



**TWO
RIVERS**
WISCONSIN

PLAN COMMISSION

February 12, 2024 at 5:30 PM

Council Chambers - City Hall, 3rd Floor
1717 E. Park Street, Two Rivers, WI 54241

AGENDA

1. CALL TO ORDER

2. ROLL CALL

Commission Members: Greg Buckley, Rick Inman, Kay Koach, Kristin Lee, Matt Heckenlaible, Eric Pangburn, Adam Wachowski

3. ACTION ITEMS

- A. Review of Extraterritorial Certified Survey Map completed by Steven Zeitler, Licensed Surveyor, Parcel 018-134-007-001.00, address 2130 Cottage Lane.
- B. Review of Conditional Use Permit application for a Battery Energy Storage System (BESS) on Woodland Drive, Parcel 053-233-404-010.01, submitted by Hawk Battery Storage LLC and Tenaska, Inc
- C. Review and possible action regarding request to modify the sign ordinance to permit signs placed directly onto sidewalks.

4. ADJOURNMENT

Please note, upon reasonable notice, efforts will be made to accommodate the needs to disabled individuals through appropriate aids and services. For additional information or to request this service, please contact the Office of the City Manager by calling 793-5532.

It is possible that members of and possibly a quorum of governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no other action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.



TWO RIVERS
WISCONSIN

LAND DEVELOPMENT APPLICATION

APPLICANT Steven Zeitler Zeitler99@aol.com
TELEPHONE 920-857-4670

MAILING ADDRESS 740 Hidden Valley Road Maribel WI 54227
(Street) (City) (State) (Zip)

PROPERTY OWNER Michael Casebeer TELEPHONE 920-553-1255

MAILING ADDRESS 1114 - 33rd St. Two Rivers WI 54241
(Street) (City) (State) (Zip)

REQUEST FOR:

- Comprehensive Plan Amendment
- Site/Architectural Plan Approval
- Subdivision Plat or CSM Review
- Zoning District Change
- Conditional Use
- Annexation Request
- Variance/Board of Appeals
- Other

STATUS OF APPLICANT: Owner Agent Buyer Other

PROJECT LOCATION 2130 Cottage Lane T.R. TYPE OF STRUCTURE Existing Farmstead

PRESENT ZONING EA REQUESTED ZONING EA

PROPOSED LAND USE Selling Farmstead & Buildings

PARCEL # 018-134-007-001.00 ACREAGE 2.2 AC

LEGAL DESCRIPTION SEE PSM

NOTE: Attach a one-page written description of your proposal or request.

The undersigned certifies that he/she has familiarized himself/herself with the state and local codes and procedures pertaining to this application. The undersigned further hereby certifies that the information contained in this application is true and correct.

Signed Virginia Casebeer Date 1/11/2024
(Property Owner)

Fee Required

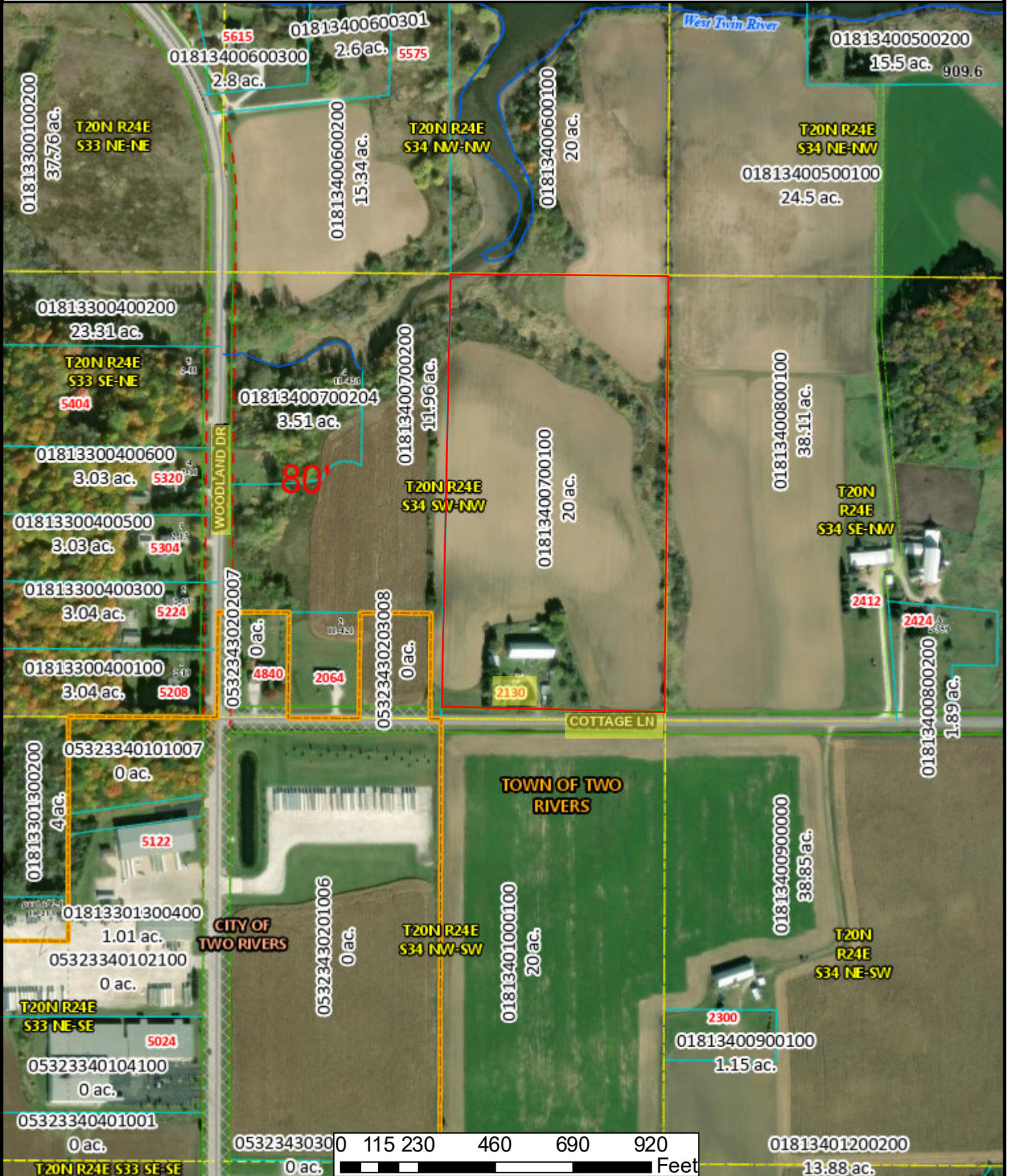
- \$ 350 Comprehensive Plan Amendment
- \$ t/b/d Site/Architectural Plan Approval (Listed in Sec 1-2-1)
- \$ t/b/d CSM Review (\$10 lot/\$30 min)
- Subdivision Plat (fee to be determined)
- \$ 350 Zoning District Change
- \$ 350 Conditional Use
- \$ t/b/d Annexation Request (State Processing Fees Apply)
- \$ 350 Variance/Board of Appeals
- \$ t/b/d Other

Schedule

- Application Submittal Date 1-19-24
- Date Fee(s) Paid 1-19-24
- Plan(s) Submittal Date _____
- Plan Comm Appearance 2-12-24

\$ 30 TOTAL FEE PAID APPLICATION, PLANS & FEE RECEIVED BY [Signature]

Manitowoc County Parcel Viewer



Certified Survey Map

PART OF THE SW 1/4 - NW 1/4, SECTION 34, T. 20 N.- R.24 E,
TOWN OF TWO RIVERS, MANITOWOC COUNTY, WISCONSIN.

Surveyors Certificate:

I, Steven E. Zeitler, Registered Land Surveyor, do hereby certify that I have surveyed, Divided and mapped the land described hereon; that I have made such survey and map by the direction of the owners listed hereon; and that I have complied with the provisions of Chapter 236 Section 236.34 of the Wisconsin Statutes and Section 12.07 of the Subdivision Regulations for Manitowoc County, Wisconsin. That the map hereon is a true and correct representation of the survey.

Steven E. Zeitler RLS # 1749 Date

Legend

- ⊗ 1/2" X 18" rebar (set) min. wt. 1.13 lb./lin/ft.
 - ⊙ 1" iron pipe found
 - 1" X 18" iron pipe (set) min. wt. 1.13 lb./lin/ft.
- Bearings referenced to the southerly line of the NW 1/4 assumed S89°35'51"E

DESCRIPTION:

Part of the Southwest 1/4 of the Northwest 1/4 of Section 34, T.20 N. - R.24 E., Town of Two Rivers, Manitowoc County, Wisconsin described as;

Commencing at the West 1/4 Corner of Section 34; thence along the southerly line of the NW 1/4 South 89°35'51" East 631.12 feet to the point of beginning to the southeast corner of Tract 3 Certified Survey Map Volume 11 Page 421; thence along the easterly line of said Lot 1 North 0°34'20" East 284.95 feet; thence South 89°41'17" East 371.11 feet; thence South 0°22'43" West 285.54 feet to the southerly line of the NW 1/4; thence North 89°35'51" West 372.07 feet to the point of beginning and containing 2.43 acres.



unplatted lands

unplatted lands

RR

S 89°41'20" E 338.53'

10' accessory building setback (TYP)
25' principal structure setback (TYP)

Lot 1

Barn

Shed

RR

RR

unplatted lands

R-1
Tract 3
11 CSM 421

N 0°29'15" E 285.00'

251.74'

S 0°22'40" W 285.54'

236.77'

86,603 sq. ft LOT
10,046 sq. ft. R/W
96,649 sq. ft. TOTAL
2.219 Ac.

60' building setback from centerline

S 0°17'49" W 10.00'

N 0°17'49" E 10.00'

14.87'

S 89°42'11" E 147.77'

S 89°42'11" E 134.00'

section line

S 89°35'51" E 664.11'

33.21'

40

N 89°35'51" W 339.07'

30

S 89°42'11" E

33.90'

57.24'

40

40

W 1/4 Cor.
Sect. 34
PK nail

I - 2

Cottage Lane

Graphic Scale

unplatted lands

Center Sect. 34
found Mag nail



1" = 100'

EA

Certified Survey Map

PART OF THE SW 1/4 - NW 1/4, SECTION 34, T. 20 N.- R.24 E,
TOWN OF TWO RIVERS, MANITOWOC COUNTY, WISCONSIN.

City of Two Rivers Certificate

OWNERS CERTIFICATE:

As owners We, hereby certify that we caused the land described on this map to be surveyed, divided, and mapped as represented hereon; We also certify that this Certified Survey Map is required to be submitted to the Manitowoc County Planning and Park Commission for approval or objection in accordance with current Land Subdivision Ordinances.

John J. Dawidowich Jr.

Diane M. Dawidowich

Michael Casebeer

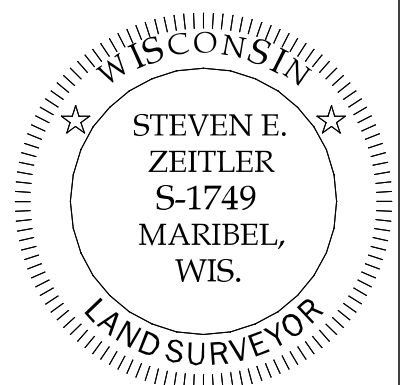
Virginia C. Casebeer

STATE OF WISCONSIN)
MANITOWOC COUNTY)

Personally came before me this _____ day of _____, 2023 the above named owners, to me known to be the persons who executed the foregoing instrument and acknowledge the same.

Steven E. Zeitler

My commission expires 1/14/26





PLAN COMMISSION

REQUEST: Conditional Use Permit Application (CUP) for Hawk Battery Energy Storage System
Zoning: I-2 Industrial Conditional Use – Public and private utilities
Location: Woodland Industrial Park on the west side of Woodland drive, approximately 1,000 feet north of STH 310
Parcel 053-233-404-010.01
Date: February 12, 2024

Background:

Tenaska Inc (hereto referred to as “Developer”) is pursuing a Battery Energy Storage System (BESS) on a 9.48-acre parcel in the Woodland Industrial Park. The proposed project location is near the existing ATC Shoto Substation located on STH 310 and the BESS project is planning to interconnect to the Substation via a private overhead transmission line with a private easement when it is complete.

The project overview, description, operation and preliminary site plan are provided in their application. There has been a public information session and formal presentation made to the City Council on February 5, 2024 to share information about this project.

Following the Plan Commission, there will be a public hearing, and decision by the City Council as to the future of this project proposal, as required by ordinance for a Conditional Use Permit request.

Recommended Action

This proposed development supports the Comprehensive Plan goals to encourage new industrial development in the City’s industrial park(s). Staff recommends the approval of this proposal with the **conditions** below.

EXHIBIT A

Safety

1. A Hazard Mitigation Analysis (HMA) will be completed and shared with the fire department, police department - all local emergency responders – prior to the issuance of a building permit.
2. An Emergency Response Plan (ERP) is to be prepared prior to the issuance of a building permit.
3. Local first responders are to be trained and equipped **to the extent current equipment is insufficient** to respond appropriately to the selected battery technology for the Hawk BESS project, at the Developer’s





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COMMUNITY DEVELOPMENT

1717 E. Park Street
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commercially reasonable expense, prior to the commencement of operation. Refresher training to local first responders shall be required, at the Developer's expense, at **reasonable** intervals as requested by the City of Two Rivers Fire Chief, throughout the life of the project.

4. The ERP is to be reviewed annually with local emergency responders throughout the project's lifespan and modified for best safety practices if necessary.
5. The facility is to be designed and constructed to meet NFPA 855 standards.
6. Designed to meet Wisconsin and/or national electrical standards.
7. Confirmation that there will be remote monitoring of the BESS 24 hours, 7 days a week.

Noise

8. A noise study is to be conducted pre and post construction to verify the BESS is in compliance with the City's noise ordinance.
9. It will be the City's practice to verify the noise level on this project as it does with all projects within the City.

Operation and Maintenance

10. The project shall be constructed, operated and maintained in compliance with **good utility practice** ~~the highest standards of electrical and safety design~~. The City will have a third party-reviewer to assist with the review of BESS design (see item 16).
11. Routine maintenance shall be performed on the BESS equipment to ensure proper performance of the technology. The City and local emergency responders are to be contacted if there are concerns that meet any ERP standards in the battery performance.

Decommissioning

12. The Developer is responsible for the removal of the Project at the end of its useful life. The site is to be restored to its pre-construction condition to the extent possible.
13. A decommissioning plan must be submitted and approved by the City prior to the issuance of the building permit. In summary the decommissioning plan is to identify:
 - Steps for restoring the site of the project to pre-construction condition **to the extent possible**;
 - Estimated cost for restoration **less the project's estimated salvage value**.



www.two-rivers.org



920.793.5564



920.793.5512



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14. The decommissioning plan is to be reviewed every 5 years for the purposes of updating the costs for decommissioning and, if applicable, updating the financial agreement identified in #15. Such updates shall be subject to approval by the City.

15. An assurance in the form of a bond, letter of credit, or other form, to be established in an agreement between the City and Developer to cover the cost of decommissioning as defined in the decommissioning plan and any updates. **The cost of the project's estimated salvage value will be identified in the decommissioning plan.**

Third Party Reviewer

16. The City will be seeking the services of a third-party reviewer with expertise in the BESS technology field to assist with the following services (if the CUP is approved by the City Council):

- a. Review of the site and architectural plan, battery technology compliance with **NFPA ~~NREFP~~ 855** and with other applicable regulatory standards and codes not specifically identified in this memo;
- b. Assist with review of the ERP, completed noise study, decommissioning plan and review of decommission financial security agreement.
- c. Other items the City deems necessary related to BESS technology and project-related questions.
- d. Project inspection for compliance with applicable codes and standards

Developer shall be responsible for reimbursing the City for its **reasonable** costs incurred for the services of said Third Party Reviewer, up to \$ _____. **The City shall make best effort that the Third Party review does not unreasonably delay the project's permitting or construction process.**

Site and Architectural Plans

17. Site and Architectural Plan Approval by the Plan Commission is required per Section 11-1-11 of the Municipal Code, prior to issuance of a building permit. The requirements include the Final Site Plan, a Landscaping Plan, Storm water Management Plan, Lighting Plan and all other items listed in Section 11 - 1-11.

18. Site and Architectural Plan approval by the City's Business and Industrial Development Committee and Community Development Authority is required per the "Declaration of Restrictions and Protective Covenants" applicable to the Woodland Industrial Park, as dated December 21, 1989 and recorded with the Manitowoc County Register of Deeds at Volume 891, pages 402 to 412. Such approval, as well as



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any required variances from the provisions of said Restrictions and Protective Covenants must be obtained prior to issuance of a building permit.

19. Developer shall at all times be in compliance with the terms of the Real Estate Purchase Option Agreement Between the City of Two Rivers and Swift Energy Storage, LLC, dated July 20, 2021, **including all amendments.**

20. Following initial completion of the project and the project being put into operation, Developer shall notify the City, in writing, of any **battery enclosures** ~~batteries~~ being removed or installed at the project. Such notification shall be at least 30 days in advance of the removal or installation, except in cases of emergency, when Developer shall notify the City as soon as practicable. **No batteries shall be stored on the premises outside of battery enclosures.**

CONDITIONAL USE
PERMIT
City of Two Rivers

Document Number

Permit No. 3-1-2024

Before the City Council of the City of Two Rivers, Manitowoc County, Wisconsin, regarding the premises at 15TH Street and Washington Street in the City of Two Rivers, Manitowoc County, State of Wisconsin, further described as:

NE-SE & SE-SE S33 T20N R24E TRACT 7 OF CSM V 15 P 151

Inspections Department
City of Two Rivers
PO Box 87
Two Rivers, WI 54241-0087

Parcel ID Number: 053-233-404-010.01

Zoning Classification of the Premises is: Industrial District (I-2)/Conditional Use: Battery Energy Storage System

Mailing Address of the Premises Operator: 412 W. 15th Street, New York, NY 10011.

Land Owner: City of Two Rivers, Business Industrial Development Corporation, 1717 E Park Street, Two Rivers WI 54241

WHEREAS, the Zoning Code and Zoning District Map of the above named municipality, pursuant to State Statute, state that the premises may not be used for the purpose hereinafter described but that upon petition such use may be approved by the municipality as a Conditional Use in particular circumstances as defined by the standards in the Zoning Ordinance; and

Petition therefore having been made, and public hearing held thereon, and the City Council of the City of Two Rivers having determined that by reason of the nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, permit of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance.

Now, therefore, it is permitted, subject to compliance with the terms and conditions hereinafter stated, that the Premises may be used for the purpose of a Battery Energy Storage System.

Permitted by action of the City Council of the City of Two Rivers on March 4, 2024.

Original filed in the office of the City Clerk of the City of Two Rivers, Wisconsin

The Conditions of this Permit are:

1. This Permit shall become effective upon the execution and recording by the Owner of the Premises as acceptance hereof.
2. This Permit shall be void unless proper application, pursuant to the Building and Zoning Codes of this Municipality, for appropriate Building and Zoning Use Permits in conformity to this Permit, is made within ~~twelve (12) months~~ **twenty-four (24) months** of the date hereof.
3. This Permit is subject to amendment and termination in accordance with the provisions of the Zoning Code of this Municipality.
4. Construction and operation of the use permitted shall be in strict conformity to the approved Site, Architectural, Lighting and Landscaping Plans in connection with the Petition for this Permit and such plans are incorporated herein by reference as if set forth in detail herein.
5. Any substantial change or expansion of the facilities permitted by the initial issuance of this Permit would require approval by the Plan Commission and City Council as an amendment to this Permit.
6. **This permit is specifically issued to Hawk Battery Storage ,LLC. This permit this permit may be transferred under the same conditions to successors and assigns upon authorization by the Two Rivers City Council, based on any new owner demonstrating to the City's satisfaction its ability to comply with all provisions of the Permit; such authorization by the City Council shall not be unreasonable withheld. This permit shall lapse if the operation of a battery energy storage system on the Premises ceases for a period of more than twelve (12) months. This Permit is specifically issued to Hawk Battery Storage LLC and shall lapse upon a change in ownership or tenancy of the subject premises; or if the land uses ceases operation for**

~~more than 12 months.~~

7. Conditions/Conditions of Operations:

A. Hours of Operation: **Twenty-four hours a day and seven days a week. Batteries will be charging and discharging based on market conditions and other external conditions.** ~~Batteries would discharge in the day and recharge at night. The HVAC system will be operational 24 hours to keep the BESS within temperature limits. No other equipment will be operational.~~

B. All other Conditions in the attached Exhibit A.

SIGNATURES OF PROPERTY OWNER(S) AND PERMITEE(S):

As Owner(s) of the Subject Property, I/we accept and understand the above-described conditions.

Printed Name: _____

Printed Name: _____

STATE OF WISCONSIN
MANITOWOC COUNTY

Personally came before me this _____ day of _____, 2024, the above named _____ and to be the person(s) who executed the foregoing instrument and acknowledge the same.

Amanda Baryenbruch
Notary Public, Manitowoc County, Wisconsin
My commission expires: _____

SIGNATURES - CITY OF TWO RIVERS

Greg Buckley, City Manager

Amanda Baryenbruch, City Clerk

STATE OF WISCONSIN
MANITOWOC COUNTY

Personally, came before me this _____ day of _____ 2024, the above-named Greg Buckley and Amanda Baryenbruch known to be the person(s) who executed the foregoing instrument and acknowledge the same.

Printed Name: _____
Notary Public, Manitowoc County, Wisconsin
My commission expires: _____

THIS INSTRUMENT WAS DRAFTED BY:
Elizabeth Runge, Community Development Director

EXHIBIT A: CONDITIONAL USE PERMIT

City of Two Rivers

Permit No. 3-1- 2024

UPDATED

EXHIBIT A

Safety

1. A Hazard Mitigation Analysis (HMA) will be completed and shared with the fire department, police department - all local emergency responders – prior to the issuance of a building permit.
2. An Emergency Response Plan (ERP) is to be prepared prior to the issuance of a building permit.
3. Local first responders are to be trained and equipped **to the extent current equipment is insufficient** to respond appropriately to the selected battery technology for the Hawk BESS project, at the Developer's **commercially reasonable** expense, prior to the commencement of operation. Refresher training to local first responders shall be required, at the Developer's expense, at **reasonable** intervals as requested by the City of Two Rivers Fire Chief, throughout the life of the project.
4. The ERP is to be reviewed annually with local emergency responders throughout the project's lifespan and modified for best safety practices if necessary.
5. The facility is to be designed and constructed to meet NFPA 855 standards.
6. Designed to meet Wisconsin and/or national electrical standards.
7. Confirmation that there will be remote monitoring of the BESS 24 hours, 7 days a week.

Noise

8. A noise study is to be conducted pre and post construction to verify the BESS is in compliance with the City's noise ordinance.
9. It will be the City's practice to verify the noise level on this project as it does with all projects within the City.

Operation and Maintenance

10. The project shall be constructed, operated and maintained in compliance with **good utility practice** ~~the highest standards of electrical and safety design~~. The City will have a third party-reviewer to assist with the review of BESS design (see item 16).
11. Routine maintenance shall be performed on the BESS equipment to ensure proper performance of the technology. The City and local emergency responders are to be contacted if there are concerns that meet any ERP standards in the battery performance.

EXHIBIT A: CONDITIONAL USE PERMIT
City of Two Rivers

Permit No. 3-1- 2024

Decommissioning

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13. A decommissioning plan must be submitted and approved by the City prior to the issuance of the building permit. In summary the decommissioning plan is to identify:

- Steps for restoring the site of the project to pre-construction condition **to the extent possible;**
- Estimated cost for restoration **less the project's estimated salvage value.**

14. The decommissioning plan is to be reviewed every 5 years for the purposes of updating the costs for decommissioning and, if applicable, updating the financial agreement identified in #15. Such updates shall be subject to approval by the City.

15. An assurance in the form of a bond, letter of credit, or other form, to be established in an agreement between the City and Developer to cover the cost of decommissioning as defined in the decommissioning plan and any updates. **The cost of the project's estimated salvage value will be identified in the decommissioning plan.**

Third Party Reviewer

16. The City will be seeking the services of a third-party reviewer with expertise in the BESS technology field to assist with the following services (if the CUP is approved by the City Council):

- a. Review of the site and architectural plan, battery technology compliance with **NFPA NFPA 855** and with other applicable regulatory standards and codes not specifically identified in this memo;
- b. Assist with review of the ERP, completed noise study, decommissioning plan and review of decommission financial security agreement.
- c. Other items the City deems necessary related to BESS technology and project-related questions.
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EXHIBIT A: CONDITIONAL USE PERMIT
City of Two Rivers

Permit No. 3-1- 2024

Landscaping Plan, Storm water Management Plan, Lighting Plan and all other items listed in Section 11 - 1-11.

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19. Developer shall at all times be in compliance with the terms of the Real Estate Purchase Option Agreement Between the City of Two Rivers and Swift Energy Storage, LLC, dated July 20, 2021, **including all amendments.**

20. Following initial completion of the project and the project being put into operation, Developer shall notify the City, in writing, of any **battery enclosures** ~~batteries~~ being removed or installed at the project. Such notification shall be at least 30 days in advance of the removal or installation, except in cases of emergency, when Developer shall notify the City as soon as practicable. **No batteries shall be stored on the premises outside of battery enclosures.**



HAWK ENERGY STORAGE LLC

Land Development Application for Hawk Energy Storage System

Woodland Dr

City of Two Rivers, WI

February 2024

Submitted to the City of Two Rivers



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HAWK ENERGY STORAGE LLC

February 5, 2024

Ms. Elizabeth Runge
Community Development Director
City of Two Rivers
1717 E. Park Street
Two Rivers, WI 54241

Re: Hawk Battery Energy Storage System – Land Development Application Request for Conditional Use

Dear Ms. Runge:

Attached is a Land Development Application and supporting documentation for the proposed Hawk Battery Energy Storage System on Woodland Dr., City of Two Rivers. The application is accompanied by:

1. Project Narrative
2. CUP Application Guideline Checklist (Attachment A)
3. Site Location Map (Attachment B)
4. Conceptual Site Plan (Attachment C)
5. Fencing Detail (Attachment D)

Please let me know if you have questions about this application. We look forward to continuing to work with the City of Two Rivers to advance this most important project.

Regards,

Jarrold Pitts

Jarrold Pitts
Senior Director, Project Development
Tenaska, Inc.



LAND DEVELOPMENT APPLICATION

APPLICANT Hawk Battery Storage LLC TELEPHONE (212) 257-5000

MAILING ADDRESS 412 W. 15th Street , 15th Floor New York NY 10011
(Street) (City) (State) (Zip)

PROPERTY OWNER City of Two Rivers TELEPHONE _____

MAILING ADDRESS 1717 East Park Street Two Rivers WI 54241
(Street) (City) (State) (Zip)

REQUEST FOR:
 Comprehensive Plan Amendment Conditional Use
 Site/Architectural Plan Approval Annexation Request
 Subdivision Plat or CSM Review Variance/Board of Appeals
 Zoning District Change Other

STATUS OF APPLICANT: Owner Agent Buyer Other

PROJECT LOCATION Woodland Drive, City of Two Rivers TYPE OF STRUCTURE Battery Energy Storage System

PRESENT ZONING I-2 REQUESTED ZONING I-2


PROPOSED LAND USE Battery Energy Storage System

PARCEL # 053-233-404-010.1 ACREAGE 9.489

LEGAL DESCRIPTION See Project Narrative for full legal description

NOTE: Attach a one-page written description of your proposal or request.

The undersigned certifies that he/she has familiarized himself/herself with the state and local codes and procedures pertaining to this application. The undersigned further hereby certifies that the information contained in this application is true and correct.

Signed  _____ Date February 1, 2024 | 17:53:05 CET
~~(Property Owner)~~ (Applicant)

Fee Required

- \$ 350 Comprehensive Plan Amendment
- \$ t/b/d Site/Architectural Plan Approval (Listed in Sec 1-2-1)
- \$ t/b/d CSM Review (\$10 lot/\$30 min)
- Subdivision Plat (fee to be determined)
- \$ 350 Zoning District Change
- \$ 350 Conditional Use
- \$ t/b/d Annexation Request (State Processing Fees Apply)
- \$ 350 Variance/Board of Appeals
- \$ t/b/d Other

Schedule

- Application Submittal Date _____
- Date Fee(s) Paid _____
- Plan(s) Submittal Date _____
- Plan Comm Appearance _____

\$ _____ TOTAL FEE PAID APPLICATION, PLANS & FEE RECEIVED BY _____



HAWK ENERGY STORAGE LLC

Hawk Battery Energy Storage System **Project Narrative**

PROJECT OVERVIEW

The Project is a 150-megawatt (MW), 600 megawatt-hour (MWh) Battery Energy Storage System (BESS) located within the City of Two Rivers, Wisconsin (City). The Two Rivers area has been a leader in Wisconsin energy for decades, and the Project is an approximately \$250 million dollar investment to continue that tradition. As a home for this Project, the community will help to lead Wisconsin's transition to emission-free renewable energy, and for good reason. Renewable energy resources like wind and solar reduce air pollution, create local jobs and tax revenues, and make both Wisconsin and the United States more energy independent. However, wind and solar resources only produce electricity when the wind is blowing, and the sun is shining. Energy storage systems like the Project are a critical supplement to wind and solar because they can store electricity generated by these intermittent resources and deliver it to the grid at all times of the day. The Project will aid the region's ongoing transition to renewables, ensure reliable electric service in the area, and provide significant economic benefits to local residents.

PROJECT DESCRIPTION

The Project will be able to store a maximum of 600 MWh of electricity at a given time, with a maximum injection capacity of 150 MW into the electric transmission grid. The Project is located on Parcel Number 053-233-404-010.01 on Woodland Drive, which is zoned I-2 Industrial. The Project's latitude and longitude are 44° 9'24.20"N and 87°37'18.07"W.¹ More detail regarding the Project's characteristics and location are provided as attachments: see the chart attached as **Attachment A**, in the same form as provided in the City's CUP application guidelines, that overviews information provided with this application and highlights certain information not relevant to the Project. Further, a site location map and conceptual site plan are attached as **Attachments B and C**, and a photograph depicting fencing similar to that proposed for the Project is attached as **Attachment D**.

The Project's infrastructure (excluding the gen-tie line and collector substation) will reach a maximum height of approximately 12 feet. The Project will include security fencing that will be approximately seven to eight feet tall. The security fencing will have the required warning signs per the National Electrical Code, and a sign posted on the entry gate providing a 24-hour emergency response number. There will be no occupied building or O&M facility on the site. Please see a more detailed description of the Project's infrastructure in the "Project Components" section below.

The Project also includes an approximately 0.28-mile-long, 138-kilovolt (kV) generation tie (gen-tie) line that will be constructed to the southwest of the Project and will interconnect at the ATC

¹ As requested in the Land Development Application, please see a legal description of the Project parcel: Lots 5, 6, and 7 of Certified Survey No. 151, recorded in the Office of the Register of Deeds for Manitowoc County, Wisconsin, on March 10, 1995, in Volume 9750, Page 524, as Document No. 750524, being part of the NE1/4NW1/4 and the SE1/4SE1/4 of Section 33, T20N, R24E, located in the City of Two Rivers, Manitowoc County, Wisconsin.

Shoto Substation. The gen-tie line is located outside of City limits and is within Manitowoc County's zoning jurisdiction.

The amount of land under option to purchase is approximately 9.489 acres; however, battery equipment will only be placed on a portion of the land. The fenced acreage of the battery storage facility will be approximately 7.73 acres.

PROJECT ENTITY, OWNER, & DEVELOPER

The Project will be owned and operated by Hawk Energy Storage, LLC (Hawk Energy Storage), a wholly owned subsidiary of Copenhagen Infrastructure Partners (CIP), and will be developed by Tenaska, Inc.

CIP is an infrastructure investment firm specializing in renewable energy and other essential infrastructure projects. They are known for their expertise in developing, financing, and managing critical infrastructure, particularly in the field of renewable energy.

CIP has a strong track record of successfully developing and operating renewable energy projects globally. They have been involved in various phases of renewable energy projects, including project development, financing, construction, and long-term operation. Currently, CIP has approximately \$20 billion of assets under management.

Tenaska is a privately held company based in Omaha, Nebraska. Tenaska has been in business for over 35 years and has grown into one of the largest privately held companies in the U.S. Tenaska has been responsible for developing, managing, and/or operating over 22,000 MWs of generation over its 35 years. Tenaska has consistently been recognized in the industry for safety and has a proven track record developing a wide range of energy projects, including natural gas, renewables, and BESS facilities.

PLAN OF OPERATION

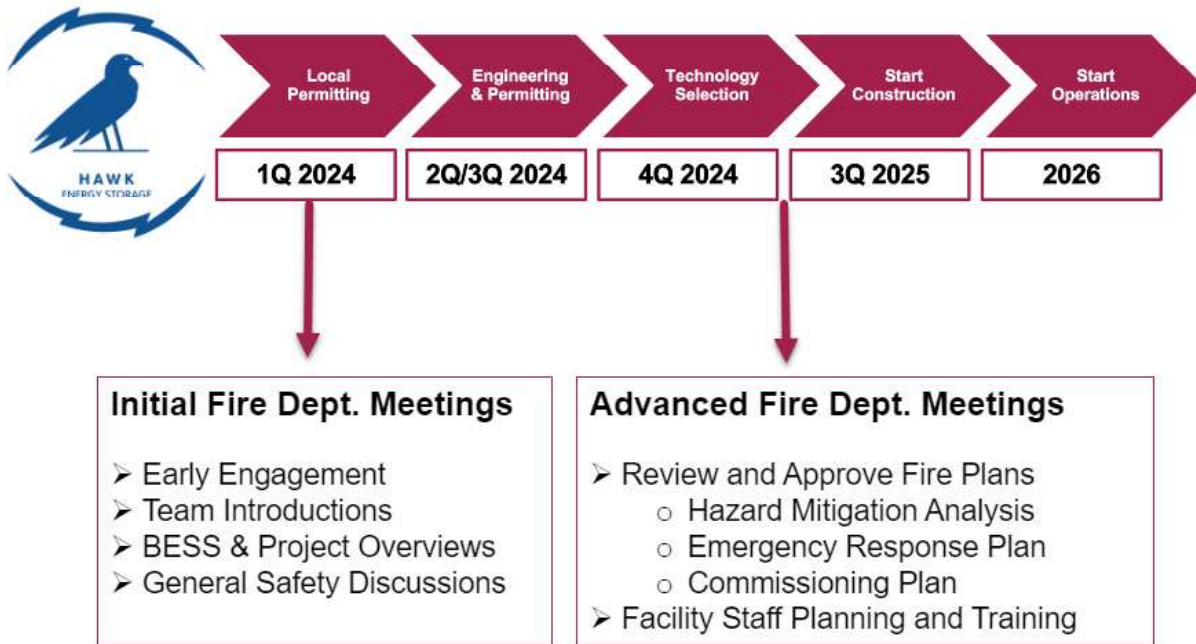
The Project will charge its batteries with energy from the electric transmission grid, store that energy on site, and later deliver that energy back onto the transmission grid through the same point of interconnection. During operation, the Project will be monitored and operational 24 hours a day and 365 days a year.

While the operation of the Project will be performed remotely, site maintenance and periodic security patrols are anticipated to produce one to two full-time equivalent (FTE) positions. During construction, the Project is expected to produce about 75 construction jobs.

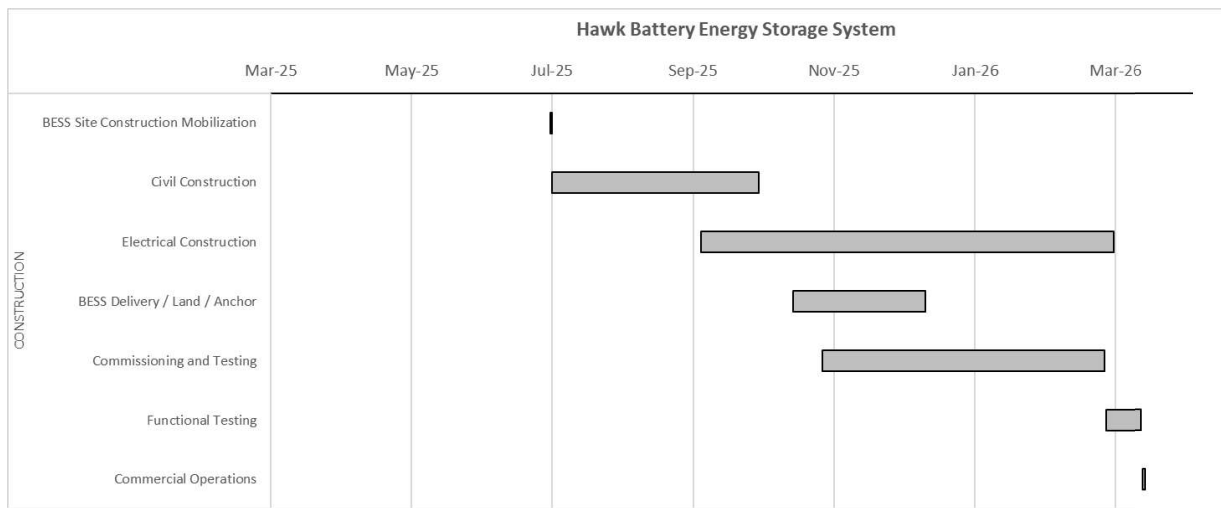
The Project is not expected to significantly impact traffic during construction or operations. Additionally, the Project will not produce any air pollution or odors. The Project will meet the post-development peak stormwater discharge requirements as outlined in the City's Post-Construction Stormwater Management Ordinance.

Hawk Energy Storage plans to commence Project construction in 2025, pending receipt of all required permits and approvals, and availability of key equipment for the Project. Please see below a tentative project timeline, including engagement with the fire department throughout development of the project:

Hawk Energy Storage Timeline



Construction of the Project is expected to take approximately 12 months. Please see below a tentative schedule for the Project's construction:



PROJECT COMPONENTS

The main components of the Project include:

- **Battery Storage Enclosures** – Battery components will be housed in purpose-built enclosures that will be placed on concrete, pier, or other foundation that follows the site-specific geotechnical recommendations. Each battery enclosure will be approximately 10 feet tall, 30 feet wide and 8 feet deep. Lithium-ion battery cells will be configured in modules, which will be arranged in racks, which will be housed in battery enclosures.

HVAC and temperature control systems will be incorporated into the enclosure's design. The enclosures will also house a battery management system that will monitor the batteries and ensure their performance is safe and efficient. To ensure that the Project will be able to maintain its energy capacity, space will be reserved on site for future power augmentation, i.e., the addition of batteries and related facilities.

- **Inverters** – Inverters will be used in charging to convert incoming electricity from alternating current (AC) to direct current (DC), and vice versa upon battery discharge.
- **Transformers** – Transformers will be used to step down the voltage of incoming electricity to enable storage and will be used to step up the voltage to enable transmission back to the grid.
- **Collector Substation** – A collector substation will be constructed on the Project site that will include the Project's electrical transmission equipment such as breakers and main power transformer. The collector substation will have an approximately 0.79-acre footprint within the Project area.
- **Energy Management System (EMS)** – The Project will be run by an onsite EMS. This system will control the charging and discharging of the batteries.
- **Battery Management System (BMS)** – The Project will be monitored 24/7 by the BMS. This includes extensive monitoring of the battery's temperature, voltage, amperage, and off-gassing. The BMS ensures that the Project is operating within normal parameters, and immediately halts operation should it detect anomalous operation.
- **Access/Security** – The Project site will have an access road throughout, security fencing, and night sky friendly lighting around the Project's collector substation. Battery area lighting shall be manually operated and only utilized when needed for maintenance activities after dark.

PUBLIC SAFETY

Hawk Energy Storage is committed to using Tier 1 battery energy storage products which are preferentially differentiated from other products based on the supplier's experience, financial wherewithal, and product quality. The Project will be designed and operated in accordance with the National Fire Protection Association (NFPA) 855 Standard on the Installation of Energy Storage Systems as well as other applicable industry codes and standards. NFPA 855 is considered the gold-standard for battery energy storage fire safety and includes requirements for the design, construction, installation, commissioning, operation, maintenance, and decommissioning of stationary energy storage systems.

Before construction begins, a location and technology-specific Hazard Mitigation Analysis (HMA) will be shared with local first responders. This analysis will include detailed information about the BESS technology and any potential emissions that can be expected if a failure occurs on-site. Using the HMA as a reference, the Project will provide local first responders an Emergency Response Plan (ERP) and subsequent review of the same to ensure respondents to any incident understand and follow the agreed upon ERP. Please see below a list of typical components of an ERP:

- Contact Info (including emergency response coordinator)

- Preparation & Planning (including alarm response)
- Hazard / Safety Precautions
- Emergency Procedures
- Firefighting
- Emergency Shutdown
- Maintenance (including alarm inspection)
- Decommissioning

Hawk Energy Storage is committed to decommissioning the Project at the end of its useful life. Please see Hawk Energy Storage's proposed conditions below for more detail on decommissioning commitments. When the Project is decommissioned, all infrastructure will be removed, and the site will be restored to as close to its pre-construction condition as practicable.

NOISE IMPACT

Minimal levels of noise from the Project will be generated by the system's HVAC components and inverters. However, offsite noise is minimized by Project design. Hawk Energy Storage will comply with all local sound ordinances. Further, Hawk Energy Storage will conduct a pre-construction noise study to ensure compliance with local sound ordinances.

ECONOMIC IMPACT

As noted above, the Project will create approximately 70 construction jobs during construction and one to two FTE jobs during operations. The Project will also produce tax revenue for the City during its operation, which is expected to be up to 30 years.

The Project offers a critical benefit to local communities by helping bring emission-free firm energy resources to the electric grid. As more companies look to meet sustainability goals, the Project may help attract private business to the City. Further, the Project will support grid stability and reliability, responding quickly to sharp changes in demand for power. Without energy storage resources, black outs and brown outs are more likely, which cost businesses and families significant losses each year. As more intermittent energy resources are added to the grid, the Project will help ensure that power is available when it is needed.

AESTHETICS

The Project will be sited in an industrial area within the City's I-2 Industrial zoning district and is compatible with the use of the adjacent properties. Its industrial aesthetics will blend in with the industrial structures located around it and will not obstruct desirable views for City residents. Hawk Energy Storage will maintain Project equipment and fencing to industry standards to ensure the Project remains a good neighbor. Hawk Energy Storage will not display advertising material or signage other than warning, equipment identification, or ownership information within the Project area. Any complaints related to Project appearance or aesthetics will be reviewed and promptly resolved.



HAWK ENERGY STORAGE LLC

CONDITIONS OF APPROVAL

- Prior to commencement of construction, Hawk Energy Storage shall provide a Hazard Mitigation Analysis (HMA) to the local fire district. “Commencement of construction” means site clearing, excavation, placement of facilities, or any other substantial action adversely affecting the natural environment of the site but does not mean borings necessary to determine foundation conditions or other preconstruction monitoring to establish background information related to site or environmental suitability.
- Prior to commencement of construction, Hawk Energy Storage shall develop an Emergency Response Plan (ERP) and provide it to the local fire district.
- No later than thirty (30) days after the Commercial Operation Date (COD), Hawk Energy Storage will schedule an on-site meeting with local emergency responders to discuss the ERP, including potential site-specific emergency response during operation, emergency response information, locations of emergency equipment, and operation plans. Hawk Energy Storage will review this ERP at least annually with local emergency responders throughout the Project’s lifespan and modify it as appropriate to keep it current with good utility safety practice.
- Hawk Energy Storage will perform periodic maintenance of the Project, including diagnostics for all equipment and other assessment methods, to ensure proper functioning and early detection of any abnormal conditions.
- Hawk Energy Storage shall construct, maintain, and operate the Project following good utility safety practices for ensuring battery fire safety. Hawk Energy Storage shall design and construct the Project in compliance with the most current version of the National Fire Protection Association (NFPA) 855 rules in effect on the date of issuance of this Conditional Use Permit.
- Hawk Energy Storage shall comply with the following conditions in support of Project decommissioning:
 - Hawk Energy Storage shall decommission the Project site at the end of the Project’s useful life and shall restore the site to as close to pre-construction condition as practicable.
 - Thirty (30) days prior to the issuance of the Project’s building permit, Hawk Energy Storage will submit a decommissioning plan to the City. The Plan will be prepared by a third-party engineer. The decommissioning plan will set forth planned steps for decommissioning and restoring the Project site and estimate the cost to decommission the Project, as well as salvage value of the Project’s equipment. The financial assurance amount will be calculated based on the decommission cost less the salvage value.
 - Prior to receiving the building permit, the Project will provide a decommissioning commitment and post the required financial assurance for the benefit of the City.

The form of agreement will be either a bond, letter of credit or other means to provide assurance to the City that the decommissioning costs, as established by the third-party engineer, will be covered by the Project owners.

- Every five (5) years beginning on the fifth anniversary of the Project's commercial operation date, Hawk Energy Storage will review and update the costs of decommissioning provided in the Decommissioning Plan and revise the financial assurance accordingly, if necessary.
- Hawk Energy Storage shall perform a pre-construction noise study for the Project. Hawk Energy Storage shall perform the pre-construction noise study using good industry practices. Hawk Energy Storage shall file a copy of the pre-construction noise study with the City promptly after completion.
- Hawk Energy Storage shall reimburse the City for its reasonable expenses incurred in hiring a third-party professional engineering firm to assist the City with the Project's permitting and to review the Project's compliance with applicable codes and standards, to a maximum total amount of \$25,000.00; provided, however, that the third-party professional engineering firm must (i) be neutral to the Project and must not have a direct financial stake in the approval or denial of any local municipal permit required for the Project, and (ii) have reasonable professional expertise with BESS industry standards and in reviewing design and engineering details of BESS projects. The City must receive Hawk Energy Storage's prior written approval for the third-party professional engineering firm it hires, and Hawk Energy Storage shall not unreasonably withhold such approval.



HAWK ENERGY STORAGE LLC

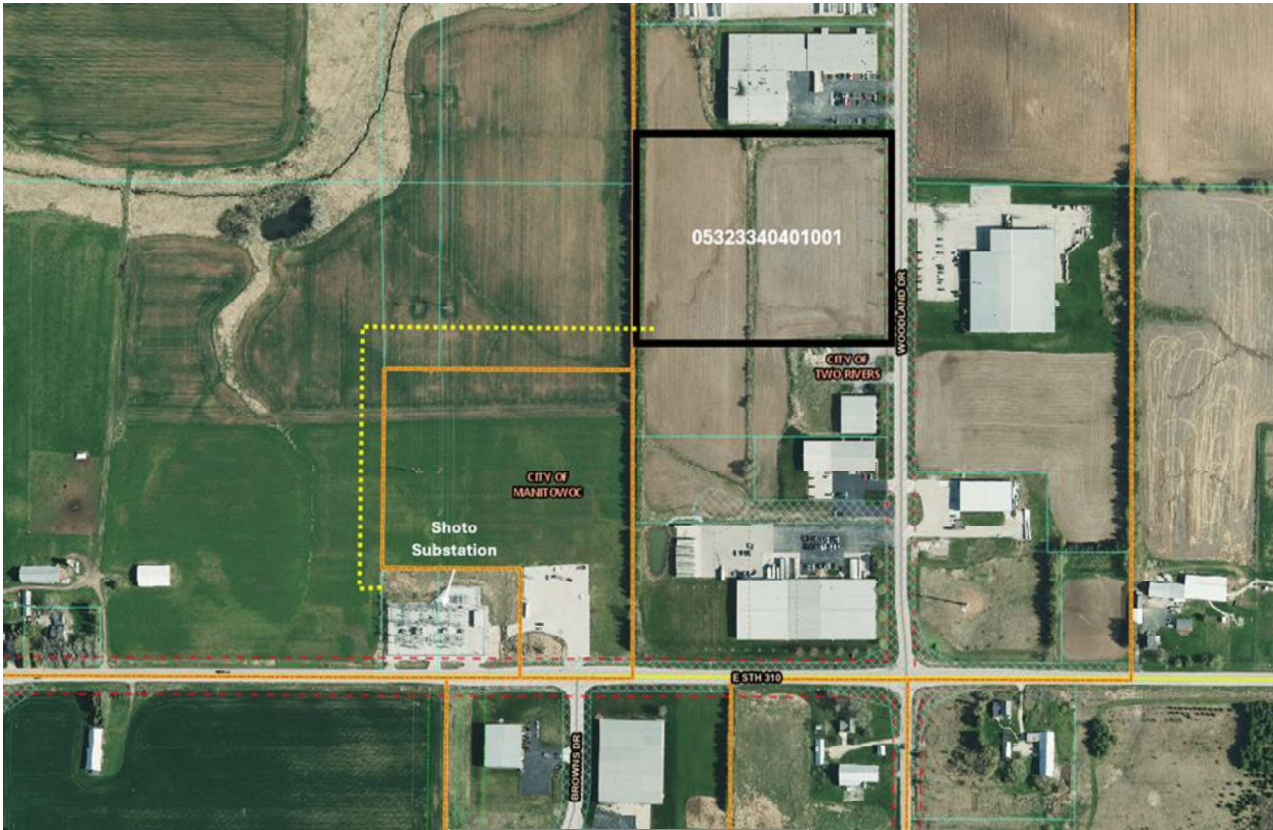
ATTACHMENT A

Facts & Information

TYPES OF FACTS & INFORMATON	APPLICABLE TO THE REQUESTED CUP?		IS IT PROVIDED WITH THE APPLICATION?		IS IT MEASURABLE?	
	YES	NO	YES	NO	YES	NO
INTENSITY OF USE(S)						
Number of Customers		X		X		X
Number of Employees	X		X		X	
Building Size	X		X		X	
Hours of Operation	X		X		X	
PHYSICAL FACTORS						
Air Emissions/Odors		X		X	X	
Light Emissions	X		X			X
Noise/Vibration	X		X		X	
PUBLIC SAFETY						
Fire/EMS/Police	X		X			X
Parking		X		X		X
Pedestrian Safety		X		X		X
Traffic Impacts		X		X		X
UTILITIES						
Electric/Gas		X		X	X	
Sanitary Sewer		X		X		X
Stormwater	X		X			X
Water Service	X			X	X	
ECONOMIC IMPACTS						
Job Creation	X		X		X	
Property Values		X		X		X
School Capacity		X		X		X
Tax Base Growth	X		X		X	
AESTHETICS						
Blight Elimination		X		X		X
Indoor/Outdoor Use		X		X		X
View Obstruction	X		X			X

Attachment B

Site Location Map



Legend

- Project Parcel
- Gen-Tie Route
- Parcel
- City Limit

Attachment C

Conceptual Site Plan

(See attached)

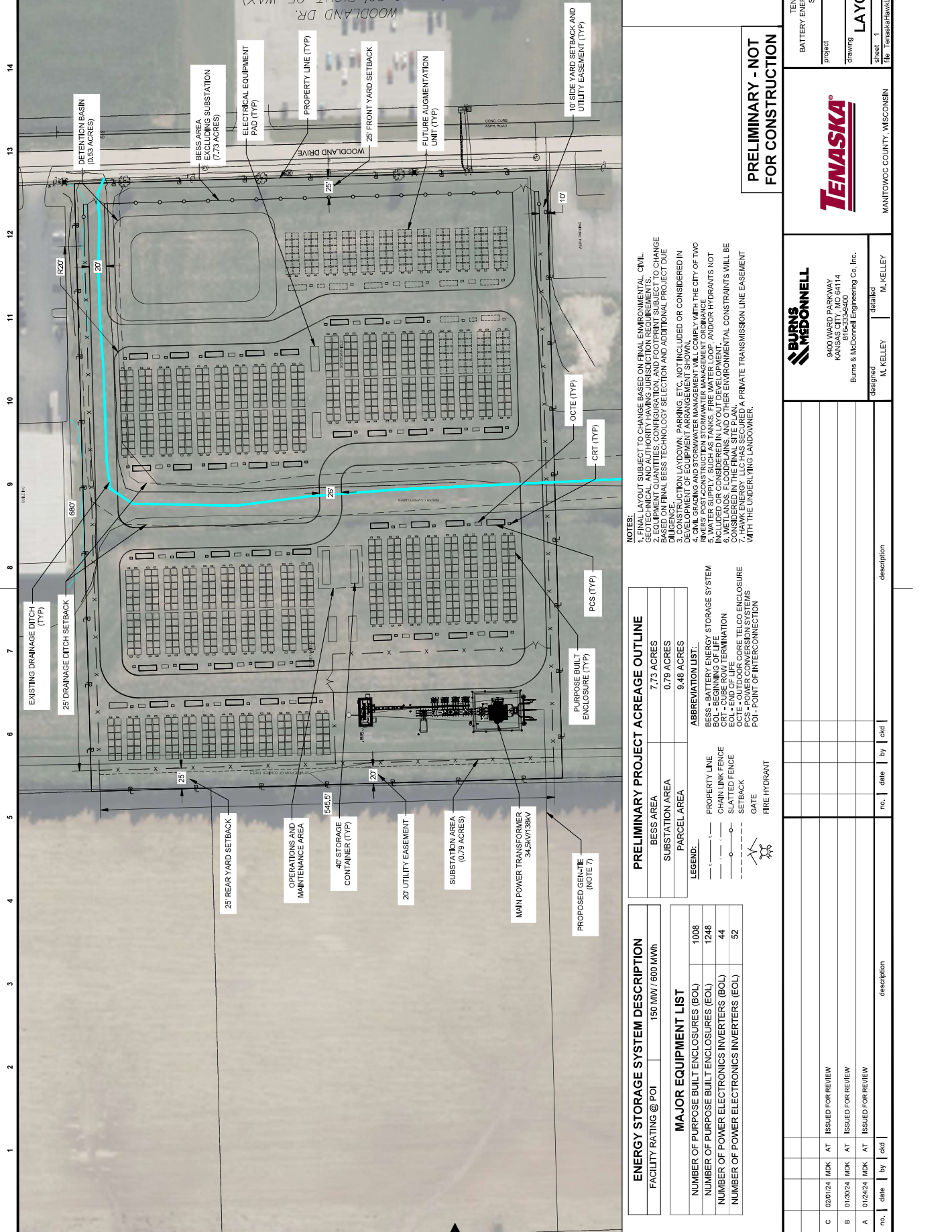


HAWK ENERGY STORAGE LLC

Attachment D

Fencing Depiction

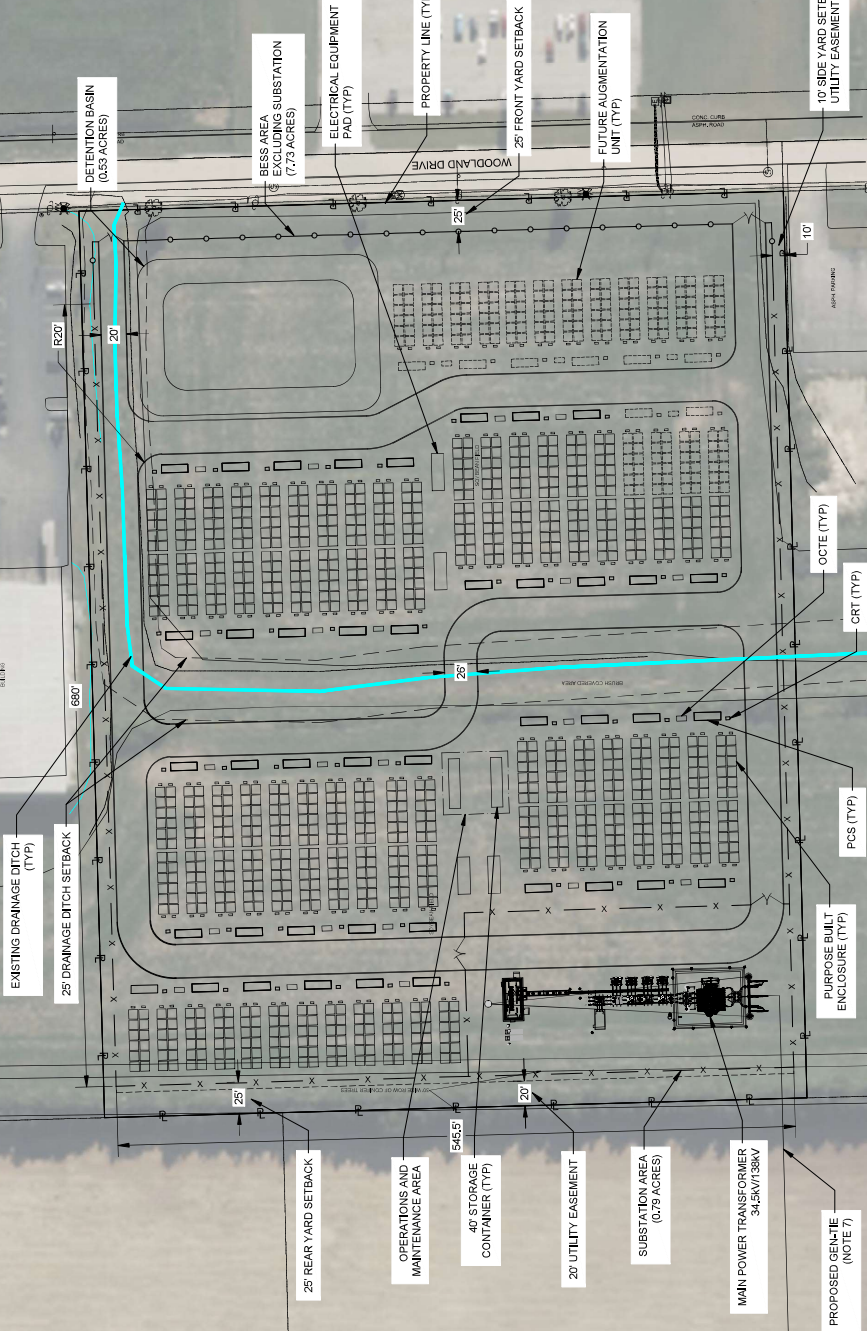
(See attached)



WOODLAND DR. (PUBLIC 80' RIGHT-OF-WAY)



SCALE IN FEET
0 20 40 60 80 100



ENERGY STORAGE SYSTEM DESCRIPTION

FACILITY RATING @ POI	150 MW / 600 MWh
BESS AREA	7.73 ACRES
SUBSTATION AREA	0.79 ACRES
PARCEL AREA	9.48 ACRES

LEGEND:

- PROPERTY LINE
- CHAIN LINK FENCE
- SLATTED FENCE
- - - SETBACK
- GATE
- FIRE HYDRANT

PRELIMINARY PROJECT ACREAGE OUTLINE

BESS AREA	7.73 ACRES
SUBSTATION AREA	0.79 ACRES
PARCEL AREA	9.48 ACRES

ABBREVIATION LIST:

- BESS - BATTERY ENERGY STORAGE SYSTEM
- BOL - BEGINNING OF LIFE
- EOL - END OF LIFE
- OCTE - OUTDOOR CORE TELCO ENCLOSURE
- PCS - POWER CONVERSION SYSTEMS
- POI - POINT OF INTERCONNECTION

MAJOR EQUIPMENT LIST

NUMBER OF PURPOSE BUILT ENCLOSURES (BOL)	1008
NUMBER OF PURPOSE BUILT ENCLOSURES (EOL)	1248
NUMBER OF POWER ELECTRONICS INVERTERS (BOL)	44
NUMBER OF POWER ELECTRONICS INVERTERS (EOL)	52

ENERGY STORAGE SYSTEM DESCRIPTION

no.	date	by	chk	description
C	02/01/24	MDK	AT	ISSUED FOR REVIEW
B	01/30/24	MDK	AT	ISSUED FOR REVIEW
A	01/24/24	MDK	AT	ISSUED FOR REVIEW

NOTES:

- FINAL LAYOUT SUBJECT TO CHANGE BASED ON FINAL ENVIRONMENTAL, CIVIL, ELECTRICAL, MECHANICAL, PLUMBING, AND STRUCTURAL CONSTRUCTION DOCUMENTS. QUANTITIES, CONFIGURATION, AND FOOTPRINT SUBJECT TO CHANGE BASED ON FINAL BESS TECHNOLOGY SELECTION AND ADDITIONAL PROJECT DUE DILIGENCE.
- CONSTRUCTION LAYOUT, PARKING, ETC. NOT INCLUDED OR CONSIDERED IN DEVELOPMENT OF EQUIPMENT ARRANGEMENT SHOWN.
- CIVIL, GEOTECHNICAL AND STORMWATER MANAGEMENT WILL COMPLY WITH THE CITY OF TWO SPUR, KANSAS REGULATIONS AND STANDARDS.
- WATER SUPPLY, SUCH AS TANKS, FIRE WATER TOWER, AND OTHER ITEMS NOT INCLUDED OR CONSIDERED IN LAYOUT DEVELOPMENT.
- METLANDS FLOODPLAINS AND OTHER ENVIRONMENTAL CONSTRAINTS WILL BE IDENTIFIED AND AVOIDED.
- HAWK ENERGY, LLC HAS SECURED A PRIVATE TRANSMISSION LINE EASEMENT WITH THE UNDERLYING LANDOWNER.

PRELIMINARY - NOT FOR CONSTRUCTION

BURNS & MCDONNELL
 9400 WARD PARKWAY
 KANSAS CITY, MO 64114
 816-333-9400
 Burns & McDonnell Engineering Co., Inc.
 designed by M. KELLEY
 checked by M. KELLEY

TENASKA
 MANITOWOC COUNTY, WISCONSIN

TENASKA HAWK
 BATTERY ENERGY STORAGE SYSTEM
 SITE PLAN
 Project: _____
 Contract: _____
 Drawing: LAYOUT --
 Rev: C
 Sheet 1 of 1
 File: TenaskaHawkLayout.dwg



¹ Photo is preliminary and for illustrative purposes



PLAN COMMISSION

REQUEST: A change to the sign ordinance to allow signage to be placed onto sidewalks for advertising purposes.

From: WEICHERT, Realtors CornerStone

Date: February 12, 2024

Background:

The request to change the ordinance was considered by the Plan Commission at the December 11, 2023 meeting. The Plan Commission denied the request to change the ordinance.

The request was then discussed at the subsequent December 18, 2023 City Council Meeting where the City Council directed this request back to the Plan Commission and Public Utility Committee for re-consideration.

Overview of Current Ordinance

Chapter 10-4-1 regulates signs and awnings. The purpose is "...to create the legal framework to administer and enforce outdoor sign and awning regulations within the City of Two Rivers. This chapter recognizes the need to protect the safety and welfare of the public; the need for well-maintained and attractive sign displays within the community, and the need for adequate business identification, advertising, and communication."

Within this chapter, **Sec. 10-4-12**, prohibits the attachment of signs to public "appurtenance or sidewalk":

Prohibited signs.

(e) Signs in the B-1 and waterfront business districts may:

[3] Not be attached by any means to a public appurtenance or sidewalk (signs must be portable).





**TWO
RIVERS**
WISCONSIN

COMMUNITY DEVELOPMENT

1717 E. Park Street
P.O. BOX 87
Two Rivers, WI 54241-0087



STAFF RECOMMENDATION:

A. Staff does not recommend modifying the ordinance to permit the placement of signs for advertising on the sidewalk.

1. The ordinance currently provides several options for business advertisements in the form of sign placement that are both permanent and temporary opportunities.

However, if a determination is made to place advertisements onto the sidewalk the following conditions are suggested.

1. One sign permitted per establishment on the sidewalk that is along the frontage of their property.
2. The sign is to be advertising the business it is placed directly in front of on the sidewalk.
3. The material the sign will be made of is to be approved. It is to be “abrasive”/ “non- slippery” to minimize anyone slipping on the sign.
3. The sign owner shall agree to a liability policy agreement with the city for the placement of the sign.
4. An evaluation of the condition of the sign, like all other signs, will be made as to when it needs to be replaced. For example, if it is fading, damaged, or torn.
5. These signs are to be limited to the B1 and B-2 District in locations where there are sidewalks.



www.two-rivers.org



920.793.5564



920.793.5512