transmit his findings as described in paragraph C., above, to the Board of Appeals which shall follow the Variance procedure as provided in Article XIII (13). The site plan or scaled drawing and cover letter shall accompany the Zoning Administrator's findings. The proposer of the development shall be notified of the status of his requested site plan or scaled drawing for approval.
- G. The decision rejecting, approving, or conditionally approving a site plan shall be based upon the requirements contained in Section 11.03, A. The decision rejecting, approving or conditionally approving a scaled drawing shall be based upon the requirements contained in Section 11.03, B.
- H. A site plan or scaled drawing shall be approved if it contains the information required by this Ordinance and is in compliance with this Ordinance and the conditions imposed thereunder, other applicable Township, County, State or Federal laws, rules or regulations.
- I. The site plan or scale drawing as approved shall become part of the record of approval, and subsequent actions relating to the activity authorized shall be consistent with the approved site plan or scaled drawing, unless a change conforming to this Ordinance receives the mutual agreement of the landowner and approving body.
- J. Upon approval of a site plan, the secretary of the approving body shall, within five (5) days, file with the Zoning Administrator a copy of the approved site plan or scaled drawing.

## ARTICLE XXV

### Wind Energy Conversion System

#### Section 25.01 – Intent

- A. It is the purpose of this Article to promote the safe, effective, and efficient use of Large and Small Wind Energy Systems installed to reduce the on-site consumption of electricity supplied by utility companies. To provide for the issuance of a Special Land Use Permit for all Large Wind Energy Systems.
- B. To allow Large Wind Energy Systems in C - Commercial, CA – Commercial Agricultural, I - Industrial and AG – Agriculture subject to Special Land Use Permit as set forth in this Article and Article X (10).

#### Section 25.02 – Definitions

- A. **Wind Energy Conversion System:** “Wind Energy Conversion System” (WECS) shall mean all, or any combination of the following:
  - 1. A wind mill, mill or machine operated by wind acting on oblique vanes or sails that radiate from a horizontal shaft;
  - 2. A surface area, either variable or fixed, for utilizing the wind for electrical or mechanical power;
  - 3. A shaft, gearing, belt, or coupling utilized to convey the rotation of the surface areas into a form suitable for driving a generator, alternator, or other mechanical or electricity producing device;
  - 4. The generator, alternator, or other device to convert the mechanical energy of the surface area into electrical energy;
  - 5. The tower, pylon, or other structure upon which any, all, or some combination of the above are mounted; and
  - 6. A wind monitoring station.
- B. **Large Wind Energy Conversion System:** A wind energy conversion system as defined herein, consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of more than one hundred (100) Kilowatts (kW).
- C. **Small Wind Energy Conversion System, Small:** A wind energy conversion system as defined herein, consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than one hundred (100) Kilowatts (kW) and which is intended to primarily reduce on-site consumption of utility power.

#### Section 25.03 - Small Wind Energy Conversion System

- A. A Small Wind Energy Conversion System may be regarded as a permitted accessory use in any district, if it meets the standards and requirements of this Section, 27.03. A system that cannot meet the requirements of this Section shall be regulated as a Large WECS.
- B. **Application Procedure:** An application for a Zoning and Building Permit may be filed with the Zoning Administrator and to include the following:

1. The applicant shall provide evidence that a small windmill will not cause sounds in excess of sixty (60) dB, as measured at any property line.
  2. Small WECS shall bear an approval certificate from a certification program recognized by the American Wind Energy Association.
  3. Building permit applications for small WECS shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings.
  4. An engineering analysis of the tower showing compliance with the Uniform Building Code and certified by a licensed professional engineer shall also be submitted.
- C. **Review and Approval:** The Zoning Administrator may approve such Special Land Uses and exceptions for such Small WECS subject to the following limitations:
1. **Tower Height.** For parcels of less than two (2) acres in area, the tower height (not including the blades) shall be limited to forty (40) feet. For parcels with land area greater than two (2) acres and located in the AG, 5.09 or CA, 5.07 or I, 5.08 districts, the tower height (not including the blades) shall be limited to sixty (60) feet.
  2. **Setback.** The tower shall be setback from all adjoining property lines and rights of-way (public or private) the combined height of the tower and the turbine blade in its vertical position. (“Fall zone”) No part of the Small WECS, including guy wire anchors, may extend into any adjacent yard or property. (Note: property owner may arrange an “easement” with an adjacent property owner to acquire their needed “fall zone” footage.)
  3. **Utility Notification.** No Small WECS shall be installed until evidence has been given that the utility company has been informed of the customer’s intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
  4. **Additional Turbines.** A Small WECS system may include more than one turbine and tower if all other requirements are met and the total of all turbines on the site does not exceed one hundred (100) kilowatts (kW).
- D. **Removal Required.** If any Small WECS remains non-functional or inoperative for a continuous period of one (1) year, the permit holder shall remove said system at his/her/their expense. Removal of the system shall mean the entire structure, including foundations, transmission equipment, and fencing, from the property. If removal of towers and appurtenant facilities is required and the permit holder, or successors, fails to remove the towers and appurtenant facilities from the property within thirty (30) days from the date of notification by the Zoning Administrator, Bainbridge Township may proceed to remove the towers and appurtenant facilities; in which case, the salvage becomes property of the Township; and costs of removing the facilities will remain the burden of the permit holder.

#### **Section 25.04 – Application Procedures Large Wind Energy Conversion System**

- A. **Applicant:** Any person owning or having an interest in the subject property may file an application for one or more Special Land Use Wind Energy Conversion System Permits, provided for in this Article in the zoning district in which the land is situated.
- B. **Application:** Applications for Special Land Use Wind Energy Conversion System Permits shall be submitted through the Zoning Administrator, to the Planning Commission. Each application shall be accompanied by the payment of a fee in accordance with the schedule of fees adopted by

the Township Board to cover the costs of processing the application. No part of any fee shall be refundable.

- C. **Required Information:** The following standards shall apply to all Large Wind Energy Conversions Systems (WECS) as defined herein except wind monitoring stations. Applications shall be submitted through the Zoning Administrator, who shall then submit to the Planning Commission within after review for completeness pursuant to Article X (10) and the following:
1. **Impact Analysis Required.** The applicant shall submit an evaluation of the likely impacts of the proposed facility in the following areas:
    - a. Noise and vibration at any property line;
    - b. Potential impacts on wildlife, including native and migrating birds, “shadow flicker” and glare impacts on adjacent properties; and
    - c. Aesthetic impacts on the WECS on adjoining properties.
  2. **Required Site Plan.** In addition to the site plan required for a Special Land Use permit, pursuant to Article X (10), the applicant shall also submit an appropriately scaled site plan illustrating the following:
    - a. Property lines, dimension, acreage, and contours with appropriate intervals for site evaluation.
    - b. Location and elevation of the proposed Large WECS.
    - c. Location and dimensions of all existing structures and uses on the lot within 300 feet of the systems.
    - d. Height of any structures or trees over thirty-five (35) feet within a five hundred (500) foot radius on-site or off-site of the proposed Large WECS.
    - e. Surrounding land use and all structures irrespective of height, within five hundred (500) feet of the Large WECS location.
  3. **Additional Required Information.** The applicant shall also submit the following information:
    - a. Standard drawings of the structural components of the Large WECS, including structures, tower, base, and footings. A registered engineer shall certify drawings and any necessary calculations that the system complies with all applicable local, state, and federal building, structural and electrical codes.
    - b. Evidence from a qualified individual that the site is feasible for a Large WECS.
    - c. Certification from a registered engineer or qualified person that the rotor and over speed control have been designed for the proposed use on the proposed site.
    - d. Evidence that there is a substantial need for the proposed use.
    - e. Registered engineer’s certification of the design and safety of the proposed tower to withstand winds of eighty-five (85) miles per hour.
    - f. Registered engineer’s certification that if the wind turbine were to fall, no building or structure – existing or potential – would be damaged.

- g. The name, address and phone number of the person to contact for engineering, maintenance and other notice purposes shall be filed with the Township Clerk. This information shall be continuously updated by the applicant during all times the facility is on the premises.

### **Section 25.05 – Processing**

- A. **Copy of Application to Planning Commission:** The Zoning Administrator shall forward a copy of the application for the Special Land Use Wind Energy Conversion System Permit to the Planning Commission within thirty (30) days of receiving the request.
- B. **Hearing:** After a preliminary review of the site plan and an application for a Special Land Use Wind Energy Conversion System Permit the Planning Commission shall hold a hearing on the site plan and special land use request in accordance with Article X (10).

### **Section 25.06 – Review Process and Approval**

- A. All procedures for review will comply with those procedures and regulations set forth in this Article and Article X (10).
- B. The planning Commission may approve such Special Land Uses and exceptions for such Large WECS subject to the following limitations:
  - 1. **Setbacks.** Large WECS shall maintain a minimum setback of two (2) times the total height of the tower and blade height from any property line.
  - 2. Large WECS shall maintain a minimum setback of at least five (5) times the tower height and blade from the right-of-way line of any public road or highway.
  - 3. In all cases the Large WECS shall maintain a minimum distance of at least 1.25 times the tower and blade height from any habitable structure.
  - 4. **Dimensions.** A Large WECS shall be located on a parcel at least two and one-half (2-1/2) acres in size.
  - 5. A large WECS shall not exceed a total tower and blade height of one hundred fifty (150) feet unless the parcel on which the large WECS is to be located is ten (10) acres or larger, in which case the maximum total tower and blade height may be two hundred (200) feet.
  - 6. In all cases the minimum height of the lowest position of the Large WECS blade shall be at least thirty (30) feet above the ground.
  - 7. An approved Large WECS shall be exempted from height restrictions of the zoning district.
  - 8. **General Site and Design Standards.** Large WECS shall be designed and placed in such a manner to minimize, to the greatest extent feasible, adverse visual and noise impacts on neighboring areas.
  - 9. Colors and surface treatment of the Large WECS and supporting structures shall, to the greatest extent feasible, minimize disruption of the natural characteristics of the site.



10. Large WECS shall be equipped with air traffic warning lights or other marking lights only if so required by the Federal Aviation Administration and in which event, such lighting shall be positioned to avoid undue visual impact on neighboring properties.
11. Safety Measures. Each large WECS shall be equipped with both manual and automatic controls to limit the rotational speed of the rotor blade so it does not exceed the design limits of the rotor.
12. The Planning Commission shall determine the height, color, and type of fencing for the Large WECS installation.
13. Appropriate warning signs shall be posted. The Planning Commission shall determine the type and placement of the signs.
14. Each Large WECS shall be properly grounded to safely sustain natural lightning strikes in conformance with the National Electrical Code.
15. Any Large WECS facility shall be equipped with anti-climbing devices. Tower climbing apparatus shall not be located within twelve (12) feet of the ground. A locked, protective fence at least six (6) feet high shall enclose a tower capable of being climbed.
16. The Large WECS operator shall maintain a current insurance policy which will cover installation and operation of the large WECS. The amount of said policy shall be established as a condition of approval. The applicant shall provide documentation or other evidence from the dealer or manufacturer that the large WECS can be successfully operated in the climatic conditions found in Bainbridge Township.
17. The Large WECS shall be warranted against any systems failures reasonably expected in severe weather operation conditions as a condition of approval.
18. Large WECS shall include no sign or advertising of any kind, except for one sign, not to exceed two (2) square feet posted at the base of the tower, and said sign shall contain the following information:
  - a. "Warning: high voltage"
  - b. Manufacturer's name
  - c. Operator's name
  - d. Emergency phone number
  - e. Emergency shutdown procedures
19. Radio and Television Interference. A Large WECS shall be designed and constructed so as not to cause radio and television interference.

#### **Section 25.07 – Notification of Intent to Revoke Permit**

- A. **Removal Required.** If any Large WECS remains non-functional or inoperative for a continuous period of one (1) year, the permit holder shall remove said system at his/her/their expense. Removal of the system shall mean the entire structure, including foundations, transmission equipment, and fencing, from the property. If removal of towers and appurtenant facilities is required and the permit holder, or successors, fails to remove the towers and appurtenant facilities from the property within thirty (30) days from the date of notification by the Zoning Administrator, Bainbridge Township may proceed to remove the towers and appurtenant facilities; in which case, the salvage becomes property of the Township; and costs of removing the facilities will remain the burden of the permit holder. To assure removal of an obsolete,

inoperable or abandoned facility, the Township may require of the applicant a financial guarantee.

- B. **Primary Use.** A wind monitoring station may be approved by the Planning Commission either as a principal or accessory use; however, all other components of a large WECS shall be considered a principal use on a parcel of land.

#### **Section 25.08 – Appeals**

- A. Any person, firm corporation or department, board or bureau of the Township aggrieved by the decision of the Planning Commission for the issuance of a Special Land Use Permit for the purpose of establishing a Wind Energy Conversion System, may seek review by the Board of Appeals in the manner prescribed in Article XIII (13).

#### **Section 25.09 – Effect of Approval of Planning Commission**

- A. The approval of the application by the Planning Commission shall allow the Zoning Administrator to issue a Zoning Compliance Permit in conformity with the application as approved in this Article and Article X (10).