



Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)

120 W. Michigan Avenue • Jackson, MI 49201

Phone (517) 788-4426 • Fax (517) 788-4635

MEETING NOTICE

FOR FURTHER INFORMATION, CONTACT:

Jacob Hurt

R2PC Executive Director

(517) 768-6705

jhurt@mijackson.org

DATE: December 19, 2024

TIME: 6:00 p.m.

PLACE: Lenawee Room | Human Services Bldg.

1040 S. Winter Street

Adrian, Michigan

MEETING AGENDA

1. Call to Order and Pledge of Allegiance
2. Public Comment [*3-MINUTE LIMIT*]
3. Approval of Agenda [*ACTION*]
4. Meeting Minutes
- Approval of the Minutes of the November 21, 2024, Meeting [*ACTION*]3
5. Request(s) for Review, Comment, and Recommendation
 - a. Consideration of Township Zoning Amendment(s) —
 - (1) #24-24 — Cambridge Township [*ACTION*]5
 - (2) #24-25 — Palmyra Township [*ACTION*]11
 - (3) #24-26 — Palmyra Township [*ACTION*]25
 - (4) #24-27 — Palmyra Township [*ACTION*]61
 - b. Consideration of PA 116 Farmland Agreement(s) —
 - (1) #24-14 — Franklin Township [*ACTION*] 83
 - c. Consideration of Master Plan(s) — None
6. Other Business
 - a. Old Business — None
 - b. New Business
 - Lenawee County Parks and Recreation Plan93
 - 2025 Lenawee County Planning Commission Meeting Schedule94
7. Public Comment [*2 MINUTE LIMIT*]
8. Commissioner Comment
9. Adjournment

*Please note that the meeting will take place at 6:00 p.m. in the
Lenawee Room of the Human Services Building, 1040 S. Winter St., Adrian*

The next meeting of the Lenawee County Planning Commission is scheduled for January 16, 2025.

www.region2planning.com/lenawee-county-planning-commission

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LENAWEE COUNTY PLANNING COMMISSION

REGULAR MEETING MINUTES

NOVEMBER 21st, 2024

COMMISSIONERS PRESENT:	R. Liedel, <i>Chairperson</i> ; K. Dersham, <i>Vice Chairperson</i> ; K. Bolton, <i>Board of Commissioners</i> ; R. Tillotson, <i>Board of Commissioners</i> ; D. Witt; B. Nickel; & C. Dillon.
COMMISSIONERS ABSENT:	<i>None</i>
PUBLIC PRESENT:	<i>None</i>
OTHERS PRESENT:	Brett Gatz, <i>R2PC Staff Planner</i>

I. CALL TO ORDER.

Chairperson Liedel called the meeting to order at 6:02 pm and those in attendance joined in the Pledge of Allegiance.

II. PUBLIC COMMENT.

None.

III. APPROVAL OF AGENDA.

Staff submitted the November 21st, 2024 regular meeting agenda for approval.

Commissioner Tillotson made a motion, seconded by Commissioner Witt, to **APPROVE** the November 21st, 2024 regular meeting agenda, as presented.

PASSED 7:0

IV. APPROVAL OF MINUTES.

Staff submitted the October 17th, 2024 regular meeting minutes for approval. Commissioner Dillon made a motion, seconded by Vice Chairperson Dersham, to **APPROVE** the October 17th regular meeting minutes, as presented.

PASSED 7:0

VI. REQUEST(S) FOR REVIEW, COMMENT, AND RECOMMENDATION.

A. CONSIDERATION OF TOWNSHIP ZONING AMENDMENT(S)

None.

B. CONSIDERATION OF COMPREHENSIVE PLAN(S).

None.

C. CONSIDERATION OF PA 116 FARMLAND AGREEMENT(S).**1. FA24-12 | Blissfield Township | 10385 Neuroth Hwy**

Motion by Commissioner Tillotson, to **APPROVE** the submitted Article VI text amendment by Palmyra Township, seconded by Vice-Chairperson Dersham.

PASSED 7:0

VII. OTHER BUSINESS.

A. OLD BUSINESS.

None.

B. NEW BUSINESS

None.

VIII. PUBLIC COMMENT.

None.

IX. COMMISSIONER COMMENT.

None.

X. ADJOURNMENT.

Vice Chairperson Dersham made a motion to adjourn the meeting at 6:14 pm, seconded by Commissioner Dillon.

Respectfully submitted,



Brett Gatz
LCPC Recording Secretary



Lenawee County Planning Commission

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Phone (517) 788-4426 • Fax (517) 788-4635

Coordinated Zoning Report | #24-24

To: County Planning Commissioners
From: Jacob Hurt, R2PC Executive Director
Date: December 11, 2024

Proposal: Text Amendments to the Cambridge Township Zoning Ordinance regarding adopting moratoriums

Analysis and Advisement

Background – The Cambridge Township Planning Commission wishes to amend Section 1, Article I of the Cambridge Township Zoning Ordinance to add Section 36.10 – Moratorium regarding adoption of a twelve (12) month moratorium put in place for land use or activity not considered for regulation at the time of the Zoning Ordinance to enable the Township to study the proposed use and adopt appropriate regulations that ensure the health, safety, and welfare of the Township residents.

LCPC Staff Advisement – The proposed text amendment establishes fair standards that will allow for the appropriate period of time to study a proposed use not previously considered without negatively impacting potential future petitioners. The Cambridge Township Planning Commission voted 8-0 to approve the text amendment at their 11/20/2024 special meeting. Based upon the above analysis, staff advises the County Planning Commission to recommend **APPROVAL** of the proposed text amendment to the Cambridge Township Board.

Recommended Actions:

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS**
- (4) Take **NO ACTION**

Attachment(s):

- Background information provided by Cambridge Township.

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LCPC Case #: 24-24
(For LCPC Use Only)

ZONING AMENDMENT FORM

CAMBRIDGE
ZA #2024-02
RECEIVED
NOV 26 2024
LENAAEE COUNTY
MICHIGAN

LENAWEE COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Lenawee County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the LCPC recommendation will be mailed back to the Clerk, who will return a copy to the LCPC with the Township Board Action.

THE CAMBRIDGE TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Lenawee County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

1. The above described property has a proposed zoning change FROM _____
ZONE TO _____ ZONE.

2. PURPOSE OF PROPOSED CHANGE: _____

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE I SECTION 36.10

The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.)

MORATORIUM - SEE ATTACHED

C. PUBLIC HEARING on the above amendment was held on: month NOV. day 20 year 2024

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month NOV. day 5 year 2024
(Notice must be provided at least fifteen days prior to the public hearing.)

E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: THE EXPONENT

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to () APPROVE or () DISAPPROVE.

[Signature], Recording Secretary 11 / 20 / 2024 (enter date)

LENAWEE COUNTY PLANNING COMMISSION (LCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The LCPC herewith certifies receipt of the proposed amendment on the above date and:

() Recommends APPROVAL of the zoning change

() Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.

() Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.

() Takes NO ACTION.

_____, () Chair Secretary _____ / _____ / _____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment () PASSED, () DID NOT PASS, or was () REFERRED ANEW to the Township Planning Commission.

Township Clerk

Amendment to Article I of the Township Zoning Ordinance

An ordinance to amend Article I of the Cambridge Township Zoning Ordinance to authorize the Township Board to adopt moratoriums to adopt new and/or amended regulations.

THE TOWNSHIP OF CAMBRIDGE, LENAWE COUNTY, MICHIGAN, ORDAINS:

Section 1. Amendment to Article I.

Article I of the Cambridge Township Zoning Ordinance is amended to add Section 36.10 authorizing the Township Board to adopt moratoriums.

SECTION 36.10 - MORATORIUM.

- a. Whenever the Township Board determines that a use of land or activity that was not considered for regulation at the time of adoption of the Zoning Ordinance is being proposed or when in the opinion of the Township Board, existing regulations need to be amended to better protect the health, safety and welfare of the residents, the Township Board is authorized to adopt a resolution placing a twelve (12) month moratorium on such use or activity to enable the Township to study the proposed use and to adopt appropriate regulations.
- b. Moratoriums shall not be used to obstruct or impede a use that is a recognized permitted use under the provisions of the Zoning Ordinance.

Section 2. Severability

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word or section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of the ordinance other than the said part or portion thereof.

Section 3. Repealer

All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

Section 4. Effective Date

This ordinance shall take effect 30 days after the publication of this ordinance.

Cambridge Township Planning Commission

Public Hearing Minutes – Wednesday, November 20, 2024

1). Special Meeting / Public Hearing called to order at 7:00 pm by Vice Chairman Streams, with the Pledge of Allegiance to the flag.

2). Roll Call:	R. Streams	Present	K. Gidner	Present
	R. Kurowski	Present	N. Gentner	Present
	K. Kelley	Present	C. Shanks	Present
	B. Matejewski	Present	D. Horner	Present
	T. Kissel	Absent, elected to Twp. Board		

- Public Attendance: Four (4) in person, zero (0) on Zoom meeting today.

3). Public hearing for comments and suggestions regarding an amendment to the Cambridge Township Zoning Ordinance 36-10 (Moratoriums).

Vice Chairman Streams reviewed the process for a public hearing and then opened the public hearing at 7:03 pm. This amendment to Article 1 of the Cambridge Township Zoning Ordinance adds Section 36-10 regarding adoption of a Twelve (12) month moratorium put in place for land use or activity not considered for regulation at the time of the Zoning Ordinance to enable the Township to study the proposed use and adopt appropriate regulations that ensure the health, safety, and welfare of the Township residents. There were no public comments, nor any written ones submitted to the Township office. **MSC (Kurowski / Gentner)** to close the Public Hearing. ***Passed unanimous.***

Vice Chairman Streams then closed the Public Hearing at 7:04 pm.

Submitted by D. Horner, Secretary



Cambridge Township Planning Commission

Special Meeting Minutes – Wednesday, November 20, 2024

1). Meeting called to order at 7:00 pm by Vice Chairman Streams, with the Pledge of Allegiance to the flag.

2). Roll Call:	R. Streams	Present	K. Gidner	Present
	R. Kurowski	Present	N. Gentner	Present
	K. Kelley	Present	C. Shanks	Present
	B. Matejewski	Present	D. Horner	Present
	T. Kissel	Absent, elected to Twp. Board		

- Public Attendance: Four (4) in person, zero (0) on Zoom meeting today.

3). Report of the Secretary:

- **MSC (Gidner, Shanks)** to approve the regular PC Meeting minutes of 30 October, 2024. ***Passed unanimous.***

4). Public hearing for comments and suggestions regarding an amendment to the Cambridge Township Zoning Ordinance 36-10 (Moratoriums). See separate Public Hearing minutes.

5). New Business:

A. Discussion / recommendation regarding the decision to recommend the amendment to the Cambridge Township Zoning Ordinance 36-10 regarding moratoriums.

No further discussions regarding the amendment. **MSC (Kelley / Matejewski)** to forward the recommendation on to Region 2 for review, then on to the Township Board for final approval. Vice Chairman Streams called for a roll call vote: Kelley – Y, Matejewski – Y, Gentner – Y, Gidner – Y, Kurowski – Y, Shanks – Y, Horner – Y, Streams – Y. ***Passed unanimous***

B. Discussion on the upcoming holiday schedule. **MSC (Matejewski / Kelley)** to not have the December meeting.

6). Old Business: Sub-committee discussions on Renewable Energy Ordinances:

Additional discussions held, sub-committee chairs will forward copies of their respective proposed updated sections to the full Commission members for their review.

7). Public Comments: Reminder of a two (2) minute limit per person and questions / comments should be made to the PC Chair and not the audience. There was none.

8). Adjourn Meeting: **MSC (Kurowski, Gentner)**, to adjourn meeting, ***passed unanimous*** – 7:11 pm.

Submitted by D. Horner, Secretary





Lenawee County Planning Commission

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120 W. Michigan Avenue • Jackson, MI 49201

Phone (517) 788-4426 • Fax (517) 788-4635

Coordinated Zoning Report | #24-25

To: County Planning Commissioners

From: Jacob Hurt, R2PC Executive Director

Date: December 11, 2024

Proposal: **Text Amendment to the Palmyra Township Zoning Ordinance regarding solar energy systems**

Analysis and Advisement

Background – The Palmyra Township Planning Commission wishes to amend Section 8.13 of the Palmyra Township Zoning Ordinance by adding a new subsection E (attached) and changing the existing subsections E through K of Section 8.13 to F, G, H, I, J, K, and M. The proposed amendment's provisions will apply to Level 3 Solar Energy Systems with a nameplate capacity of 50 megawatts or more once PA 233 of 2023 is in effect, on or after November 29, 2024.

LCPC Staff Advisement – The proposed text amendment establishes local compatibility with PA 233. The Palmyra Township Planning Commission voted 6-0 to approve the text amendment at their 11/20/2024 special meeting. Based upon the above analysis, staff advises the County Planning Commission to recommend **APPROVAL** of the proposed text amendment to the Palmyra Township Board.

Recommended Actions:

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS**
- (4) Take **NO ACTION**

Attachment(s):

- Background information provided by Palmyra Township.

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LCPC Case #: 24-25
(For LCPC Use Only)

ZONING AMENDMENT FORM



LENAWEE COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Lenawee County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the LCPC recommendation will be mailed back to the Clerk, who will return a copy to the LCPC with the Township Board Action.

THE Palmyra TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Lenawee County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

1. The above described property has a proposed zoning change FROM _____ ZONE TO _____ ZONE.
2. PURPOSE OF PROPOSED CHANGE: _____

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE 8 SECTION 8:13

The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.) See Attached

An Ordinance to Amend the Zoning Ordinance Regarding Solar Energy Systems

- C. PUBLIC HEARING on the above amendment was held on: month 11 day 20 year 2024
- D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month 10 day 30 year 2024
(Notice must be provided at least fifteen days prior to the public hearing.)
- E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: Blissfield Advance

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to ☒ APPROVE or ☐ DISAPPROVE.

Cannon Hour ☐ Chair or ☒ Secretary 11 / 25 / 24 (enter date)

LENAWEE COUNTY PLANNING COMMISSION (LCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____
 2. The LCPC herewith certifies receipt of the proposed amendment on the above date and:
☐ Recommends APPROVAL of the zoning change
☐ Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
☐ Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
☐ Takes NO ACTION.
- _____, Recording Secretary _____ / _____ / _____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____
2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment ☐ PASSED, ☐ DID NOT PASS, or was ☐ REFERRED ANEW to the Township Planning Commission.

Township Clerk

PALMYRA TOWNSHIP

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE REGARDING SOLAR ENERGY SYSTEMS

The Township of Palmyra ordains:

Section 1. Purpose.

The purpose of this Ordinance is to render certain solar energy zoning regulations compatible with Public Act 233 of 2023 ("PA 233") while retaining local control over matters of regulation that are not governed by PA 233, and to promote the public health, safety, and welfare of Township residents.

Section 2. Amendment to Section 8.13.

A new subsection E is added to Section 8.13 of the Zoning Ordinance and reads in its entirety as follows, and subsections E through K of Section 8.13 are changed to F, G, H, I, J, K, and M with no text amendments:

- E. Level 3 Solar Energy Systems Under PA 233: On or after November 29, 2024, once PA 233 of 2023 is in effect, then the following provisions apply to Level 3 Solar Energy Systems with a nameplate capacity of 50 megawatts or more. Level 3 Solar Energy Systems with a nameplate capacity of 50 megawatts or more shall only be permitted as a special land use in the Renewable Energy Overlay District as shown on the Palmyra Township Zoning Map.

To the extent the following provisions conflict with the provisions in Sections 8.13(A)-(D), these provisions control as to Level 3 Solar Energy Systems with a nameplate capacity of 50 megawatts or more. All provisions in Sections 8.13(A)-(D) that do not conflict with this subsection E remain in full force and effect and shall be applicable to all Level 3 Solar Energy Systems regardless of nameplate capacity. The following provisions do not apply if PA 233 of 2023 is repealed, enjoined, or otherwise not in effect, and do not apply to Level 3 Solar Energy Systems with a nameplate capacity of less than 50 megawatts.

1. Setbacks. Level 3 Solar Energy Systems must comply with the following minimum setback requirements, with setback distances measured from the nearest edge of the perimeter fencing of the facility:

Setback Description	Setback Distance
Occupied community buildings and dwellings on nonparticipating properties	300 feet from the nearest point on the outer wall
Public road right-of-way	50 feet measured from the nearest edge of a public road right-of-way

Nonparticipating parties	50 feet measured from the nearest shared property line
--------------------------	--

2. Fencing. Fencing for Level 3 Solar Energy Systems must comply with the latest version of the National Electric Code as November 29, 2024, or as subsequently amended.
3. Height. Solar panel components must not exceed a maximum height of 25 feet above ground when the arrays are at full tilt.
4. Noise. The Level 3 Solar Energy System must not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.
5. Lighting. The Level 3 Solar Energy System must implement dark sky-friendly lighting solutions.
6. Environmental Regulations. The Level 3 Solar Energy System must comply with applicable state or federal environmental regulations.
7. Host Community Agreement. The applicant for a special land use permit for a Level 3 Solar Energy System shall enter into a host community agreement with the Township. The host community agreement shall require that, upon commencement of any operation, the Level 3 Solar Energy System owner must pay the Township \$2,000.00 per megawatt of nameplate capacity. The payment shall be used as determined by the Township for police, fire, public safety, or other infrastructure, or for other projects as agreed to by the local unit and the applicant.

Section 3. Validity and Severability.

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Section 4. Repealer.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 5. Effective Date.

This Ordinance takes effect 7 days after a notice of its adoption is published.

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**Palmyra Township
Special Planning Commission Meeting
November 20, 2024**

The meeting was called to order at 7 pm and the Pledge of Allegiance was led by Chairperson, Ryan Mapstone.

Present: Ryan Mapstone, Carmen Loar, Vivian Pell, Mark Crane, Rich Beauleaux, John Turpening

Absent: None

Audience in attendance: 49

Motion by Mark Crane to approve agenda as presented, carried by Carmen Loar. **Motion carried.**

Motion by Mark Crane to approve November 8, 2024 Special Meeting minutes as written, carried by John Turpening. **Motion Carried.**

Written Comments

- None

Public Comments

- Public Comment Rules read by Carmen Loar.

Public Hearing

Motion by John Turpening to open Public Hearing, supported by Mark Crane. **Motion carried at 7:04 pm.**

- David Pixley provided applications for the Planning Commission and encouraged the public to apply.
- Ryan Powell spoke of concerns regarding the future of Palmyra Township. Spoke of concerns of the previous vote being overturned and the size of the proposed project.
- Travis Cagle expressed concerns over the project and timeline. Stated he had surveyors in his yard recently and would like details regarding the proposed project.
- Morgan Powell inquired why the township did not join the Foster Swift lawsuit and stated Palmyra Township should have joined the "lawsuit". John Turpening explained PA 233 and the appeal by Foster Swift. Powell stated she felt the township was not represented properly because they did not join the lawsuit.

- Blake Brosamer shared previous experience with solar and the effects it has on properties. Stated the projects are loud and take time to build. Stated those with leases should read the fine print.
- Amber Southward informed the Planning Commission that she invested in property in Palmyra Township to build her dream home. States her property is now surrounded by the proposed project. Spoke of her concerns for decreased property values when the project is built and concerns that there was no prior notice of the proposed project.
- RWE Attorney, Mike Voight, expressed interest in working with the township to obtain a permit and avoid going to the MPSC. States there are benefits of the township working with the developer that include addressing local concerns. Spoke of the proposed changes to the existing ordinance previously provided and requested the Planning Commission consider those changes.
- Travis Cagle spoke again and suggested the township work with the developer to get better setbacks, noise control, wiring placed underground, and care for the proposed project as it ages. John Turpening explained the proposed motions would follow guidance from Foster Swift. This would limit the project size to 700 acres. Ryan Mapstone addressed the process of what led to the proposed motions. Explained there have been multiple meetings and publications regarding PA 233.
- Drew Snyder questioned where the funding for the project is coming from and the financial benefit for the township. Township attorney David Lacasse explained more details will be learned when a detailed site plan is provided if the project goes through the township. Township will financially benefit from property taxes and/or tax structure and potential grant funding. Snyder expressed concerns for water safety during development and long-term maintenance of the project. Lacasse addressed the options for maintenance that would be included in the site plan and the decommissioning process.
- Blake Brosamer spoke regarding solar companies being exempt from taxes. Lacasse explained how taxes typically work when the land is leased, but states he had not seen leases for the proposed project.
- Matt Drennan, representative from ESA Solar, offered to share Economic Impact Report and offered business cards to anyone interested in talking about the project.
- Ryan Powell expressed desire to continue to fight to prevent the development of the project. Stated "this is the time to stand up and fight". States concern that his home will be surrounded by the project. States ESA is not "our friends" and here to make millions of dollars off of Palmyra Township.

- Mark Crane introduced himself. Stated the Planning Commission has three options.
 1. Do nothing. Developers would go to the MPSC for approval.
 2. Work with a CREO and the definition of a CREO is up for debate at this time. If a CREO is in place, the developer must work with the township.
 3. Develop a workable ordinance. This means workable by developer. Includes changes to setbacks and other areas.

Planning Commission currently discussing CREO and that may or may not work. This will go to the Lenawee County Planning Commission and then will be provided to the Board for approval.
- Rick Knierim stated he was approached by ESA previously and presented with a proposed lease in 2021. States he spoke with Matt Drennan following the referendum vote. States Drennan stated "we have one ace up our sleeve" and requested they move forward with the lease. Expressed concerns for the development process and Consumer's Energy involvement.
- Morgan Powell readdressed the Planning Commission and stated desire to move forward with CREO. Requests Palmyra Township be added to the Foster Swift appeal and offered financial resources.
- Travis Cagle requested information regarding the boundaries of the proposed project. Expressed concern for the damage to township roads and conflicting information regarding the employment opportunities. John Turpening encouraged everyone attend the Board Meeting.
- Conrad MacBeth encouraged everyone to read the fine print details and specifically addressed concerns regarding the company paying fines rather than maintaining the project. Inquired why the landfill is not being utilized. Ryan Mapstone informed MacBeth the landfill is still considered open and therefore cannot be used. MacBeth encouraged the use of brown field rather than farm ground for development.
- Alison Prielipp expressed concerns over upkeep of proposed project. Disappointment regarding the Township benefits of the project. Requested economic plan information be provided on township website. Stated "solar is not the best use for our precious land".
- Conrad MacBeth encouraged everyone to visit Fremont, OH to see the effects of solar development. States topsoil was stripped from area and removed from area during development.
- Alison Prielipp stated utilities are currently being marked near her property and requested additional information regarding timeline.
- Cary Carrico encouraged the township to continue to fight development. Stated the people did not want this and encouraged the township to fight for the next two years while awaiting new state administration.

- John Angelee of Ogden Township spoke of concerns regarding windmills. Questioned the efficiency of windmills and the land needed for development. Concerned for land damage.
- Mike Pancone commented about seeing Miss Dig and the timeline of the project.
- Chris McCallister thanked everyone for attending the meeting. Encouraged everyone to get involved in legislature at all levels. Informed of legislature to take control of local mining operations by the State.
- Mark Crane encouraged the public to attend meetings and make their opinions known.

Motion to close public hearing by Mark Crane, supported by John Turpening. **Motion carried at 8:08 pm.**

Unfinished Business

Solar, Wind, and Utility Scale Battery Energy Storage Systems:

- David Lacasse explained changes he made to the ordinance to incorporate documents into the existing ordinance. Added Renewable Energy Overlay District to wind and battery. Replaced subsection E in Section 8.13 and adjusted letters accordingly. Information to be added to the existing ordinance. Does not change existing ordinance regarding solar systems less than 50 megawatts.
- Lacasse reports the Foster Swift appeal has been filed. Uncertain if there is any information regarding a stay of development while appeal is in process. Appeal addressed the definition of an ALU, hybrid projects, and definition of a CREO.

Motions

Creation of Renewable Energy Overlay District:

- Motion by John Turpening to create Renewable Energy Overlay District as defined by east of Humphrey Highway, south of the River Raisin, and north of US 223. Supported by Rich Beauleaux.

Roll call vote: Ryan-Yes; Mark- Yes; Vivian- yes; John-Yes; Rich- Yes; Carmen-Yes. **Motion carried.**

Solar Energy Systems:

- Motion by John Turpening to amend subsection E, 8:13 and re-lettering of sections E-K. Supported by Rich Beauleaux.

Roll call vote: Ryan-Yes; Mark- Yes; Vivian- yes; John-Yes; Rich- Yes; Carmen-Yes. **Motion carried.**

Utility Scale Battery Energy Storage Systems:

- Motion by John Turpening to amend ordinance to add Section 2.74 and Section 8.15 that defines Utility Scale Battery Energy Storage Systems. Supported by Rich Beauleaux.

Roll call vote: Ryan-Yes; Mark- Yes; Vivian- yes; John-Yes; Rich- Yes; Carmen-Yes. **Motion carried.**

Wind Energy Systems:

- Motion by John Turpening to repeal Section 2.66.1, 2.66.2, and 2.66.3 and add new Section 2.66.1 regulating Wind Energy Systems. Supported by Rich Beauleaux.

Roll call vote: Ryan-Yes; Mark- Yes; Vivian- yes; John-Yes; Rich- Yes; Carmen-Yes. **Motion carried.**

Motion to send material to Lenawee County Planning Commission by Carmen Loar. Supported by Ryan Mapstone. **Motion carried.**

New Business:

- Scheduling of future meetings. Discussion regarding the need for monthly meetings. All members agree that meetings need to be monthly.
- Ryan Mapstone suggested appointing a co-Chairperson for next year.
- Mark Crane presented a letter regarding overhead transmission line from NextEra Solar. Requesting permission to connect line under Essential Services.

Next meeting: December 20th, 2024 at 6 pm

Motion to adjourn meeting at 8:45 pm by John Turpening. Supported by Vivian Pell. **Motion carried.**

These minutes were recorded by Carmen Loar.

Palmyra Township
Planning Commission Special Meeting
October 22, 2024

The meeting was called to order at 7 pm and the Pledge of Allegiance was led by Chairperson, Ryan Mapstone.

Present: Ryan Mapstone, Carmen Loar, Vivian Pell, Mark Crane, Rich Beauleaux, John Turpening

Absent: None

Audience in attendance: 7

Motion by Mark Crane to approve agenda as presented carried by Carmen Loar.
Motion carried.

Motion by Ryan Mapstone to approve October 15, 2024 Regular Meeting minutes as amended, by changing "greater" to "less" in bullet point five under Old Business, carried by John Turpening. **Motion Carried.**

Written Comments

- None

Public Comments

- None

Old Business

Compatible Renewable Energy Ordinance

- David Lacasse provided a summary of the MTA education. Stated MTA believes litigation is coming regarding the Hybrid 50 megawatts or greater and the definition of an ALU. Stated as of now, there is no legal way to keep large scale solar energy systems out of townships. Informed members that MTA is working on releasing a model workable ordinance that is compliant with PA 233.
- ESA attorney provided Planning Commission with updated redline document.
- John Turpening informed members of the Planning Commission of an appeal of the MPSC ruling that is in the process of being filed. Stated Foster Swift

Collins & Smith are currently in the process of filing an appeal with plans to move forward in November.

- David informed members that an appeal of PA 233 or the MPSC ruling does not automatically stop development from occurring within the township while being litigated.

Battery Storage

Motion by John Turpening, carried by Mark Crane. "I move that we recommend the Foster Swift draft battery ordinance with the overlay district being defined as that area south of the River Raisin, north of US 223 and east of Humphrey Highway."

Roll call vote: Ryan-No; Vivian- Yes; Mark- Yes; Rich- Yes; Carmen- Yes.
Motion carried.

Solar Ordinance

Motion by John Turpening, carried by Mark Crane. "I move that we recommend the Foster Swift draft solar ordinance with the overlay district being defined as that area south of the River Raisin, north of US 223 and east of Humphrey Highway."

Roll call vote: Ryan-No; Vivian- Yes; Mark- Yes; Rich- Yes; Carmen- Yes.
Motion carried.

Wind Ordinance

Motion by John Turpening, carried by Mark Crane. "I move that we recommend the Foster Swift draft wind ordinance with the overlay district being defined as that area south of the River Raisin, north of US 223 and east of Humphrey Highway."

Roll call vote: Ryan-No; Vivian- Yes; Mark- Yes; Rich- Yes; Carmen- Yes.
Motion carried.

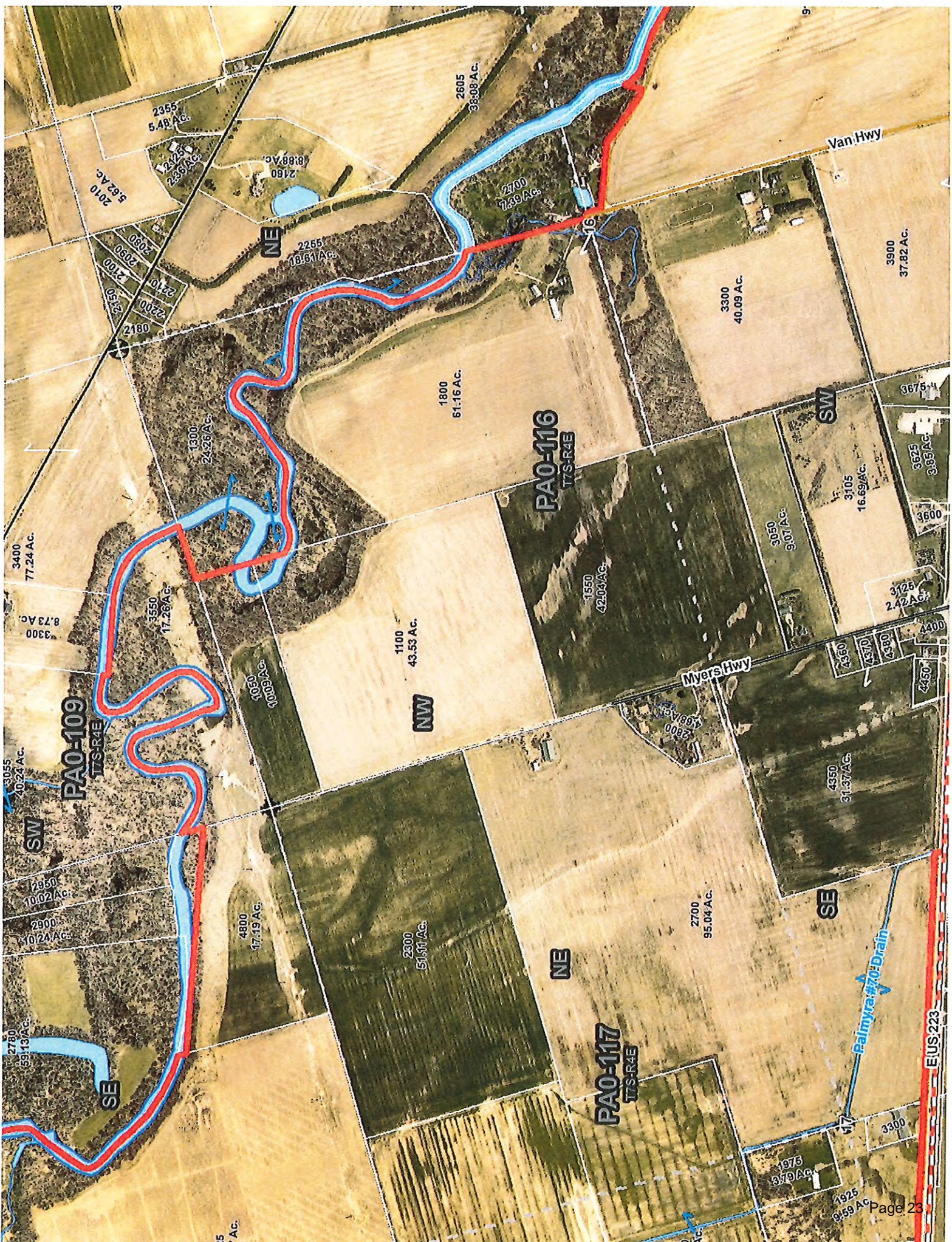
New Business

- None

Next meeting: November 8, 2024

Motion to adjourn meeting at 7:38 pm by John Turpening. Supported by Rich Beauleaux. **Motion carried.**

These minutes were recorded by Carmen Loar.



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Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

Coordinated Zoning Report | #24-26

To: County Planning Commissioners
From: Jacob Hurt, R2PC Executive Director
Date: December 11, 2024

Proposal: **Text Amendment to the Palmyra Township Zoning Ordinance regarding wind energy systems**

Analysis and Advisement

Background – The Palmyra Township Planning Commission wishes to amend Section 2; Section 4; and Section 8 of the Palmyra Township Zoning Ordinance regarding wind energy systems. The proposed amendment repeals Sections 2.66.1, 2.66.2, and 2.66.3 in their entirety and adds a new Section 2.66.1 (attached); adds a new subsection U to Section 4.1.3 (attached); and a new Section 8.14 (attached) is added. The purpose of the Ordinance is to amend the Township’s wind energy zoning regulations, to render certain wind energy zoning regulations compatible with Public Act 233 of 2023 (“PA 233”) while retaining local control over matters of regulation that are not governed by PA 233.

LCPC Staff Advisement – The proposed text amendments establish local compatibility with PA 233, while retaining local control over matters of regulation not governed by PA 233. The Palmyra Township Planning Commission voted 6-0 to approve the text amendments at their 11/20/2024 special meeting. Based upon the above analysis, staff advises the County Planning Commission to recommend **APPROVAL** of the proposed text amendment to the Palmyra Township Board.

Recommended Actions:

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS**
- (4) Take **NO ACTION**

Attachment(s):

- Background information provided by Palmyra Township.

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LCPC Case # 24-26
(For LCPC Use Only)

ZONING AMENDMENT FORM



LENAWEE COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Lenawee County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the LCPC recommendation will be mailed back to the Clerk, who will return a copy to the LCPC with the Township Board Action.

THE Palmyra TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Lenawee County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

1. The above described property has a proposed zoning change FROM _____ ZONE TO _____ ZONE.

2. PURPOSE OF PROPOSED CHANGE: _____

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLES 2, 4, & 8 SECTIONS 2.66.1; 2.66.2; 2.66.3; 4.7.3; & 8.14

The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.)

An Ordinance to Amend the Zoning Ordinance - Wind Energy Systems (See Attached)

C. PUBLIC HEARING on the above amendment was held on: month 11 day 20 year 2024

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month 10 day 30 year 2024
(Notice must be provided at least fifteen days prior to the public hearing.)

E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: BlissField Advance

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to ☒ APPROVE or ☐ DISAPPROVE.

Carmen Gear ☐ Chair or ☒ Secretary 11 / 25 / 24 (enter date)

LENAWEE COUNTY PLANNING COMMISSION (LCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The LCPC herewith certifies receipt of the proposed amendment on the above date and:

- ☐ Recommends APPROVAL of the zoning change
- ☐ Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
- ☐ Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
- ☐ Takes NO ACTION.

_____, Recording Secretary _____ / _____ / _____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment ☐ PASSED, ☐ DID NOT PASS, or was ☐ REFERRED ANEW to the Township Planning Commission.

Township Clerk

PALMYRA TOWNSHIP

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE REGARDING WIND
ENERGY SYSTEMS**

The Township of Palmyra ordains:

Section 1. Purpose.

The purpose of this Ordinance is to amend the Township's wind energy zoning regulations, to render certain wind energy zoning regulations compatible with Public Act 233 of 2023 ("PA 233") while retaining local control over matters of regulation that are not governed by PA 233, and to promote the public health, safety, and welfare of Township residents.

Section 2. Repeal of Sections 2.66.1, 2.66.2, and 2.66.3.

Sections 2.66.1, 2.66.2, and 2.66.3 of the Zoning Ordinance are repealed in their entirety.

Section 3. Addition of New Section 2.66.1.

A new Section 2.66.1 is added to Article II of the Zoning Ordinance and reads in its entirety as follows:

Section 2.66.1 – Wind Energy System (WES).

Wind Energy System ("WES") means any part of a system that collects or stores wind energy for the purpose of transforming it into any other form of usable energy and includes any combination of the following: A mill or machine operated by wind acting on oblique vanes or sails that radiate from a horizontal or vertical shaft; a surface area such as a blade, rotor, or similar device, either variable or fixed, for utilizing the wind for electrical or mechanical power; a shaft, gearing, belt, or coupling utilized to convert the rotation of the surface area into a form suitable for driving a generator, alternator, or other electricity or energy producing device; the generator, alternator, or another device to convert the energy of the wind into electrical or other usable energy; the tower, pylon, or other structure upon which any, all, or some combination of the above are mounted; and any other components not listed above but associated with the normal construction, operation, and maintenance of a WES.

- A. Adverse Sound Character: Sounds or noise that cause building rattle, is impulsive, tonal, and includes amplitude modulation, or has a low-frequency bass rumble.
- B. Ambient: Ambient is defined as the sound pressure level exceeded 90% of the time over a 96- hour measurement period with daytime/nighttime division.
- C. Anemometer Tower: A freestanding tower containing instrumentation such as anemometers that is designed to provide present moment wind data for use by the

supervisory control and data acquisition (SCADA) system which is an accessory land use to a Wind Energy System.

- D. ANSI: The American National Standards Institute.
- E. dBA: The A-weighted sound level.
- F. FAA: The Federal Aviation Administration.
- G. GIS: Geographic Information System and is comparable to GPS (global positioning system) coordinates.
- H. IEC: The International Electrotechnical Commission.
- I. ISO: The International Organization for Standardization.
- J. L_{max} (L_{Amax} or L_{Cmax}): The maximum dB(A) or dB(C) sound level measured using the “fast response” setting of the sound meter (equivalent to 0.125 second exponential averaging time).
- K. NEC: National Electrical Code.
- L. Noise: A sound that causes disturbance that exceeds 40 dBA L_{max} or 35 dBA L_{max}.
- M. Non-Participating Property: A property that is not subject to a Wind Energy System lease or easement agreement at the time an application is submitted for the purposes of constructing a Wind Energy System.
- N. Owner/Operator: A person, firm, corporation, company, limited liability corporation or other entity, as well as their agents, contractors, successors, assigns and/or transferees, who applies for Township approval to construct, repair, maintain, decommission and/or operate a WES and/or WES Testing Facility. An Owner/Operator must have the legal authority to represent and bind the owner of the Participating Property or lessee to the terms or conditions of any approvals for a permitted WES or WES Testing Facility. The duties and obligations regarding approval for any approved WES or WES Testing Facility shall be jointly and severally binding upon the Owner/Operator of the WES or WES Testing Facility. “Owner/operator,” even when used in the singular, may refer to more than one person or entity if there are multiple applicants, owners, or operators, or if the WES or WES Testing Facility is owned and operated by different entities.
- O. Participating Property: A property that participates in a lease or easement agreement, or other contractual agreement, with or that is owned by an entity submitting an application for the purpose of developing a WES. Participating Property also includes any property upon which is located a WES.
- P. SCADA (supervisory control and data acquisition): A computer system that monitors and controls WES.

- Q. Shadow Flicker: Alternating changes in light intensity caused by the moving blades of wind turbines on the ground and stationary objects, including but not limited to a window of a dwelling.
- R. Sound level meter: An instrument for the measurement of sound levels that meets the ANSI requirements of S1.4-1983 (or later revision) for Type 1 or 2 instruments. For frequency analysis, octave and 1/3 octave filters shall conform to ANSI S1.11-1986 (or later revision).
- S. Sound Pressure: An average rate at which sound energy is transmitted through a unit area in a specified direction (equivalent to 0.125 second exponential averaging time) See LMax. The pressure of the sound measured at a receiver.
- T. Sound Pressure Level: The sound pressure mapped to a logarithmic scale and reported in decibels (dB).
- U. Strobe Effect: The effect resulting from the flashing of reflected light, which can be visible from some distance, from the surface finish of turbine blades.
- V. Tip Height: The height of a WES with a blade at the highest vertical point or the tallest point of a vertical axis wind turbine.
- W. Utility-Scale Wind Energy System (Utility-Scale WES): A Wind Energy System consisting of a vertical axis wind turbine in which the principal design, purpose, or use is to provide energy to off-site uses or the wholesale or retail sale of generated electricity to any person or entity.
- X. Vertical Axis Wind Turbine (VAWT): A vertical axis wind turbine is a type of wind turbine where the main rotor shaft is set transverse to the wind while the main components are located at the base of the turbine.
- Y. Wetland: As used in this Ordinance, wetland shall mean the areas defined as such by Michigan law (see Part 301 Inland Lakes and Rivers and Part 303 Wetlands Protections of the Natural Resources and Environmental Protection Act, last revised effective 3-29-19), and regulated by the Michigan Department of Natural Resources, and the Michigan Department of Environment, Great Lakes, and Energy.
- Z. Wind Energy System Testing Facility (WES Testing Facility): A structure and equipment such as a meteorological tower for the collection of wind data and other meteorological data and transmission to a collection source, shall not be deemed to be a communication tower.
- AA. Wind Energy System Facility (WES Facility): Clusters of two or more Utility Scale WES placed upon a lot or parcel with the intent to sell or provide electricity to a site or location other than the premises upon which the WES Facility is located. A WES Facility may or may not be owned by the Owner of the Participating Property upon which they are placed.

Section 4. Amendment to Section 4.7.3.

A new subsection U is added to Section 4.1.3 of the Zoning Ordinance and reads in its entirety as follows:

U. Wind Energy Systems pursuant to Section 8.14.

Section 5. Addition of New Section 8.14.

A new Section 8.14 is added to the Zoning Ordinance and reads in its entirety as follows:

A. General Provisions. All WES are subject to the following requirements:

1. All WES, including towers, shall conform to the provisions of this Section and all local, county, state, and federal regulations and safety requirements, including applicable building codes and applicable industry standards, including those of ANSI, FAA, Michigan Airport Zoning Act, Michigan Tall Structures Act, Underwriter Laboratory (UL), NEC, National Fire Protection Association (NFPA), and the most current Michigan Uniform Building Code adopted by the enforcing agencies. An interconnected Utility-Scale WES shall comply with any applicable Michigan Public Service Commission (MPSC) and Federal Energy Regulatory Commission (FERC) standards.
2. If an applicant, Owner, Operator, or Participating Property Owner of a WES fails to comply with this Section, the Township, in addition to any other remedy under the Zoning Ordinance, may revoke any approvals after giving notice and an opportunity to be heard. Additionally, the Township may pursue any legal or equitable action to abate a violation and recover all costs, including the Township's actual attorney fees and costs.
3. All WES, prior to construction, must obtain a no hazard determination from the FAA.
4. Wind turbines that exceed two hundred (200) feet in total height are considered obstructions to air traffic and are subject to the approval of the FAA. The FAA requires that obstructions to air traffic be illuminated with the appropriate FAA approved flashing red, flashing white, or steady burning red light lighting as described in FAA Advisory Circular AC 70/7460-1K, titled Obstruction Lighting and Marking.

B. Utility-Scale Wind Energy Systems. Utility-Scale WES are permitted by special land use approval in the Renewable Energy Overlay District as shown on the Palmyra Township Zoning Map and require a special land use permit under Article VI and site plan approval under Article VII. Utility-Scale WES are also subject to the following requirements:

1. Special Land Use Permit Application Requirements. In addition to the requirements of Article VI, the applicant for a Utility-Scale WES shall provide the Township with all of the following:

- a. Application fee in an amount set by resolution or fee schedule approved by the Township Board.
- b. A deposit for an escrow account in an amount set by resolution or fee schedule approved by the Township Board. The escrow account is used to cover all costs and expenses associated with the special land use review and/or approval process, which costs can include, but are not limited to, review fees of the Township Attorney, Township Planner, Township Engineer, and other Township qualified professional consultants in the areas of electrical, acoustics, environmental, and health and safety, as well as any reports or studies which the Township anticipates will be required during the review and/or approval process for the application. At any point during the review process, the Township may require that the applicant place additional monies into escrow with the Township if the existing escrowed funds on account with the Township will be insufficient, in the sole determination of the Township, to cover any remaining costs or expenses with the review and/or approval process. If additional funds are required by the Township to be placed in escrow and the applicant refuses to do so within 14 days after receiving notice, the Township will cease the zoning review and/or approval process until and unless the applicant makes the required escrow deposit. Any escrow amounts more than actual cost will be returned to the applicant. An itemized billing of all expenses will be provided to the applicant upon request.
- c. Required Security Deposits. Following approval, but prior to the issuance of a special land use permit for the construction of any Utility Scale WES, the following security deposits shall be deposited with the Township.
 - i. Sufficient funds to decommission and remove the WES in the event of abandonment.
 - ii. Sufficient funds to repair the anticipated damage to roadways during construction of the WES.
 - iii. A \$15,000 escrow account to cover the costs of complaint investigation, mitigation, and resolution.
- d. A map including all parcel numbers that depicts all Participating Property to be used by the Utility-Scale WES; documentation establishing ownership of each parcel; and any and all lease or option agreements (including "good neighbor" agreements), easements, or purchase agreements for the subject parcels, together with any attachments to such agreements or easements.
- e. An operations agreement setting forth the operations parameters, the name and contact information of the Owner/Operator, the Owner/Operator's inspection protocol, emergency procedures, and general safety documentation.

- f. Federal Employer Identification Number for the Owner/Operator is required at the time of application.
- g. A written emergency response plan detailing the Owner/Operator's plan for responding to emergencies, including fire emergencies, and analyzing whether adequate resources exist to respond to fires and other emergencies. If adequate resources do not exist, the Owner/Operator shall identify its plan for providing those resources. The emergency plan shall include identification of potential hazards to adjacent properties, public roadways, and to the community in general that may be created, as well as plans for immediate cleanup, long-term monitoring, and continued mitigation efforts following an emergency.
- h. A written description of the fire suppression system that will be installed, which shall identify the manufacturer of the fire suppression system and generally describe its operations and capacity to extinguish fires.
- i. A written description of specialized training and/or equipment necessary for handling fires and/or other emergencies. All training and/or equipment will be paid for by the Owner/Operator. The training plan must include, at a minimum, mandatory annual emergency response training for local firefighters and other local emergency personnel at the site of a Utility-Scale WES.
- j. A complete set of photographs, video, and topography map of the entire Participating Property prior to construction.
- k. A copy of any power purchase agreement or other written agreement that the Owner/Operator has with an electric utility or any agreement or approval for interconnection between the proposed Utility-Scale WES and an electric utility or transmission company.
- l. A written plan conforming to the requirements of this Ordinance for maintaining the subject property, including a plan for maintaining and inspecting drain tiles and addressing stormwater management.
- m. A decommissioning and land reclamation plan describing the actions to be taken following the abandonment or discontinuation of the Utility-Scale WES, including evidence of proposed commitments with property owners to ensure proper final reclamation, repairs to roads, and other steps necessary to fully remove the Utility-Scale WES and restore the subject parcels to as near as possible to the condition the subject parcels were in prior to being used as a Utility-Scale WES.
- n. Financial security that meets the requirements of this Section.
- o. A plan for resolving complaints regarding but not limited to noise, glare, maintenance, shadow flicker, vibrations, ice throws, lighting, and drainage from the

public or other property owners concerning the construction and operation of the Utility-Scale WES.

- p. Identification of and a plan for managing any hazardous waste.
- q. A transportation plan for construction and operation phases, including any applicable agreements with the County Road Commission and Michigan Department of Transportation.
- r. An attestation that the Owner/Operator of the subject property will indemnify and hold the Township and its officials, elected or appointed, harmless from any costs or liability arising from the approval, installation, construction, maintenance, use, repair, or removal of the Utility-Scale WES.
- s. Utility-Scale WES shall be a vertical axis wind turbine constructed in accordance with the manufacturer's specifications and directions and shall be inspected by a third-party engineer retained by the Township and paid for out of the escrow maintained by the applicant. As built plans shall be provided to the Township upon completion of construction. A copy of the manufacturer's directions, instruction manual, and specification sheets for each model of turbine in the Utility-Scale WES, including any unredacted safety manuals and Safety Data Sheets (SDS), for installing, maintaining, and using the Utility-Scale WES. The safety manuals and SDS should include standard details for an industrial site such as materials, chemicals, fire, access, safe distances during Utility-Scale WES failure, processes in emergencies, etc.
- t. A ground cover vegetation establishment and management plan that complies with the Zoning Ordinance.
- u. Proof of environmental compliance, including compliance with:
 - i. Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act; (MCL 324.3101 et. Seq.);
 - ii. Part 91, Soil Erosion and Sedimentation Control (MCL 324.9101 et. Seq.) and any corresponding County ordinances;
 - iii. Part 301, Inland Lakes and Streams, (MCL 324.30101 et. Seq.);
 - iv. Part 303, Wetlands (MCL 324.30301 et. Seq.);
 - v. Part 365, Endangered Species Protection (MCL 324.36501 et. Seq.); and
 - vi. Any other applicable laws and rules in force at the time the application is considered by the Township.

- v. Any additional information or documentation requested by the Planning Commission, Township Board, or other Township representative.
 - w. Insurance. Proof of the Owner/Operator's public liability insurance shall be provided at the time of application. If the Owner/Operator is approved, proof of insurance shall be provided to the Township annually thereafter. The policy shall provide for bodily injury, property damage, livestock damage, and future earnings loss and shall name the Township and each Participating Property owner as an additional insured with the right to be notified of cancellation and/or significant reduction of coverage. The Owner/Operator shall insure for liability, for the utility scale wind system until removed for at least \$25,000,000 per occurrence to protect the Owner/Operator, Township, and Participating Property owner. Proof of a current policy is required annually and shall be provided each year to the Township prior to the anniversary date of the special land use permit. Aggregate policies are allowed if minimum coverage per Utility-Scale WES is satisfied, and coverage is provided for every site where owner/operator's equipment is located.
 - x. Compliance with the Michigan Uniform Building Code and National Electric Safety Code: Construction of a Utility-Scale WES shall comply with the most current version of the Michigan Uniform Building Code and National Electrical Code adopted by the enforcing agencies as a condition of any special land use permit under this section.
 - y. Conceptual plan. A graphical computer-generated depiction of how the Utility-Scale WES will appear from all directions.
 - z. The Owner/Operator shall also submit a written explanation of the design characteristics and the ability of the structure(s) and attendant facilities to withstand winds, ice and other naturally occurring hazards, as well as information regarding health, welfare and safety in areas including, but not limited to, noise, vibration, shadow flicker, and blade ice deposits. This information shall also address the potential for the WES to structurally fail or collapse, and what results should be expected in such an event.
2. Site Plan Application Requirements. In addition to the requirements in Article VII, the applicant shall, at its expense, provide a detailed application and site plan drafted to a scale of 1 inch = 200 feet with the following:
- a. Location of all proposed structures, turbines, equipment, transformers, and substations.
 - b. Depiction of all setbacks, property lines, fences, signs, greenbelts, screening, drain tiles, easements, flood plains, bodies of water, proposed access routes, and road rights of way.

- c. Indication of how and where the system will be connected to the power grid.
- d. Plan for any land clearing and grading required for the installation and operation of the system.
- e. Plan for ground cover establishment and management.
- f. Anticipated construction schedule and completion date. As a condition of any special land use or site plan approval, hours of construction shall be limited to Monday through Friday from 7:00 a.m. to 5:00 p.m. with no construction on Saturday, Sunday, or any federally recognized holiday.
- g. Sound modeling study including sound isolines extending from the sound sources to the property lines of Participating Property.
- h. Any additional studies requested by the Planning Commission, including but not limited to the following:
 - i. Visual Impact Assessment: A technical analysis by a third-party qualified professional acceptable to the Township, of the visual impacts of the proposed project, including a description of the project, the existing visual landscape, and important scenic resources, plus visual simulations that show what the project will look like (including proposed landscaping and other screening measures), a description of potential project impacts, and mitigation measures that would help to reduce the visual impacts created by the project.
 - ii. Environmental Analysis: An analysis by a third-party qualified professional acceptable to the Township, to identify and assess any potential impacts on the natural environment including, but not limited to, removal of trees, wetlands and other fragile ecosystems, wildlife, endangered and threatened species. If required, the analysis will identify all appropriate measures to minimize, eliminate or mitigate adverse impacts identified and show those measures on the site plan, where applicable.
 - iii. Stormwater Study: An analysis by a third-party qualified professional acceptable to the Township, studying the proposed layout of the Utility-Scale WES and how the spacing, row separation, and slope affects stormwater infiltration, including calculations for a 100-year rain event. Percolation tests or site-specific soil information shall be provided to demonstrate infiltration on-site without the use of engineered solutions.
 - iv. Glare Study: An analysis by a third-party qualified professional acceptable to the Township, to determine if glare from the Utility-Scale WES will be visible from nearby airports, air strips, residences, and roadways. The analysis will

consider the changing position of the sun throughout the day and year and its influences on the Utility-Scale WES.

- v. Conceptual Layout Plan. Owner/Operator shall submit a conceptual layout plan for review prior to submission of a formal site plan. The conceptual site plan shall be reviewed by the Planning Commission to allow for discussion and feedback.
- vi. Background Sound Analysis. A background (ambient) sound analysis shall be performed by an independent third-party acoustician acceptable to the Township and a report provided which indicates Leq 1 second, L10, and L90 sound levels using A-weighting and C-weighting. Data shall be collected at midpoints along property lines of adjoining Non-Participating Property and Participating Property. Measurement procedures are to follow the most recent versions of ANSI S12.18 and ANSI S12.9, Part 3 guideline (with an observer present). Measurements shall be taken using an ANSI or IEC Type 1 Precision Integrating Sound Level Meter. The study must include a minimum of four four-day (96 hour) testing periods, include one Sunday, and divide data by daytime and nighttime. One of the four-day testing periods must occur between December 1 and March 1, one must occur between March 1 and June 1, one must occur between June 1 and September 1, and one must occur between September 1 and December 1. The sound background study shall report for the period of the monitoring topography, temperature, weather patterns, sources of ambient sound, and prevailing wind direction.
- vii. Economic Impact: The Owner/Operator shall fund and provide an economic impact analysis performed by an independent third-party acceptable to the Township. Such a study shall include probable financial impact regarding jobs, tax revenue, lease payments and property values at a minimum and average setbacks distances. Business and residential growth potential shall be considered.
- viii. Wind Assessment Analysis. A wind assessment analysis conducted within a potential project area shall be completed within 18 months of the date of application for a Utility-Scale WES and shall be performed by an independent third-party acceptable to the Township. The study must show analysis for a period of time no less than one (1) year. The height of an anemometer (or similar) device measuring wind availability shall be placed within the potential vertical swept blade area of the proposed Utility-Scale WES. The anemometer shall be decommissioned in accordance with this Ordinance, including the provision of a security bond covering decommissioning costs.
- ix. Shadow Flicker Impact Analysis. A copy of a shadow flicker analysis shall be performed by an independent third-party acceptable to the Township at Non-Participating Property lines to identify the locations of shadow flicker that may

be caused by any Utility-Scale WES and the expected durations of the flicker at these locations from sunrise to sunset over the course of a year. The site plan shall identify problem areas where shadow flicker may affect the owners and/or occupants of Non-Participating Property and show measures that shall be taken to eliminate shadow flicker.

- x. A copy of a site suitability analysis by a third-party qualified professional acceptable to the Township to identify and assess any potential impacts to or hazardous conditions resulting from proximate existing uses and conditions. The suitability analysis must include:
 - (a) A flight pattern analysis and impact statement.
 - (b) A subsurface mine analysis and impact statement.
 - (c) An oil and gas lease analysis and impact statement.
 - (d) Other local site conditions identified by Planning Commission.
- i. Approvals from Other Agencies. Final site plan approval may be granted only after the Owner/Operator receives all required federal, state and local approvals, including any applicable approval by the state historic preservation office. Owner/Operator shall provide copies of all review letters, final approved plans, and reports issued by any other governing agencies to the Township.
- j. The site plan must show the existing topographical grades in two-foot intervals and conditions of all Participating Property at the time of application.
- k. A baseline soil test with a minimum of 1 core sample within 10 feet of each turbine foundation, including Cation Exchange Capacity (CEC), shall be provided to the Township prior to any construction.
- l. A written description of how the applicant will address dust control during construction. Such plan shall, at a minimum, consist of water applications at least three times per day unless it has rained in the preceding three hours of the planned application.
- m. Water Usage and Cleaning. The Owner/Operator shall detail the methodology planned for cleaning the wind turbines, frequency, and listing of any and all detergents, surfactants, chemical solutions used for each cleaning, and sources of water used to facilitate turbine restoration and maintenance.
- n. Repair Documentation: Owner/Operator must provide a detailed policy and process book for the repair, replacement, and removal of malfunctioning, defective, worn, or noncompliant Utility-Scale WES. Sections of the process book should consider

any ordinance requirement or Utility-Scale WES performance deficiency. The process book shall also include a detailed maintenance schedule.

- o. Documentation that noise emissions, construction code, tower, and safety requirements have been reviewed by the appropriate third-party professional and the submitted site plan is prepared to show compliance with these issues.
- p. A description of the routes to be used by construction and delivery vehicles and of any road improvements that shall be necessary to accommodate construction vehicles, equipment or other deliveries, and an agreement or bond which guarantees the repair of damage to public roads and other areas caused by construction of the Utility-Scale WES.
- q. Access Driveways: Geographic information system (GIS) mapping location of Utility-Scale WES and WES Testing Facility access driveways together with details regarding dimensions, composition, and maintenance of the proposed driveways and be filed with the township and recorded at the County Register of Deeds as an easement. The site plan shall include traffic routes, time of the year use, staging areas, and any other physical sites related to Utility-Scale WES. Construction of the Access Driveway that serves a Utility-Scale WES or WES Testing Facility is required to protect the public health, safety, and welfare by offering an adequate means by which governmental agencies may readily access the site in the event of an emergency. All such roads shall be constructed to allow access at all times by any emergency service vehicles, such as fire, police, and repair. Access driveways must meet Fowlerville Township Fire Department regulations and grant permanent access easement to the Township to be recorded at the County Register of Deeds.
- r. All new infrastructure above and below ground related to the project, including transmission line locations.
- s. A contact for the Owner/Operator to which any notice of complaint, as defined by this Ordinance, may be sent.
- t. Building Siting: Geographic information system(GIS) mapping of locations and height of all proposed buildings, structures, electrical lines, towers, guy wires, guy wire anchors, security fencing, and other aboveground structures associated with the Utility Scale WES.
- u. Nearby Building Siting and Airports: Geographic information system (GIS) mapping locations of any existing airport located within 5 miles of a proposed Utility-Scale WES and the location and height of all existing adjacent buildings, structures, and existing or proposed above ground and underground utilities located within 2500 feet of the property lines of any Participating Property, including the

location of all overhead and underground electrical transmission or distribution lines, whether utilized or not by the Utility-Scale WES or WES Testing Facility.

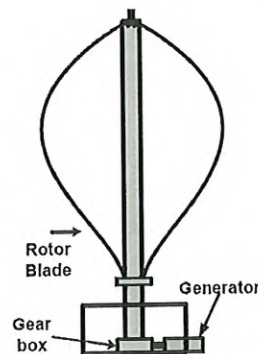
- v. **Site Lighting:** A lighting plan for each Utility-Scale WES and WES Testing Facility. Such plan must describe all lighting that will be utilized and documentation that FAA requirements are met. RADAR activated lighting shall be utilized if allowed by FAA. Such a plan shall include but is not limited to, the planned number and location of lights, light color, activation methods, effect on Township residents and whether any lights blink. Due to complexity in describing lighting effects for health, welfare, and safety, Owner/Operator shall, if available, provide example locations with product descriptions, where similar, or proposed, lighting solutions are currently deployed. Lighting shall be fully shielded from ground, be FAA compliant, and be of most current design, to minimize lighting blinking and brightness nuisance.

- w. **Supplemental:** Additional detail(s) and information as requested by the Planning Commission.

- 3. **Application Items as Substantive Requirements.** The information, plans, documents, and other items identified as application requirements in this Section, including the site plan and special land use permit, are substantive requirements for obtaining approval for a Utility-Scale WES. The Planning Commission shall review the sufficiency of the application materials and the required standards and findings under Articles VI and VII of the Zoning Ordinance. If the Planning Commission determines that the substance of any application item is insufficient, the Planning Commission shall deny approval on that basis.

4. **System and Location Requirements.**

- a. Utility-Scale WES shall be limited to vertical axis wind turbines similar to the depiction below, as opposed to a horizontal axis wind turbine, and shall only be located in the Renewable Energy Overlay District as shown on the Palmyra Township Zoning Map.



- b. **Setback:** The following setback, measured from the outside edge (the point furthest from the tower as it rotates) of the blades, not from the tower itself, shall be

observed. The minimum setback from any property line of a Non-Participating Property or any public or private road right-of-way is 500 feet for non-participating and 750 from public road rights of way. Additionally, each turbine must be located at least 1 mile from the nearest inland lake as defined by the Natural Resources and Environmental Protection Act, Act 451 of 1994 and shall not raise the descent minimums of any approach procedure to any airport, or otherwise limit operations at an airport. If a single Utility-Scale WES is located on more than one property, or if the adjacent property is owned by the same owner as the property on which the Utility-Scale WES is located, then the lot line setbacks of this subsection do not apply to the lot lines shared by those properties.

- c. The height of a Utility-Scale WES with the blade fully extended must not exceed 200 feet.
 - d. The minimum clearance from ground level to the blade at its lowest point must be at least 50 feet.
 - e. Rotor blades of a Utility-Scale WES must have a minimum of 100 feet of clearance from any structure, other than another WES.
 - f. Each Utility-Scale WES must be equipped with a braking or equivalent device, capable of stopping the Utility-Scale WES operation in high winds with or without SCADA control. The braking system must be effective during complete grid power failure when Utility-Scale WES are unable to communicate with SCADA control or receive power.
 - g. All Utility-Scale WES may be required to be equipped with technology that automatically de-ices the turbine blades. Such system must detect ice and heat the blades, such as through the use of built-in carbon heating mats or through the circulation of hot air.
 - h. The size of a Participating Property to be used for a Utility-Scale WES shall be sufficient to comply with all setback requirements in this section.
5. Vibrations: No Utility-Scale WES shall create vibrations that are detectable by humans on Non-participating Property. No Utility-Scale WES shall generate or permit to be generated any vibration in the low-frequency range of 0.1 to 20 Hz, including the 1, 2, 4, 8, and 16 Hertz octave bands that is perceivable by human sensation or exceeds an rms acceleration level of 50 dB(unweighted) re 1 micro-g at any time and for any duration either due to impulsive or periodic excitation of structure or any other mechanism at a Non-Participating Property line or at any point within a Non-Participating Property.
6. Shadow Flicker: Zero hours of Shadow Flicker may fall on or in a Non-Participating Property or on public roads or highways. Site plan and other documents and drawings shall show mitigation measures to eliminate potential impacts from shadow flicker, as identified in the Shadow Flicker Impact Analysis. Measures to eliminate all effects of

shadow flicker on all Non-Participating Property beginning at the property lines, such as programming the Utility-Scale WES to stop rotating during times when shadow crosses property lines, shall be required.

7. Substations and accessory buildings: Structures related or accessory to a Utility-Scale WES shall be subject to the dimensional and locational standards of structures in the zoning district in which they are located. Where structures are visible from Non-Participating Property, vegetation or manmade screening shall be required to minimize visual impact off-site.
8. Permits: All required local, county, state, and federal permits shall be obtained before the Utility-Scale WES begins operating, including, but not limited to, a tall structures permit pursuant to the Michigan Tall Structures Act (Act 259 of 1959, MCL 259.481 *et seq.*)
9. Appearance: All Utility-Scale WES must be painted a non-obtrusive, neutral color, such as beige, gray, or off-white and must be non-reflective. All bases and rotor blades of Utility-Scale WES must be the same color and must be consistent with the color of other Utility-Scale WES in the Township. No advertisements, graphics, or striping are permitted on the Utility-Scale WES. The Owner/Operator is encouraged to select anti-icing paint that prevents the formation of ice on the rotor blades of the Utility-Scale WES.
10. Lighting: Lighting of the Utility-Scale WES is limited to the minimum light necessary for safe operation. Utility-Scale WES may be lit only to the minimum extent required by the FAA.
11. Security Fencing.
 - a. Security fencing may be required by the Planning Commission to be installed around all electrical equipment related to the Utility-Scale WES, including any transformers. Fencing shall be at least seven feet tall and be composed of woven agricultural wire. Barbed and razor wire is prohibited.
 - b. A containment system shall surround any transformers in case of hazardous waste or oil spills.
 - c. Appropriate warning signs shall be posted at safe intervals at the entrance and around the perimeter of the Utility-Scale WES.
 - d. Gate posts and corner posts shall have a concrete foundation.
 - e. Gates shall be the same height and constructed of the same material as the fencing. Access, such as Knox box, shall be provided for emergency responders.

- f. The Township may allow or require a fence design to allow for the passage of wildlife upon a finding that adequate access control and visual screening will be preserved.

12. Noise.

- a. 40 dBA Lmax, as measured at the property line of the Participating Property, between the hours of 7:00 a.m. and 9:00 p.m.
- b. 35 dBA Lmax, as measured at the property line of the Participating Property, between the hours of 9:00 p.m. and 7:00 a.m.
- c. The Owner/Operator of the Utility Scale WES shall annually provide for a sound analysis or modeling, conducted by an auditory expert chosen by the Township, at the expense of the Owner/Operator.

13. Underground Transmission. Except for power switchyards, the areas within a substation, or for interconnection with a regulated transmission line, all power transmission, communication, or other lines, wires, or conduits from a Utility-Scale WES to any building or other structure shall be located underground and in compliance with current NEC standards. Burial depth shall be at a depth that causes no known environmental, land use, or safety issues, but not less than 6 feet below grade or deeper than drain tile on the Participating Property, whichever depth is greater.

14. Road Damage: The Owner/Operator shall inform the County Road Commission (CRC) and the Township of all the roads they propose to use as haul routes for construction, repair, or decommissioning for each Utility-Scale WES. This shall be done prior to beginning any work at any site. A third-party road inspector will be retained, with mutual approval of the Township, the Owner/Operator, and the CRC or the Michigan Department of Transportation (MDOT) if a state highway is involved. The road inspector will determine any precautions to be taken (including videotaping and physical inspections) during the process, to determine any damage that may be caused by Owner/Operator, and then determine the appropriate road standards and measures to be taken to repair the damage. The cost of the third-party road inspector and/or any other required third-party assistance, and of all repairs necessitated to restore the roads [and related property which may be damaged by the Owner/Operator], shall be the responsibility of the Owner/Operator, and shall in no case be the responsibility of the Township.

15. Fire Suppression: The Utility-Scale WES shall include a fire suppression system that is specifically designed to immediately suppress and extinguish fires in any part of the WES. The Owner/Operator shall provide documentation establishing the effectiveness of the fire suppression system and the results of a third-party independent inspection of the fire suppression system.

16. Battery Storage: Commercial grid storage batteries or capacitor banks storing or returning supplemental power to the grid are not permitted. Use of Batteries in

commercial applications is only permitted as emergency backup for safety lighting and related computer infrastructures.

17. Electronic Interference: A Utility-Scale WES must not interfere with any radio, television, or other communication systems. If the Township or the Owner/Operator of the Utility-Scale WES receive a complaint about communication interference, the Owner/Operator must resolve the interference immediately and provide proof that the interference has been resolved within 90 days.
18. Stray Voltage Assessments: No stray voltage originating from a Utility-Scale WES may be detected on any Participating Property or Non-Participating Property. A preconstruction stray voltage test shall be conducted on all Michigan Department of Agriculture & Rural Development (MDARD) registered livestock facilities located within a one-mile radius of the Participating Property. The tests shall be performed by an investigator approved by the Township. A report of the tests shall be provided to the owners of all property included in the study area. The Owner/Operator shall seek written permission from the property owners prior to conducting testing on such owners' property. Owner/Operator shall not be required to perform testing on property where the owners have refused to grant permission to conduct the testing. The owner of any Participating Property shall not refuse the stray voltage testing if they have a MDARD registered livestock facility on the Participating Property.
19. Drainage: Drainage on Participating Property shall be maintained in a manner consistent with, or improved upon, existing natural drainage patterns. Any disturbance to drainage or water management practices shall be managed within the Participating Property and on-site in order to not negatively impact surrounding properties as a result of the development. This shall be maintained for the duration of the operation of the Utility-Scale WES and shall be able to be returned to pre-existing conditions following decommissioning. Any existing drainage tiles that are identified on Participating Property shall be shown on the as-built drawings submitted following construction. Prior to the start of construction, any existing drain tile shall be inspected by robotic camera and the imagery submitted to the Township for baseline documentation on tile condition. Any damage shall be repaired, and a report submitted to the property owner and Township. While the Utility-Scale WES is in operation, the Owner/Operator shall reinspect the drain tiles every two (2) years by robotic camera for any damage and shall repair any damage within 60 days of discovery. The Owner/Operator shall report the inspection, along with any damage and repair, to the Township within 90 days after each two-year deadline. The Township reserves the right to have the Building Inspector, County Drain Commissioner, or other agent present at the time of repair. WES support structures and/or foundations shall be constructed to preserve any drainage field tile or system.
20. Access Routes: Access drives are subject to the approval of the County Road Commission to the extent of the Road Commission's jurisdiction. All access drives and roads within the site shall be adequately maintained for emergency vehicle use, including winter maintenance.

21. As-Built Drawings: The Owner/Operator shall submit "as built" drawings with dimensions relative to Participating Property lines of all new structures including Utility-Scale WES and buried cable both inside and outside fenced areas upon completion and before any power is generated by any Utility-Scale WES. The as built drawings shall be a scale of 1 inch = 200 feet.
22. Signs: Signs are permitted but shall comply with Section 8.3. Each Utility-Scale WES shall include at least one sign identifying the Owner/Operator and providing a 24-hour emergency contact telephone number.
23. Emergency Action Plan and Training: Before the Utility-Scale WES is operational, the Owner/Operator shall provide the necessary training, equipment, or agreements specified in the application to Township or other emergency personnel.
24. Decommissioning and/or Abandonment:
 - a. If a Utility-Scale WES is abandoned or otherwise non-operational for a period of six months, the Owner/Operator shall notify the Township and shall remove the Utility-Scale WES within six months after the date of abandonment. Removal requires receipt of a demolition permit and full restoration of the site in accordance with the provisions of this Section and to the satisfaction of the Zoning Administrator. The site shall be filled and covered with topsoil and restored to a state compatible with the surrounding vegetation. The requirements of this subsection also apply to a Utility-Scale WES that is never fully completed or operational if construction has been halted for a period six months.
 - b. The decommissioning plan shall be written to provide security to the Township equal to at least 125% of the cost to remove and dispose of all Utility-Scale WES, removal of all wiring, footings, and pilings, (regardless of depth), and restoration of the land to its original condition. The value of decommissioning shall be determined by a third-party financial consultant or engineer selected by the Township and paid for by the Owner/Operator. The cost of decommissioning shall be exclusive of any estimated salvage value. The decommissioning security shall be paid in cash to the Township. Once the value of decommissioning is determined, it shall be updated on a periodic basis of not less than every 2 years and additional security shall be required based on the average of the Consumer Price Index published from time to time by the Bureau of Labor Statistics for the preceding 2 years.
 - c. All abandonment and decommissioning work shall be done when soil is dry.
 - d. Participating Property shall be restored to its original topography within three hundred sixty-five (365) days of abandonment or decommissioning. An extension may be granted if a good faith effort has been demonstrated and any delay is not the result of actions or inaction of the Owner/Operator.

- e. If land balancing is required, all topsoil will be saved and spread evenly over balanced area according to the existing topography map provided at the time of application.
- f. An annual report shall be provided to the Zoning Administrator showing continuity of operation and the Owner/Operator shall notify the Zoning Administrator if the use is to cease, prior to decommissioning, or abandonment.
- g. Continuing Obligations: Failure to keep any required financial security in full force and effect at all times while a Utility-Scale WES exists or is in place shall constitute a material and significant violation of the special land use permit, and this Ordinance, and will subject the Owner/Operator (jointly and severally, if more there is more than one owner or operator) to all remedies available to the Township, including any enforcement action, civil action, request for injunctive relief, and revocation of the special land use permit.
- h. The Township shall have the right to seek injunctive relief to effect or complete decommissioning, as well as the right to seek reimbursement from the Owner/Operator for decommissioning costs in excess of the amount deposited in escrow and to file a lien against any real property of the Owner/Operator for the amount of the excess, and to take all steps allowed by law to enforce said lien.
- i. At the time of decommissioning, the Planning Commission may allow deviations from the above decommissioning requirements following notice and a public hearing in accordance with Section 103 of the Zoning Enabling Act.

25. Complaint Resolution: Utility-Scale WES shall provide a complaint resolution process, as described below:

- a. Participating Property upon which a Utility-Scale WES is located shall have signs posted with contact information to collect complaints.
- b. A log shall be kept by the Owner/Operator of all complaints received and shall be available to Township officials for review at the Township's request.
- c. The Owner/Operator shall respond to complainants within ten (10) business days and shall provide notification to the Zoning Administrator.
- d. Any resolution shall include lawful and reasonable solutions consistent with this Ordinance, which shall also be provided to the Zoning Administrator. If the mitigation plan is determined to be satisfactory, the Owner/Operator must implement the mitigation within 30 days.
- e. If the Owner/Operator fails to implement the mitigation plan, the Planning Commission shall hold a public hearing for the purpose of considering revocation of the special land use permit pursuant to the process under Section 13.06.E of this Ordinance. If the Owner/Operator implements the mitigation plan prior to the hearing date, the hearing may be cancelled.

- f. If the Owner/Operator requests that the Zoning Board of Appeals review the complaint it must do so within thirty (30) days following the date the Owner/Operator is notified of the complaint. Upon the timely request of the Owner/Operator, the Zoning Board of Appeals shall hold a public hearing and shall hear evidence from both the complainant, and the Owner/Operator. Following the public hearing, the Zoning Board of Appeals shall make one of the following determinations:
 - i. The Owner/Operator is in compliance with the Ordinance and all conditions of approval, and no further action is needed.
 - ii. The Owner/Operator is out of compliance with either the Ordinance, or the conditions of approval, or both, and the Owner/Operator must submit a mitigation plan to the Zoning Administrator within 60 days. If no mitigation plan is submitted, the Zoning Administrator shall notice a public hearing of the Planning Commission for the purpose of revoking the special land use permit. If the special land use permit is revoked, the abandonment process shall begin.
- g. The Owner/Operator shall provide an annual report to the Zoning Administrator that details all complaints received, the status of complaint resolution, and actions taken to mitigate complaints.

26. Required Escrow Account: The Owner/Operator of a Utility-Scale WES shall be required, as a condition of the operation, to fund an escrow account in the amount of \$15,000 for investigation of complaints, including but not limited to, noise, glare, maintenance, shadow flicker, vibrations, ice throws, lighting, stray voltage, signal interference, and drainage. The escrow established by this subsection may be used at the discretion of the Township to pay for third-party investigative services. Funds shall be deposited with the Township Treasurer, or with a third-party fiduciary, at the discretion of the Township. When the escrow account balance is below \$5,000 the Township shall notify the Owner/Operator and the Owner/Operator shall replenish the account to an amount of \$15,000 within 45 days.

27. Maintenance and Repair:

- a. Each Utility-Scale WES shall be kept and maintained in good repair and condition at all times and the site shall be neat, clean, and free of refuse, waste, or unsightly, hazardous, or unsanitary conditions. All Utility-Scale WES damaged beyond repair or use shall be replaced and removed from the project site within seven (7) days and shall be disposed of off-site in accordance with any state or federal requirements.
- b. If the Zoning Administrator or Planning Commission determines that a Utility-Scale WES fails to meet the requirements of this Ordinance or the special land use permit, the Zoning Administrator or Planning Commission shall provide notice to the Owner/Operator of the non-compliance, and the Owner/Operator has 14 days to cure the violation. If the violation is a safety hazard as determined by the Zoning

Administrator or Planning Commission, then the Owner/Operator has 7 days to cure the violation. If the Owner/Operator has not remedied non-compliance issues in the aforementioned time periods, the Owner/Operator shall immediately shut down the Utility-Scale WES and shall not operate, start or restart the Utility-Scale WES until the issues have been resolved. If the Owner/Operator fails to bring the Utility-Scale WES into compliance, the Township may seek relief at law or equity to abate the nuisance and may also issue a municipal civil infraction citation. Each violation for which the Owner/Operator is deemed responsible shall result in a \$500.00 fine.

- c. The Owner/Operator shall keep a maintenance log on each Utility-Scale WES, which shall be available for the Township's review within 48 hours of such request.
- d. At the time of the Special Land Use application, the Owner/Operator shall submit two (2) third-party contractor bids for construction of all fencing, landscaping, and drainage improvements associated with the utility scale wind energy system. A performance bond in the amount of 125% of the higher bid shall be provided to the Township to ensure completion. The Township may use the bond to complete or repair any landscaping, fencing, or drainage infrastructure (including drain tiles).

28. Extraordinary Events: If the Utility-Scale WES experiences a failure, fire, leakage of hazardous materials, personal injury, or other extraordinary or catastrophic event, the Owner/Operator shall notify the Township within 8 hours.

29. Annual Report: The Owner/Operator shall submit a report on or before January 1 of each year that includes all of the following:

- a. Amount of electric generation;
- b. Current proof of insurance with the Township and Participating Property owner(s) shown as named insured;
- c. Verification of financial security; and
- d. A summary of all complaints, complaint resolutions, and extraordinary events.

Additionally, the Owner/Operator shall appear before the Planning Commission annually to report on the Utility-Scale WES and address questions or concerns from the Planning Commission.

30. Inspections: The Township may inspect a Utility-Scale WES at any time by providing 24 hours advance notice to the Owner/Operator.

31. Transferability: A special land use permit for a Utility-Scale WES is transferable to a new owner. The new owner shall register its name, Federal Employer Identification Number, and business address 30 days prior to the transfer date with the Township and shall comply with this Ordinance and all approvals and conditions issued by the Township.

- a. In the event of a sale or transfer of ownership and/or operation of the wind facility, the original security bond or escrow shall be maintained throughout the entirety of the process and shall not be altered. The estimated costs of decommissioning shall be resubmitted, and the security bond adjusted to account for the new estimate.
- b. Any proposed amendments to the approved site plan of the special land use permit shall be submitted to the Zoning Administrator pursuant to Section 7.9 of the Zoning Ordinance and, except as provided below, shall follow the process therein.

32. Amendments:

- a. Major site plan amendments shall follow the same process for the original approval, including a public hearing and include any of the following:
 - i. Changes of the location of turbines, fencing, buildings, or ancillary equipment by 10 feet or more.
 - ii. Any increase in the height of wind turbines.
 - iii. Any variance request.
 - iv. Any other change not included below as a minor site plan amendment.
- b. Minor site plan amendments may be approved by the Zoning Administrator and include changes of the location of a Utility-Scale WES, fencing, buildings, or ancillary equipment by less than 10 feet.

33. Remedies. If an Owner/Operator fails to comply with this Ordinance, the Township, in addition to any other remedy under this Ordinance, shall revoke the special land use permit and site plan approval after giving the Owner/Operator notice and an opportunity to be heard. Additionally, the Township may pursue any legal or equitable action to abate a violation and recover any and all costs, including the Township's actual attorney fees and costs.

C. Utility-Scale WECS Under PA 233: On or after November 29, 2024, once PA 233 of 2023 is in effect, then the following provisions apply to Utility-Scale WECS with a nameplate capacity of 100 megawatts or more. Utility-Scale WECS with a nameplate capacity of 100 megawatts or more shall only be permitted as a special land use in the Renewable Energy Overlay District as shown on the Palmyra Township Zoning Map.

To the extent the following provisions conflict with the provisions in Sections 8.14(A)-(B), these provisions control as to Utility-Scale WECS with a nameplate capacity of 100 megawatts or more. All provisions in Sections 8.14(A)-(B) that do not conflict with this subsection C remain in full force and effect and shall be applicable to all Utility-Scale WECS regardless of nameplate capacity. The following provisions do not apply if PA 233 of 2023 is repealed, enjoined, or otherwise not in effect, and do not apply to Utility-Scale WECS with a nameplate capacity of less than 100 megawatts.

1. Setbacks. Utility-Scale WECS must comply with the following minimum setback requirements, with setback distances measured from the center of the base of the wind tower:

Setback Description	Setback Distance
Occupied community buildings and dwellings on nonparticipating properties	2.1 times the maximum blade tip height to the nearest point on the outside wall of the structure
Residences and other structures on participating properties	1.1 times the maximum blade tip height to the nearest point on the outside wall of the structure
Nonparticipating property lines	1.1 times the maximum blade tip height
Public road right-of-way	1.1 times the maximum blade tip height to the center line of the public road right-of-way
Overhead communication and electric transmission, not including utility service lines to individual houses or outbuildings	1.1 times the maximum blade tip height to the center line of the easement containing the overhead line

2. Shadow Flicker. Each wind tower must be sited such that any occupied community building or nonparticipating residence will not experience more than 30 hours per year of shadow flicker under planned operating conditions as indicated by industry standard computer modeling.
3. Height. Each wind tower blade tip must not exceed the height allowed under the Determination of No Hazard to Air Navigation by the Federal Aviation Administration under 14 CFR part 77.
4. Noise. The Utility-Scale WECS must not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.
5. Lighting. The Utility-Scale WECS must be equipped with a functioning light-mitigating technology. To allow proper conspicuity of a wind turbine at night during construction, a turbine may be lighted with temporary lighting until the permanent lighting configuration, including the light-mitigating technology, is implemented. The Township may grant a temporary exemption from the requirements of this subparagraph if installation of appropriate light-mitigating technology is not feasible. A request for a temporary exemption must be in writing and state all of the following:
 - a. The purpose of the exemption.
 - b. The proposed length of the exemption.

- c. A description of the light-mitigating technologies submitted to the Federal Aviation Administration.
 - d. The technical or economic reason a light-mitigating technology is not feasible.
 - e. Any other relevant information requested by the Township.
6. Radar Interference. The Utility-Scale WECS must meet any standards concerning radar interference, lighting (subject to subparagraph 5), or other relevant issues as determined by the Township.
7. Environmental Regulations. The Utility-Scale WECS must comply with applicable state or federal environmental regulations.
8. Host Community Agreement. The applicant for a special land use permit for a Utility-Scale WECS shall enter into a host community agreement with the Township. The host community agreement shall require that, upon commencement of any operation, the Utility-Scale WECS owner must pay the Township \$2,000.00 per megawatt of nameplate capacity. The payment shall be used as determined by the Township for police, fire, public safety, or other infrastructure, or for other projects as agreed to by the local unit and the applicant.

Section 6 Validity and Severability.

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Section 7. Repealer.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 8. Effective Date.

This Ordinance takes effect 7 days after a notice of its adoption is published.

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**Palmyra Township
Special Planning Commission Meeting
November 20, 2024**

The meeting was called to order at 7 pm and the Pledge of Allegiance was led by Chairperson, Ryan Mapstone.

Present: Ryan Mapstone, Carmen Loar, Vivian Pell, Mark Crane, Rich Beauleaux, John Turpening

Absent: None

Audience in attendance: 49

Motion by Mark Crane to approve agenda as presented, carried by Carmen Loar.
Motion carried.

Motion by Mark Crane to approve November 8, 2024 Special Meeting minutes as written, carried by John Turpening. **Motion Carried.**

Written Comments

- None

Public Comments

- Public Comment Rules read by Carmen Loar.

Public Hearing

Motion by John Turpening to open Public Hearing, supported by Mark Crane. **Motion carried at 7:04 pm.**

- David Pixley provided applications for the Planning Commission and encouraged the public to apply.
- Ryan Powell spoke of concerns regarding the future of Palmyra Township. Spoke of concerns of the previous vote being overturned and the size of the proposed project.
- Travis Cagle expressed concerns over the project and timeline. Stated he had surveyors in his yard recently and would like details regarding the proposed project.
- Morgan Powell inquired why the township did not join the Foster Swift lawsuit and stated Palmyra Township should have joined the "lawsuit". John Turpening explained PA 233 and the appeal by Foster Swift. Powell stated she felt the township was not represented properly because they did not join the lawsuit.

- Blake Brosamer shared previous experience with solar and the effects it has on properties. Stated the projects are loud and take time to build. Stated those with leases should read the fine print.
- Amber Southward informed the Planning Commission that she invested in property in Palmyra Township to build her dream home. States her property is now surrounded by the proposed project. Spoke of her concerns for decreased property values when the project is built and concerns that there was no prior notice of the proposed project.
- RWE Attorney, Mike Voight, expressed interest in working with the township to obtain a permit and avoid going to the MPSC. States there are benefits of the township working with the developer that include addressing local concerns. Spoke of the proposed changes to the existing ordinance previously provided and requested the Planning Commission consider those changes.
- Travis Cagle spoke again and suggested the township work with the developer to get better setbacks, noise control, wiring placed underground, and care for the proposed project as it ages. John Turpening explained the proposed motions would follow guidance from Foster Swift. This would limit the project size to 700 acres. Ryan Mapstone addressed the process of what led to the proposed motions. Explained there have been multiple meetings and publications regarding PA 233.
- Drew Snyder questioned where the funding for the project is coming from and the financial benefit for the township. Township attorney David Lacasse explained more details will be learned when a detailed site plan is provided if the project goes through the township. Township will financially benefit from property taxes and/or tax structure and potential grant funding. Snyder expressed concerns for water safety during development and long-term maintenance of the project. Lacasse addressed the options for maintenance that would be included in the site plan and the decommissioning process.
- Blake Brosamer spoke regarding solar companies being exempt from taxes. Lacasse explained how taxes typically work when the land is leased, but states he had not seen leases for the proposed project.
- Matt Drennan, representative from ESA Solar, offered to share Economic Impact Report and offered business cards to anyone interested in talking about the project.
- Ryan Powell expressed desire to continue to fight to prevent the development of the project. Stated "this is the time to stand up and fight". States concern that his home will be surrounded by the project. States ESA is not "our friends" and here to make millions of dollars off of Palmyra Township.

- Mark Crane introduced himself. Stated the Planning Commission has three options.
 1. Do nothing. Developers would go to the MPSC for approval.
 2. Work with a CREO and the definition of a CREO is up for debate at this time. If a CREO is in place, the developer must work with the township.
 3. Develop a workable ordinance. This means workable by developer. Includes changes to setbacks and other areas.

Planning Commission currently discussing CREO and that may or may not work. This will go to the Lenawee County Planning Commission and then will be provided to the Board for approval.
- Rick Knierim stated he was approached by ESA previously and presented with a proposed lease in 2021. States he spoke with Matt Drennan following the referendum vote. States Drennan stated "we have one ace up our sleeve" and requested they move forward with the lease. Expressed concerns for the development process and Consumer's Energy involvement.
- Morgan Powell readdressed the Planning Commission and stated desire to move forward with CREO. Requests Palmyra Township be added to the Foster Swift appeal and offered financial resources.
- Travis Cagle requested information regarding the boundaries of the proposed project. Expressed concern for the damage to township roads and conflicting information regarding the employment opportunities. John Turpening encouraged everyone attend the Board Meeting.
- Conrad MacBeth encouraged everyone to read the fine print details and specifically addressed concerns regarding the company paying fines rather than maintaining the project. Inquired why the landfill is not being utilized. Ryan Mapstone informed MacBeth the landfill is still considered open and therefore cannot be used. MacBeth encouraged the use of brown field rather than farm ground for development.
- Alison Prielipp expressed concerns over upkeep of proposed project. Disappointment regarding the Township benefits of the project. Requested economic plan information be provided on township website. Stated "solar is not the best use for our precious land".
- Conrad MacBeth encouraged everyone to visit Fremont, OH to see the effects of solar development. States topsoil was stripped from area and removed from area during development.
- Alison Prielipp stated utilities are currently being marked near her property and requested additional information regarding timeline.
- Cary Carrico encouraged the township to continue to fight development. Stated the people did not want this and encouraged the township to fight for the next two years while awaiting new state administration.

- John Angelee of Ogden Township spoke of concerns regarding windmills. Questioned the efficiency of windmills and the land needed for development. Concerned for land damage.
- Mike Pancone commented about seeing Miss Dig and the timeline of the project.
- Chris McCallister thanked everyone for attending the meeting. Encouraged everyone to get involved in legislature at all levels. Informed of legislature to take control of local mining operations by the State.
- Mark Crane encouraged the public to attend meetings and make their opinions known.

Motion to close public hearing by Mark Crane, supported by John Turpening. **Motion carried at 8:08 pm.**

Unfinished Business

Solar, Wind, and Utility Scale Battery Energy Storage Systems:

- David Lacasse explained changes he made to the ordinance to incorporate documents into the existing ordinance. Added Renewable Energy Overlay District to wind and battery. Replaced subsection E in Section 8.13 and adjusted letters accordingly. Information to be added to the existing ordinance. Does not change existing ordinance regarding solar systems less than 50 megawatts.
- Lacasse reports the Foster Swift appeal has been filed. Uncertain if there is any information regarding a stay of development while appeal is in process. Appeal addressed the definition of an ALU, hybrid projects, and definition of a CREO.

Motions

Creation of Renewable Energy Overlay District:

- Motion by John Turpening to create Renewable Energy Overlay District as defined by east of Humphrey Highway, south of the River Raisin, and north of US 223. Supported by Rich Beauleaux.

Roll call vote: Ryan-Yes; Mark- Yes; Vivian- yes; John-Yes; Rich- Yes; Carmen-Yes. **Motion carried.**

Solar Energy Systems:

- Motion by John Turpening to amend subsection E, 8:13 and re-lettering of sections E-K. Supported by Rich Beauleaux.

Roll call vote: Ryan-Yes; Mark- Yes; Vivian- yes; John-Yes; Rich- Yes; Carmen-Yes. **Motion carried.**

Utility Scale Battery Energy Storage Systems:

- Motion by John Turpening to amend ordinance to add Section 2.74 and Section 8.15 that defines Utility Scale Battery Energy Storage Systems. Supported by Rich Beauleaux.

Roll call vote: Ryan-Yes; Mark- Yes; Vivian- yes; John-Yes; Rich- Yes; Carmen-Yes. **Motion carried.**

Wind Energy Systems:

- Motion by John Turpening to repeal Section 2.66.1, 2.66.2, and 2.66.3 and add new Section 2.66.1 regulating Wind Energy Systems. Supported by Rich Beauleaux.

Roll call vote: Ryan-Yes; Mark- Yes; Vivian- yes; John-Yes; Rich- Yes; Carmen-Yes. **Motion carried.**

Motion to send material to Lenawee County Planning Commission by Carmen Loar. Supported by Ryan Mapstone. **Motion carried.**

New Business:

- Scheduling of future meetings. Discussion regarding the need for monthly meetings. All members agree that meetings need to be monthly.
- Ryan Mapstone suggested appointing a co-Chairperson for next year.
- Mark Crane presented a letter regarding overhead transmission line from NextEra Solar. Requesting permission to connect line under Essential Services.

Next meeting: December 20th, 2024 at 6 pm

Motion to adjourn meeting at 8:45 pm by John Turpening. Supported by Vivian Pell. **Motion carried.**

These minutes were recorded by Carmen Loar.

Palmyra Township
Planning Commission Special Meeting
October 22, 2024

The meeting was called to order at 7 pm and the Pledge of Allegiance was led by Chairperson, Ryan Mapstone.

Present: Ryan Mapstone, Carmen Loar, Vivian Pell, Mark Crane, Rich Beauleaux, John Turpening

Absent: None

Audience in attendance: 7

Motion by Mark Crane to approve agenda as presented carried by Carmen Loar.

Motion carried.

Motion by Ryan Mapstone to approve October 15, 2024 Regular Meeting minutes as amended, by changing "greater" to "less" in bullet point five under Old Business, carried by John Turpening. **Motion Carried.**

Written Comments

- None

Public Comments

- None

Old Business

Compatible Renewable Energy Ordinance

- David Lacasse provided a summary of the MTA education. Stated MTA believes litigation is coming regarding the Hybrid 50 megawatts or greater and the definition of an ALU. Stated as of now, there is no legal way to keep large scale solar energy systems out of townships. Informed members that MTA is working on releasing a model workable ordinance that is compliant with PA 233.
- ESA attorney provided Planning Commission with updated redline document.
- John Turpening informed members of the Planning Commission of an appeal of the MPSC ruling that is in the process of being filed. Stated Foster Swift

Collins & Smith are currently in the process of filing an appeal with plans to move forward in November.

- David informed members that an appeal of PA 233 or the MPSC ruling does not automatically stop development from occurring within the township while being litigated.

Battery Storage

Motion by John Turpening, carried by Mark Crane. "I move that we recommend the Foster Swift draft battery ordinance with the overlay district being defined as that area south of the River Raisin, north of US 223 and east of Humphrey Highway."

Roll call vote: Ryan-No; Vivian- Yes; Mark- Yes; Rich- Yes; Carmen- Yes.

Motion carried.

Solar Ordinance

Motion by John Turpening, carried by Mark Crane. "I move that we recommend the Foster Swift draft solar ordinance with the overlay district being defined as that area south of the River Raisin, north of US 223 and east of Humphrey Highway."

Roll call vote: Ryan-No; Vivian- Yes; Mark- Yes; Rich- Yes; Carmen- Yes.

Motion carried.

Wind Ordinance

Motion by John Turpening, carried by Mark Crane. "I move that we recommend the Foster Swift draft wind ordinance with the overlay district being defined as that area south of the River Raisin, north of US 223 and east of Humphrey Highway."

Roll call vote: Ryan-No; Vivian- Yes; Mark- Yes; Rich- Yes; Carmen- Yes.

Motion carried.

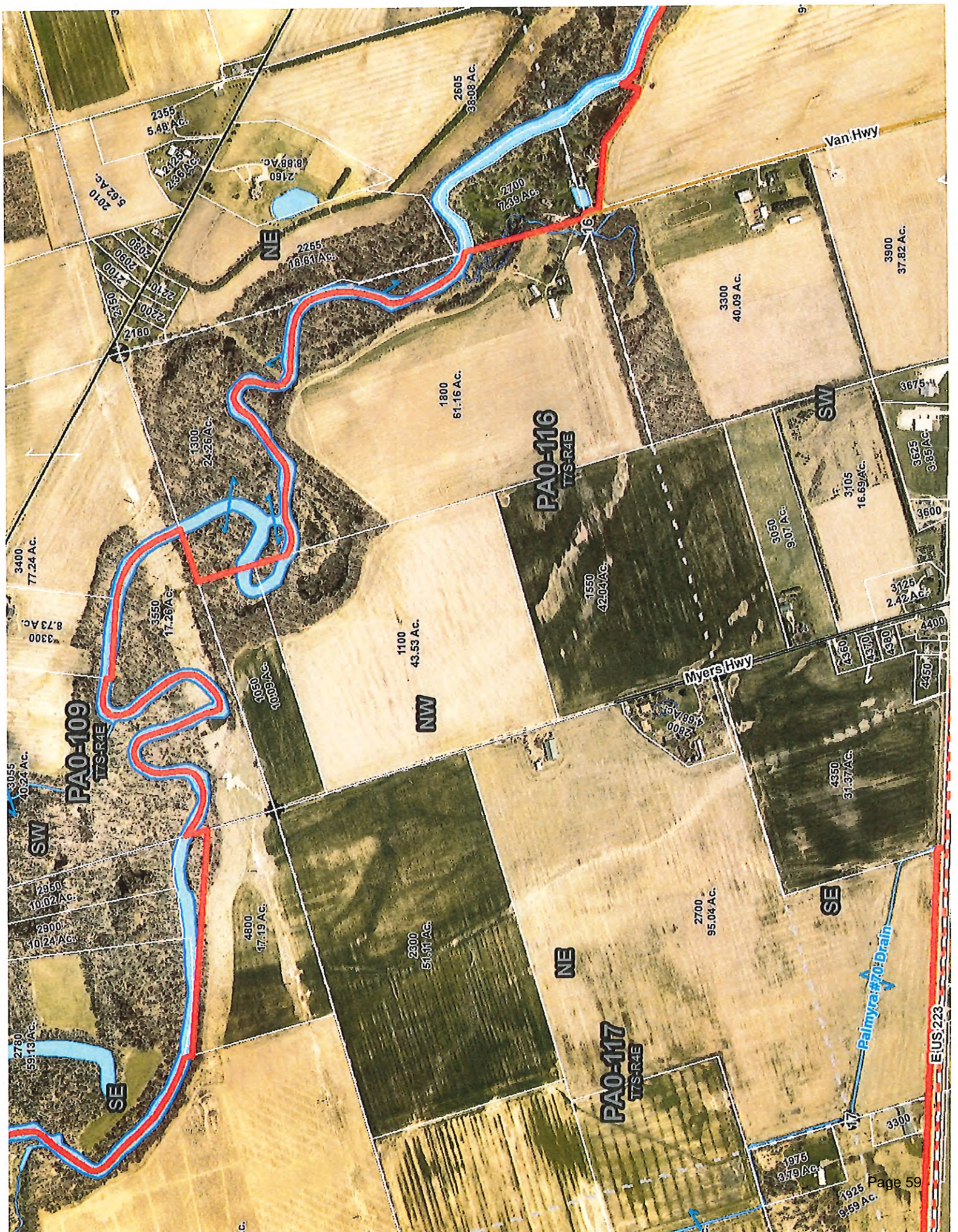
New Business

- None

Next meeting: November 8, 2024

Motion to adjourn meeting at 7:38 pm by John Turpening. Supported by Rich Beaulaux. **Motion carried.**

These minutes were recorded by Carmen Loar.



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Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)

120 W. Michigan Avenue • Jackson, MI 49201

Phone (517) 788-4426 • Fax (517) 788-4635

Coordinated Zoning Report | #24-27

To: County Planning Commissioners

From: Jacob Hurt, R2PC Executive Director

Date: December 11, 2024

Proposal: **Text Amendment to the Palmyra Township Zoning Ordinance regarding utility-scale battery energy storage systems**

Analysis and Advisement

Background – The Palmyra Township Planning Commission wishes to amend Section 2 and Section 8 of the Palmyra Township Zoning Ordinance regarding utility-scale battery energy storage systems. The proposed amendment adds a new Section 2.75 (attached) and a new Section 8.15 (attached). The purpose of the Ordinance is to adopt zoning regulations for battery energy storage systems, and to render certain battery energy storage zoning regulations compatible with Public Act 233 of 2023 ("PA 233") while retaining local control over matters of regulation that are not governed by PA 233.

LCPC Staff Advisement – The proposed text amendments establish local compatibility with PA 233, while retaining local control over matters of regulation not governed by PA 233. The Palmyra Township Planning Commission voted 6-0 to approve the text amendments at their 11/20/2024 special meeting. Based upon the above analysis, staff advises the County Planning Commission to recommend **APPROVAL WITH COMMENT** of the proposed text amendment to the Palmyra Township Board. The proposed text amendment states "Section 2. Addition of New Section 2.75" but then states in the line below that "A new Section 2.74 is added....." Staff recommends approval with the request that the Palmyra Township Planning Commission clarify the addition of Section 2.74/2.75 and determine the correct section numbering.

Recommended Actions:

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS**
- (4) Take **NO ACTION**

Attachment(s):

- Background information provided by Palmyra Township.

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LCPC Case #: 24-27
(For LCPC Use Only)

ZONING AMENDMENT FORM



LENAWEE COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Lenawee County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the LCPC recommendation will be mailed back to the Clerk, who will return a copy to the LCPC with the Township Board Action.

THE Palmyra TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Lenawee County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

1. The above described property has a proposed zoning change FROM _____ ZONE TO _____ ZONE.

2. PURPOSE OF PROPOSED CHANGE: _____

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLES 2 & 8 SECTION 2.75 & 8.15

The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.) Add New Section

2.75 & New Section 8.15 (See Attached)
An Ordinance to Amend the Zoning Ordinance - Utility Scale Battery Storage Systems

C. PUBLIC HEARING on the above amendment was held on: month 11 day 20 year 2024

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month 10 day 30 year 2024

(Notice must be provided at least fifteen days prior to the public hearing.)

E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: Blissfield Advance

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to ☒ APPROVE or ☐ DISAPPROVE.

Carmen Roca ☐ Chair or ☒ Secretary 11 / 15 / 24 (enter date)

LENAWEE COUNTY PLANNING COMMISSION (LCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The LCPC herewith certifies receipt of the proposed amendment on the above date and:

- ☐ Recommends APPROVAL of the zoning change
☐ Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
☐ Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
☐ Takes NO ACTION.

_____, Recording Secretary _____ / _____ / _____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment ☐ PASSED, ☐ DID NOT PASS, or was ☐ REFERRED ANEW to the Township Planning Commission.

Township Clerk

PALMYRA TOWNSHIP

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE REGARDING UTILITY-SCALE BATTERY ENERGY STORAGE SYSTEMS

The Township of Palmyra ordains:

Section 1. Purpose.

The purpose of this Ordinance is to adopt zoning regulations for battery energy storage systems, render certain battery energy storage zoning regulations compatible with Public Act 233 of 2023 ("PA 233") while retaining local control over matters of regulation that are not governed by PA 233, and to promote the public health, safety, and welfare of Township residents.

Section 2. Addition of New Section 2.75.

A new Section 2.74 is added to the Zoning Ordinance and reads in its entirety as follows:

SECTION 2.74 - UTILITY-SCALE BATTERY ENERGY STORAGE SYSTEM ("UBESS")

A physical container providing secondary containment to battery cells that is equipped with cooling, ventilation, fire suppression, and a battery management system.

2.74.1 "Battery management system" means an electronic regulator that manages a utility-scale battery energy storage system by monitoring individual battery module voltages and temperatures, container temperature and humidity, off-gassing of combustible gas, fire, ground fault and DC surge, and door access and capable of shutting down the system before operating outside safe parameters.

2.74.2 "Utility-scale battery energy storage facilities" means one or more devices, assembled together, capable of storing energy in order to supply electrical energy, including battery cells used for absorbing, storing, and discharging electrical energy in a utility-scale battery energy storage system with a battery management system.

Section 3. Addition of New Section 8.15.

A new Section 8.15 is added to the Zoning Ordinance and reads in its entirety as follows:

SECTION 8.15 - UTILITY-SCALE BATTERY ENERGY STORAGE SYSTEM ("UBESS")

A. General Provisions: All UBESS are subject to the following requirements:

1. All UBESS must conform to the provisions of the Zoning Ordinance and all county, state, and federal regulations and safety requirements, including applicable building codes, applicable industry standards, and NFPA 855 "Standard for the Installation of Stationary Energy Storage Systems."

2. The Township may enforce any remedy or enforcement, including but not limited to the removal of any UBESS pursuant to the Zoning Ordinance or as otherwise authorized by law if the UBESS does not comply with this Section.
 3. UBESS are permitted in the Township only as a special land use in the General Industrial District.
- B. Application Requirements: UBESS are permitted as a special land use and require a special land use permit under Article VI. In addition to the requirements of Article VI, applicants shall provide the Township with all of the following:
1. Fee. Application fee in an amount set by resolution of the Township Board.
 2. Escrow. A deposit for an escrow account in an amount set by resolution or fee schedule approved by the Township Board. The escrow account is used to cover all costs and expenses associated with the special land use review and/or approval process, which costs can include, but are not limited to, review fees of the Township Attorney, Township Planner, and Township Engineer, as well as any reports or studies which the Township anticipates will be required during the review and/or approval process for the application. At any point during the review process, the Township may require that the applicant place additional monies into escrow with the Township if the existing escrowed funds on account with the Township will be insufficient, in the determination of the Township, to cover any remaining costs or expenses with the review and/or approval process. If additional funds are required by the Township to be placed in escrow and the applicant refuses to do so within 14 days after receiving notice, the Township will cease the zoning review and/or approval process until and unless the applicant makes the required escrow deposit. Any escrow amounts in excess of actual cost will be returned to the applicant. An itemized billing of all expenses will be provided to the applicant upon request.
 3. Location Listing. A list of all parcel numbers that will be used by the UBESS; documentation establishing ownership of each parcel; and any lease agreements, easements, or purchase agreements for the subject parcels.
 4. Operations Agreement. An operations agreement setting forth the operations parameters, the name and contact information of the operator, the applicant's inspection protocol, emergency procedures, and general safety documentation.
 5. Photos. Current photographs, videos, and topography maps of the subject property.
 6. Conceptual Plan. A conceptual plan that consists of a graphical computer-generated depiction of how the UBESS will appear from all directions.
 7. Site Plan. A site plan that includes all proposed structures and the location of all equipment, as well as all setbacks, the location of property lines, signage, fences,

drain tiles, easements, floodplains, bodies of water, proposed access routes, and road right of ways. The site plan must be drawn to scale and must indicate how the UBESS will be connected to the power grid.

8. Agreement with Utility. A copy of the applicant's power purchase agreement or other written agreement with an electric utility showing approval of an interconnection with the proposed UBESS.
9. Maintenance Plan. A written plan for maintaining the subject property, including a plan for maintaining and inspecting drain tiles and addressing stormwater management, which is subject to the Township's review and approval.
10. Decommissioning Plan. A decommissioning and land reclamation plan describing the actions to be taken following the abandonment or discontinuation of the UBESS, including evidence of proposed commitments with property owners to ensure proper final reclamation, repairs to roads, and other steps necessary to fully remove the UBESS and restore the subject parcels, which is subject to the Township's review and approval.
11. Financial Security. Financial security that meets the requirements of this Section, which is subject to the Township's review and approval.
12. Complaint Resolution Plan. A plan for resolving complaints from the public or other property owners concerning the construction and operation of the UBESS, which is subject to the Township's review and approval.
13. Hazardous Waste Plan. A plan for managing any hazardous waste, which is subject to the Township's review and approval.
14. Emergency Response Plan. A written emergency response plan detailing the applicant's plan for responding to emergencies, including fire emergencies, and analyzing whether adequate resources exist to respond to fires and other emergencies. If adequate resources do not exist, the applicant shall identify its plan for providing those resources. The emergency plan shall include identification of potential hazards to adjacent properties, public roadways, and to the community in general that may be created, as well as plans for immediate cleanup, long-term monitoring, and continued mitigation efforts following an emergency.
15. Fire Protection Plan. A fire protection plan, which identifies the fire risks associated with the UBESS; describes the fire suppression system that will be implemented, including the manufacturer of the fire suppression system, its operations, and its capacity to extinguish fires; describes what measures will be used to reduce the risk of fires re-igniting (i.e., implementing a "fire watch"); identifies the water sources that will be available for the local fire department to protect adjacent properties;

identifies a system for continuous monitoring, early detection sensors, and appropriate venting; and explains all other measures that will be implemented to prevent, detect, control, and suppress fires and explosions.

16. Fire Training and Equipment. A written description of specialized training and/or equipment necessary for handling fires and/or other emergencies at the UBESS site. The training plan must include, at a minimum, annual emergency response training for local firefighters and other local emergency personnel at the site of the UBESS.
 17. Transportation Plan. A transportation plan for construction and operation phases, including any applicable agreements with the County Road Commission and Michigan Department of Transportation, which is subject to the Township's review and approval.
 18. Indemnification. An attestation that the applicant will indemnify and hold the Township harmless from any costs or liability arising from the approval, installation, construction, maintenance, use, repair, or removal of the UBESS, which is subject to the Township's review and approval.
 19. Environmental Regulation Compliance. Proof of environmental compliance, including compliance with Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act; (MCL 324.3101 et. seq.; Part 91, Soil Erosion and Sedimentation Control (MCL 324.9101 et. seq.) and any corresponding County ordinances; Part 301, Inland Lakes and Streams, (MCL 324.30101 et. seq.); Part 303, Wetlands (MCL 324.30301 et. seq.); Part 365, Endangered Species Protection (MCL 324.36501 et. seq.); and any other applicable laws and rules in force at the time the application is considered by the Township.
 20. Proof of Insurance. Proof of the owner/operator's required insurance.
 21. Code Compliance. Compliance with the Michigan Uniform Building Code and National Electric Safety Code. Construction of Utility-Scale Battery Energy Storage Facilities shall comply with the most current version of the Michigan Uniform Building Code and National Electrical Code adopted by the enforcing agencies as a condition of any special land use permit under this Section.
 22. Additional Information. Any additional information or documentation requested by the Planning Commission, Township Board, or other Township representative.
- C. Site Plan Requirements: UBESS are permitted as a special land use and require site plan approval under Article VII. In addition to the requirements of Article VII, applicants' site plans shall include all of the following:
1. Proposed Locations. Location of all proposed structures and buildings, including equipment, transformers, and substations, on the subject parcel.

2. Existing Locations. Location of all existing structures or buildings on the subject parcel and location of all existing structures or buildings on adjacent parcels within 1,000 feet of the property lines of the subject parcel.
3. Depictions. Depiction of all setbacks, property lines, fences, signs, drain tiles, easements, flood plains, bodies of water, proposed access routes, and road rights of way.
4. Connection. Indication of how and where the system will be connected to the power grid.
5. Land Clearing. Plan for any land clearing and grading required for the installation and operation of the system.
6. Ground Cover Plan. Plan for any ground cover establishment and management.
7. Construction Schedule. Anticipated construction schedule and completion date. As a condition of any special land use or site plan approval, hours of construction shall be limited to Monday through Friday from 7:00 a.m. to 5:00 p.m. with no construction on Saturday, Sunday, or any federally recognized holiday.
8. Sound Study. Sound modeling study including sound isolines extending from the sound sources to the property lines.
9. Additional Studies. Any additional studies requested by the Planning Commission, including but not limited to the following:
 - a. Visual Impact Assessment. A technical analysis by a third-party qualified professional of the visual impacts of the proposed project, including a description of the project, the existing visual landscape, and important scenic resources, plus visual simulations that show what the project will look like, a description of potential project impacts, and mitigation measures that would help to reduce the visual impacts created by the project.
 - b. Environmental Analysis. An analysis by a third-party qualified professional to identify and assess any potential impacts on the natural environment including, but not limited to, removal of trees, wetlands and other fragile ecosystems, wildlife, endangered and threatened species. If required, the analysis will identify all appropriate measures to minimize, eliminate or mitigate adverse impacts identified and show those measures on the site plan, where applicable.
 - c. Stormwater Study. An analysis by a third-party qualified professional studying the proposed layout of the UBESS and how the spacing, row separation, and slope affects stormwater infiltration, including calculations for a 100-year rain event.

Percolation tests or site-specific soil information shall be provided to demonstrate infiltration on-site without the use of engineered solutions.

- d. Glare Study. If the UBESS includes solar panels, then an analysis by a third-party qualified professional to determine if glare from the solar panels will be visible from nearby airports, air strips, residences, and roadways may be required. The analysis will consider the changing position of the sun throughout the day and year and its influences on the solar panels.
 10. Conceptual Layout Plan. Applicants shall submit a conceptual layout plan for review prior to submission of a formal site plan. The conceptual site plan shall consist of a map and summary of the proposed development or land use, indicating the lands to be included, a brief description of the proposed project, a timeline for the proposed project, and any other information applicant deems necessary to provide the Planning Commission with a general overview and layout of the proposed project. The conceptual layout plan shall be reviewed by the Planning Commission to allow for discussion and feedback to the applicant.
 11. Approvals from Other Agencies. Final site plan approval may be granted only after the applicant receives all required federal, state, and local approvals, including any applicable approval by the state historic preservation office. Applicant shall provide copies of all review letters, final approved plans, and reports issued by any other governing agencies to the Township.
 12. Topographical Grades. The site plan must show the existing topographical grades in two-foot intervals and conditions of all Participating Property at the time of application.
 13. Soil Test. A baseline soil test including Cation Exchange Capacity (CEC) shall be provided to the Township prior to any construction.
 14. Dust Control. A written description of how the applicant will address dust control during construction. Such plan shall, at a minimum, consist of water applications at least three times per day unless it has rained in the preceding three hours of the planned application.
- D. System and Location Requirements: In addition to the requirements of the relevant zoning district, the site development requirements shall meet or exceed all of the following:
1. Lighting. Lighting of the UBESS is limited to the minimum light necessary for safe operation. Illumination from any lighting must not extend beyond the perimeter of the lot(s) used for the UBESS. The UBESS must not produce any glare that is visible

to neighboring lots or to persons traveling on public or private roads. Flashing or intermittent lights are prohibited.

2. Security Fencing. Security fencing must be installed around all electrical equipment related to the UBESS. Appropriate warning signs must be posted at safe intervals at the entrance and around the perimeter of the UBESS.
3. Noise. All noise measurements are to be instantaneous and shall not be averaged. The noise generated by a UBESS must not exceed the following limits, as measured at the property line of any adjacent parcel:
 - a. 40 dBA Lmax between the hours of 7:00 a.m. and 9:00 p.m.
 - b. 35 dBA Lmax between the hours of 9:00 p.m. and 7:00 a.m.
 - c. The owner/operator of the UBESS shall annually provide for a sound analysis or modeling, conducted by an auditory expert chosen by the Township, at the expense of the applicant.
4. Underground Transmission. All power transmission or other lines, wires, or conduits from a UBESS to any building or other structure must be located underground at a depth that complies with current National Electrical Code standards, except for power switchyards or the area within a substation.
5. Drain Tile Inspections. The UBESS must be maintained in working condition at all times while in operation. The applicant or operator must inspect all drain tile at least once every two years by means of robotic camera, with the first inspection occurring before the UBESS is in operation. The applicant or operator must submit proof of the inspection to the Township. The owner or operator must repair any damage or failure of the drain tile within sixty (60) days after discovery and submit proof of the repair to the Township. The Township is entitled, but not required, to have a representative present at each inspection or to conduct an independent inspection.
6. Fire Protection.
 - a. Before any construction of the UBESS begins, the Township's fire department (or fire department with which the Township contracts for fire service) will review the fire protection plan submitted with the application. The fire chief will determine whether the fire protection plan adequately protects the Township's residents and property and whether there is sufficient water supply to comply with the fire protection plan and to respond to fire or explosion incidents. If the fire chief determines that the plan is adequate, then the fire chief will notify the Township Supervisor of that determination. If the fire chief determines that the plan is inadequate, then the fire chief may propose modifications to the plan, which the applicant or operator of the UBESS must implement. The fire chief's

decision may be appealed to the Township Board, and the Township Board will hear the appeal at an open meeting. The Township Board may affirm, reverse, or modify the fire chief's determination. The Township Board's decision is final, subject to any appellate rights available under applicable law.

- b. The applicant or operator may amend the fire protection plan from time-to-time in light of changing technology or other factors. Any proposed amendment must be submitted to the fire department for review and approval under subsection (a).
 - c. The UBESS must comply with the fire protection plan as approved by the fire chief (or as approved by the Township Board in the event of an appeal).
7. Insurance. The applicant or operator will maintain property/casualty insurance and general commercial liability insurance in an amount of at least \$5 million per occurrence. The Township shall be listed as an additional insured on each policy.
 8. Permits. All required county, state, and federal permits must be obtained before the UBESS begins operating. A building permit is required for construction of a UBESS, regardless of whether the applicant or operator is otherwise exempt under state law.
 9. Decommissioning. If a UBESS is abandoned or otherwise nonoperational for a period of one year, the property owner or the operator must notify the Township and must remove the system within six (6) months after the date of abandonment. Removal requires receipt of a demolition permit from the Building Official and full restoration of the site to the satisfaction of the Zoning Administrator. The site must be filled and covered with top soil and restored to a state compatible with the surrounding vegetation. The requirements of this subsection also apply to a UBESS that is never fully completed or operational if construction has been halted for a period of one (1) year.
 10. Financial Security. To ensure proper decommissioning of a UBESS upon abandonment, the applicant must post financial security in the form of a security bond, escrow payment, or irrevocable letter of credit in an amount equal to 125% of the total estimated cost of decommissioning, code enforcement, and reclamation, which cost estimate must be approved by the Township. The operator and the Township will review the amount of the financial security every two (2) years to ensure that the amount remains adequate. This financial security must be posted within fifteen (15) business days after approval of the special use application.
 11. Extraordinary Events. If the UBESS experiences a failure, fire, leakage of hazardous materials, personal injury, or other extraordinary or catastrophic event, the applicant or operator must notify the Township within 24 hours.

12. Annual Report. The applicant or operator must submit a report on or before January 1 of each year that includes all of the following

- a. Current proof of insurance;
- b. Verification of financial security; and
- c. A summary of all complaints, complaint resolutions, and extraordinary events.

13. Inspections. The Township may inspect a UBESS at any time by providing 24 hours advance notice to the applicant or operator.

14. Transferability. A special use permit for a UBESS is transferable to a new owner. The new owner must register its name and business address with the Township and must comply with this Ordinance and all approvals and conditions issued by the Township.

15. Remedies. If an applicant or operator fails to comply with this Ordinance, the Township, may pursue any remedy or enforcement, including but not limited to the removal of any UBESS pursuant to this Ordinance or as otherwise authorized by law. Additionally, the Township may pursue any legal or equitable action to abate a violation and recover any and all costs, including the Township's actual attorney fees and costs

E. UBESS under PA 233: On or after November 29, 2024, once PA 233 of 2023 is in effect, the following provisions apply to UBESS with a nameplate capacity of 50 megawatts or more and an energy discharge capability of 200 megawatt hours of more. UBESS with a nameplate capacity of 50 megawatts or more and an energy discharge capability of 200 megawatt hours of more shall only be permitted as a special land use in the General Industrial District on or within the Renewable Energy Overlay District as shown on the Palmrya Township Zoning Map.

To the extent these provisions conflict with the provisions in Sections 8.15(A)-(D), these provisions control as to such UBESS. This subsection does not apply if PA 233 of 2023 is repealed, enjoined, or otherwise not in effect, and does not apply to UBESS with a nameplate capacity of less than 50 megawatts. All provisions in Sections 8.15(A)-(D) that do not conflict with this subsection remain in full force and effect.

1. Setbacks. UBESS must comply with the following minimum setback requirements, with setback distances measured from the nearest edge of the perimeter fencing of the facility:

Setback Description	Setback Distance
Occupied community buildings and dwellings on nonparticipating properties	300 feet from the nearest point on the outer wall
Public road right-of-way	50 feet measured from the nearest edge of a public road right-of-way

Nonparticipating parties	50 feet measured from the nearest shared property line
--------------------------	--

2. Installation. The UBESS must comply with the version of NFPA 855 “Standard for the Installation of Stationary Energy Storage Systems” in effect on the effective date of the amendatory act that added this Section or any applicable successor standard.
3. Noise. The UBESS must not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.
4. Lighting. The UBESS must implement dark sky-friendly lighting solutions.
5. Environmental Regulations. The UBESS must comply with applicable state or federal environmental regulations.
6. Host Community Agreement. The applicant shall enter into a host community agreement with the Township. The host community agreement shall require that, upon commencement of any operation, the UBESS owner must pay the Township \$2,000.00 per megawatt of nameplate capacity. The payment shall be used as determined by the Township for police, fire, public safety, or other infrastructure, or for other projects as agreed to by the local unit and the applicant.

Section 4. Validity and Severability.

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Section 5. Repealer.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 6. Effective Date.

This Ordinance takes effect 7 days after a notice of its adoption is published.

87279:00001:200702562-1

**Palmyra Township
Special Planning Commission Meeting
November 20, 2024**

The meeting was called to order at 7 pm and the Pledge of Allegiance was led by Chairperson, Ryan Mapstone.

Present: Ryan Mapstone, Carmen Loar, Vivian Pell, Mark Crane, Rich Beauleaux, John Turpening

Absent: None

Audience in attendance: 49

Motion by Mark Crane to approve agenda as presented, carried by Carmen Loar. **Motion carried.**

Motion by Mark Crane to approve November 8, 2024 Special Meeting minutes as written, carried by John Turpening. **Motion Carried.**

Written Comments

- None

Public Comments

- Public Comment Rules read by Carmen Loar.

Public Hearing

Motion by John Turpening to open Public Hearing, supported by Mark Crane. **Motion carried at 7:04 pm.**

- David Pixley provided applications for the Planning Commission and encouraged the public to apply.
- Ryan Powell spoke of concerns regarding the future of Palmyra Township. Spoke of concerns of the previous vote being overturned and the size of the proposed project.
- Travis Cagle expressed concerns over the project and timeline. Stated he had surveyors in his yard recently and would like details regarding the proposed project.
- Morgan Powell inquired why the township did not join the Foster Swift lawsuit and stated Palmyra Township should have joined the "lawsuit". John Turpening explained PA 233 and the appeal by Foster Swift. Powell stated she felt the township was not represented properly because they did not join the lawsuit.

- Blake Brosamer shared previous experience with solar and the effects it has on properties. Stated the projects are loud and take time to build. Stated those with leases should read the fine print.
- Amber Southward informed the Planning Commission that she invested in property in Palmyra Township to build her dream home. States her property is now surrounded by the proposed project. Spoke of her concerns for decreased property values when the project is built and concerns that there was no prior notice of the proposed project.
- RWE Attorney, Mike Voight, expressed interest in working with the township to obtain a permit and avoid going to the MPSC. States there are benefits of the township working with the developer that include addressing local concerns. Spoke of the proposed changes to the existing ordinance previously provided and requested the Planning Commission consider those changes.
- Travis Cagle spoke again and suggested the township work with the developer to get better setbacks, noise control, wiring placed underground, and care for the proposed project as it ages. John Turpening explained the proposed motions would follow guidance from Foster Swift. This would limit the project size to 700 acres. Ryan Mapstone addressed the process of what led to the proposed motions. Explained there have been multiple meetings and publications regarding PA 233.
- Drew Snyder questioned where the funding for the project is coming from and the financial benefit for the township. Township attorney David Lacasse explained more details will be learned when a detailed site plan is provided if the project goes through the township. Township will financially benefit from property taxes and/or tax structure and potential grant funding. Snyder expressed concerns for water safety during development and long-term maintenance of the project. Lacasse addressed the options for maintenance that would be included in the site plan and the decommissioning process.
- Blake Brosamer spoke regarding solar companies being exempt from taxes. Lacasse explained how taxes typically work when the land is leased, but states he had not seen leases for the proposed project.
- Matt Drennan, representative from ESA Solar, offered to share Economic Impact Report and offered business cards to anyone interested in talking about the project.
- Ryan Powell expressed desire to continue to fight to prevent the development of the project. Stated "this is the time to stand up and fight". States concern that his home will be surrounded by the project. States ESA is not "our friends" and here to make millions of dollars off of Palmyra Township.

- Mark Crane introduced himself. Stated the Planning Commission has three options.
 1. Do nothing. Developers would go to the MPSC for approval.
 2. Work with a CREO and the definition of a CREO is up for debate at this time. If a CREO is in place, the developer must work with the township.
 3. Develop a workable ordinance. This means workable by developer. Includes changes to setbacks and other areas.

Planning Commission currently discussing CREO and that may or may not work. This will go to the Lenawee County Planning Commission and then will be provided to the Board for approval.
- Rick Knierim stated he was approached by ESA previously and presented with a proposed lease in 2021. States he spoke with Matt Drennan following the referendum vote. States Drennan stated "we have one ace up our sleeve" and requested they move forward with the lease. Expressed concerns for the development process and Consumer's Energy involvement.
- Morgan Powell readdressed the Planning Commission and stated desire to move forward with CREO. Requests Palmyra Township be added to the Foster Swift appeal and offered financial resources.
- Travis Cagle requested information regarding the boundaries of the proposed project. Expressed concern for the damage to township roads and conflicting information regarding the employment opportunities. John Turpening encouraged everyone attend the Board Meeting.
- Conrad MacBeth encouraged everyone to read the fine print details and specifically addressed concerns regarding the company paying fines rather than maintaining the project. Inquired why the landfill is not being utilized. Ryan Mapstone informed MacBeth the landfill is still considered open and therefore cannot be used. MacBeth encouraged the use of brown field rather than farm ground for development.
- Alison Prielipp expressed concerns over upkeep of proposed project. Disappointment regarding the Township benefits of the project. Requested economic plan information be provided on township website. Stated "solar is not the best use for our precious land".
- Conrad MacBeth encouraged everyone to visit Fremont, OH to see the effects of solar development. States topsoil was stripped from area and removed from area during development.
- Alison Prielipp stated utilities are currently being marked near her property and requested additional information regarding timeline.
- Cary Carrico encouraged the township to continue to fight development. Stated the people did not want this and encouraged the township to fight for the next two years while awaiting new state administration.

- John Angelee of Ogden Township spoke of concerns regarding windmills. Questioned the efficiency of windmills and the land needed for development. Concerned for land damage.
- Mike Pancone commented about seeing Miss Dig and the timeline of the project.
- Chris McCallister thanked everyone for attending the meeting. Encouraged everyone to get involved in legislature at all levels. Informed of legislature to take control of local mining operations by the State.
- Mark Crane encouraged the public to attend meetings and make their opinions known.

Motion to close public hearing by Mark Crane, supported by John Turpening. **Motion carried at 8:08 pm.**

Unfinished Business

Solar, Wind, and Utility Scale Battery Energy Storage Systems:

- David Lacasse explained changes he made to the ordinance to incorporate documents into the existing ordinance. Added Renewable Energy Overlay District to wind and battery. Replaced subsection E in Section 8.13 and adjusted letters accordingly. Information to be added to the existing ordinance. Does not change existing ordinance regarding solar systems less than 50 megawatts.
- Lacasse reports the Foster Swift appeal has been filed. Uncertain if there is any information regarding a stay of development while appeal is in process. Appeal addressed the definition of an ALU, hybrid projects, and definition of a CREO.

Motions

Creation of Renewable Energy Overlay District:

- Motion by John Turpening to create Renewable Energy Overlay District as defined by east of Humphrey Highway, south of the River Raisin, and north of US 223. Supported by Rich Beauleaux.

Roll call vote: Ryan-Yes; Mark- Yes; Vivian- yes; John-Yes; Rich- Yes; Carmen-Yes. **Motion carried.**

Solar Energy Systems:

- Motion by John Turpening to amend subsection E, 8:13 and re-lettering of sections E-K. Supported by Rich Beauleaux.

Roll call vote: Ryan-Yes; Mark- Yes; Vivian- yes; John-Yes; Rich- Yes; Carmen-Yes. **Motion carried.**

Utility Scale Battery Energy Storage Systems:

- Motion by John Turpening to amend ordinance to add Section 2.74 and Section 8.15 that defines Utility Scale Battery Energy Storage Systems. Supported by Rich Beauleaux.

Roll call vote: Ryan-Yes; Mark- Yes; Vivian- yes; John-Yes; Rich- Yes; Carmen-Yes. **Motion carried.**

Wind Energy Systems:

- Motion by John Turpening to repeal Section 2.66.1, 2.66.2, and 2.66.3 and add new Section 2.66.1 regulating Wind Energy Systems. Supported by Rich Beauleaux.

Roll call vote: Ryan-Yes; Mark- Yes; Vivian- yes; John-Yes; Rich- Yes; Carmen-Yes. **Motion carried.**

Motion to send material to Lenawee County Planning Commission by Carmen Loar. Supported by Ryan Mapstone. **Motion carried.**

New Business:

- Scheduling of future meetings. Discussion regarding the need for monthly meetings. All members agree that meetings need to be monthly.
- Ryan Mapstone suggested appointing a co-Chairperson for next year.
- Mark Crane presented a letter regarding overhead transmission line from NextEra Solar. Requesting permission to connect line under Essential Services.

Next meeting: December 20th, 2024 at 6 pm

Motion to adjourn meeting at 8:45 pm by John Turpening. Supported by Vivian Pell. **Motion carried.**

These minutes were recorded by Carmen Loar.

Palmyra Township
Planning Commission Special Meeting
October 22, 2024

The meeting was called to order at 7 pm and the Pledge of Allegiance was led by Chairperson, Ryan Mapstone.

Present: Ryan Mapstone, Carmen Loar, Vivian Pell, Mark Crane, Rich Beauleaux, John Turpening

Absent: None

Audience in attendance: 7

Motion by Mark Crane to approve agenda as presented carried by Carmen Loar.

Motion carried.

Motion by Ryan Mapstone to approve October 15, 2024 Regular Meeting minutes as amended, by changing "greater" to "less" in bullet point five under Old Business, carried by John Turpening. **Motion Carried.**

Written Comments

- None

Public Comments

- None

Old Business

Compatible Renewable Energy Ordinance

- David Lacasse provided a summary of the MTA education. Stated MTA believes litigation is coming regarding the Hybrid 50 megawatts or greater and the definition of an ALU. Stated as of now, there is no legal way to keep large scale solar energy systems out of townships. Informed members that MTA is working on releasing a model workable ordinance that is compliant with PA 233.
- ESA attorney provided Planning Commission with updated redline document.
- John Turpening informed members of the Planning Commission of an appeal of the MPSC ruling that is in the process of being filed. Stated Foster Swift

Collins & Smith are currently in the process of filing an appeal with plans to move forward in November.

- David informed members that an appeal of PA 233 or the MPSC ruling does not automatically stop development from occurring within the township while being litigated.

Battery Storage

Motion by John Turpening, carried by Mark Crane. "I move that we recommend the Foster Swift draft battery ordinance with the overlay district being defined as that area south of the River Raisin, north of US 223 and east of Humphrey Highway."

Roll call vote: Ryan-No; Vivian- Yes; Mark- Yes; Rich- Yes; Carmen- Yes.

Motion carried.

Solar Ordinance

Motion by John Turpening, carried by Mark Crane. "I move that we recommend the Foster Swift draft solar ordinance with the overlay district being defined as that area south of the River Raisin, north of US 223 and east of Humphrey Highway."

Roll call vote: Ryan-No; Vivian- Yes; Mark- Yes; Rich- Yes; Carmen- Yes.

Motion carried.

Wind Ordinance

Motion by John Turpening, carried by Mark Crane. "I move that we recommend the Foster Swift draft wind ordinance with the overlay district being defined as that area south of the River Raisin, north of US 223 and east of Humphrey Highway."

Roll call vote: Ryan-No; Vivian- Yes; Mark- Yes; Rich- Yes; Carmen- Yes.

Motion carried.

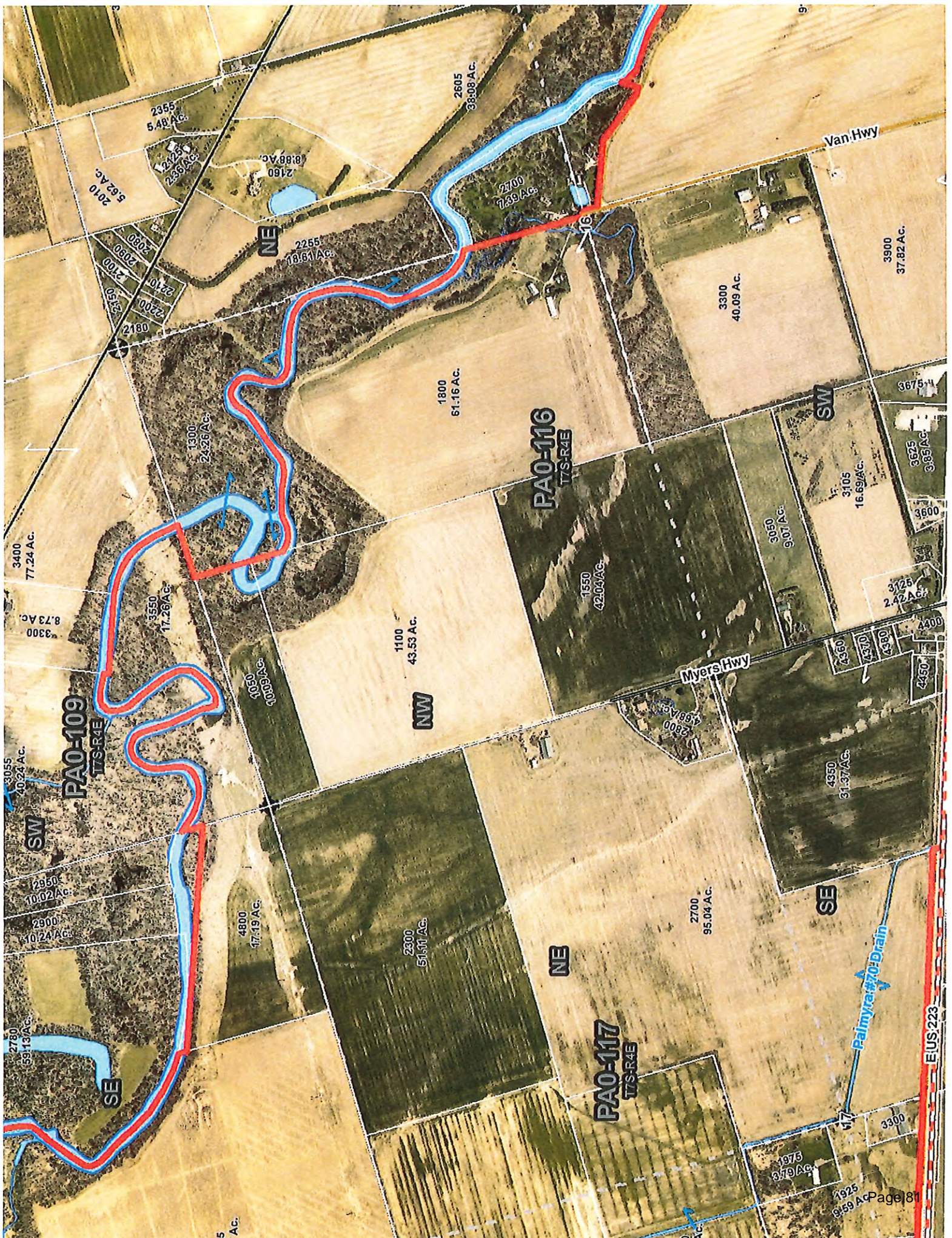
New Business

- None

Next meeting: November 8, 2024

Motion to adjourn meeting at 7:38 pm by John Turpening. Supported by Rich Beaulaux. **Motion carried.**

These minutes were recorded by Carmen Loar.



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Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

PA 116 FARMLAND AGREEMENT | FA #24-14

Applicant(s): Hardys LLC
C/o Gregory R. Hardy
10015 Wisner Hwy
Tipton, MI 49287

Date: December 11, 2024

Local Government: Franklin Township

Purpose: **Enrollment application**

Location: The subject property (ID #FR0-114-3100-00) is located on the east side of Wisner Highway and the north side of W Munger Road, in Section 14 of the Township (T5S, R3E).

Description: The subject property has an area of approximately 40 acres, of which 10 are cultivated for cash crops, 20 acres are classified as "cleared, fenced, improved pasture, or harvested grassland," and 10 acres are listed as a building site. The applicant lists 13 buildings or structures on the property, including 5 barns, 3 silos, 3 grain bins, a milking parlor, and a milk house.

Term: 20 years.

Future Land Use: The *Lenawee County Comprehensive Land Use Plan* places the subject property in an area recommended for 'agricultural' uses.

Staff Comments: None.

Staff Advisement: Based upon this analysis, staff advises the Lenawee County Planning Commission to recommend **APPROVAL** of the PA 116 application to the Franklin Township Board.

Attachment(s):

- Background information provided by the applicant/township.

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FDZM
**FARMLAND AND OPEN SPACE
PRESERVATION PROGRAM**

**Application for Farmland Development
Rights Agreement**

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116. Please print or type. Attach additional sheets as needed. **Refer to the Eligibility and Instructions document before filling out this form.**

OFFICIAL USE ONLY

Local Governing Body: _____

Date Received: _____

Application No: _____

State: _____

Date Received: _____

Application No: _____

Approved: _____ Rejected: _____

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY
ON OR BEFORE NOVEMBER 1 TO BE EFFECTIVE FOR THE CURRENT TAX YEAR**

I. Personal Information:

1. Name(s) of Applicant: HARDY LLC.
HARDY GREGG R
Last First Initial

(If more than two see #15)

2. Mailing Address: 10015 Wisner Hwy Tipton Mich 49287
Street City State Zip Code

3. Phone Number: (Area Code) (507) 403-5247

4. Alternative Telephone Number (cell, work, etc.): (Area Code) () _____

5. E-mail address: ghardy@gregghardy.com

II. Property Location (Can be taken from the Deed/Land Contract)

6. County: Leeward 7. Township, City or Village: Franklin

8. Section No. 14 Town No. 55 Range No. 3E

Parcel # (Tax ID): FRD-114-3100-00

III. Legal Information:

9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)

10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? ☐ Yes ☒ No

If "Yes", please explain circumstances: _____

12. Does the applicant own the mineral rights? ☒ Yes ☐ No

If owned by the applicant, are the mineral rights leased? ☐ Yes ☒ No

Indicate who owns or is leasing rights if other than the applicant: _____

Name the types of mineral(s) involved: _____

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes: ☐ Yes ☒ No If "Yes", indicate to whom, for what purpose and the number of acres involved: _____

14. Is land being purchased under land contract ☐ Yes ☒ No: If "Yes", indicate vendor(sellers):

Name: _____

Address: _____

Street City State Zip Code

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (sellers) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

Date _____

Signature of Land Contract Vendor(s) (Seller) _____

15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

<input type="checkbox"/> 2 or more persons having a joint or common interest in the land	<input checked="" type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Partnership
<input type="checkbox"/> Corporation	<input type="checkbox"/> Trust	<input type="checkbox"/> Association
<input type="checkbox"/> Estate		

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: HARDY'S LLC Title: _____

Name: Gregg Hardy Title: Single Member LLC
MDARD

Name: _____ Title: _____

Name: _____ Title: _____

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)

This application is for:

- ☒ a. 40 acres or more ▶ complete only Section 16 (a thru g);
☐ b. 5 acres or more but less than 40 acres ▶ complete only Sections 16 and 17; or
☐ c. a specialty farm ▶ complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc):

- Livestock
b. Total number of acres on this farm: 40 AC
c. Total number of acres being applied for (if different than above): _____
d. Acreage in cultivation: 10 AC
e. Acreage in cleared, fenced, improved pasture, or harvested grassland: 20
f. All other acres (swamp, woods, etc.): 10 AC Building site
g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings 1 Residence: NA Barn: 5 Tool Shed: 0
Silo: 3 Grain Storage Facility: 3 Bins Grain Drying Facility: 1 dryer
Poultry House: NA Milking Parlor: yes Milk House: yes
Other: (Indicate) _____

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application **from the sale of agricultural products (not from rental income):**

\$ 70,000 / 70 = \$ \$1,000 (per acre)
total income total acres of tillable land

18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of \$2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: \$ _____

Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); 10

V. Signature(s):

20. The undersigned certifies that this application identifies the owner of record, legal description of property, and all liens, covenants, and other encumbrances affecting the title to the land.

[Signature]
(Signature of Applicant)

[Signature]
(Co-owner, If Applicable)

9/10/24
(Date)

HARBORS L.L.C.
(Corporate Name, If Applicable)

[Signature]
(Signature of Corporate Officer)

Manager [Signature]
(Title)

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.**

RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II

I. Date Application Received: _____ (Note: Local Governing Body has 45 days to take action)

Action by Local Governing Body: Jurisdiction: _____
☐ County ☐ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected Date of approval or rejection: _____

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature: _____

Property Appraisal: \$ _____ is the current fair market value of the real property in this application.

Parcel Number (Tax ID): _____

II. Please verify the following:

____ Upon filing an application, clerk issues receipt to the landowner indicating date received.

____ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

____ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

____ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters of review/comment from reviewing agencies (if provided) are sent to:

MDARD-Farmland and Open Space Preservation Program, P.O. Box 30449, Lansing, MI 48909

***Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation office.**

Please verify the following regarding Reviewing Agencies (Sending a copy to reviewing agencies is required):

COPY SENT TO:

____ County or Regional Planning Commission

____ Conservation District

____ Township (if county has zoning authority)

**Before forwarding to State Agency,
FINAL APPLICATION SHOULD INCLUDE:**

____ Copy of Deed or Land Contract (most recent showing current ownership)

____ Copy of most recent Tax Bill (must include tax description of property)

____ Map of Farm

____ Copy of most recent appraisal record

____ Copy of letters from review agencies (if available)

____ Any other applicable documents

Map of Farm with Structures and Natural Features:

- A. Show boundary of land cited in application. (Grid below is designed to represent a 5280 ft² (1 mile²) Section)
- B. Show all buildings (house(s), barn(s), etc.); also label roads and other avenues of travel (i.e. utility access, etc.).
- C. Outline and designate the current uses of the property (crops, pasture, forest, swamp, etc.).
- D. Clear copies of map(s) provided by USDA Farm Service Agency are acceptable, but please label any roads visible on map, structures and their use, etc.

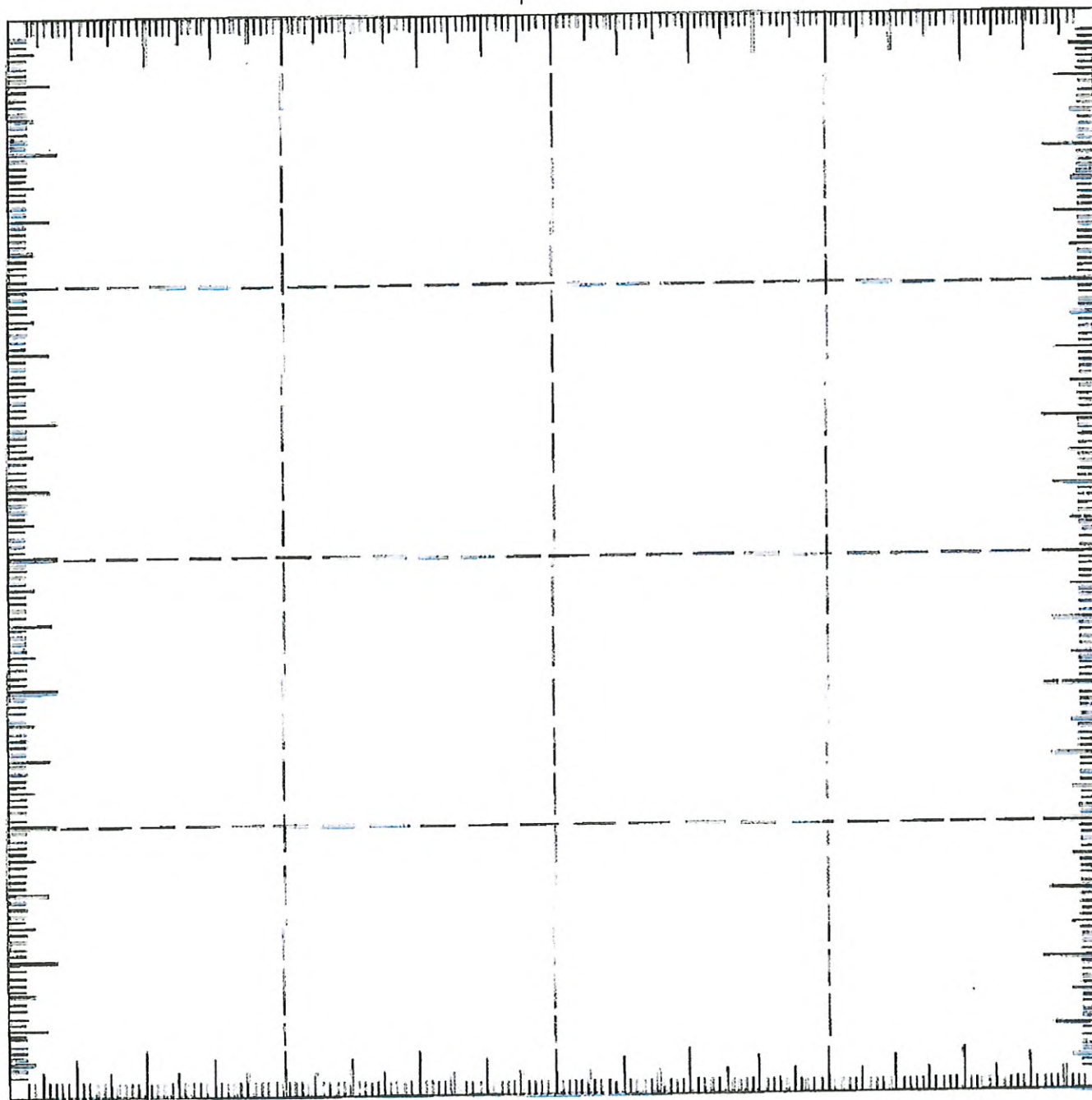
Note: Any residential structures housing persons not directly associated with the farm operation must be excluded from the application. Please indicate if a building falls in this category and provide the appropriate property description for its exclusion. Unless the appropriate description is included, your application cannot be processed.

County Leaswee

Township Franklin

T 55 R 3E Section 14

↑ North

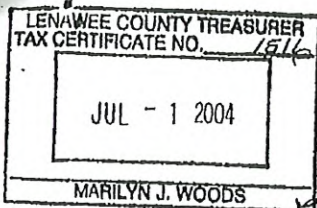


Hardy Farms

10015 Wisner Hwy
Tipton, MI 49287

Legend





Lenawee Co., MI ROD
Victoria J. Daniels
OFFICIAL SEAL



L-2275 P-219



5020575
Page: 1 of 2
07/01/2004 04:07P
L-2275 P-219

Register of Deeds, Lenawee Co. D.H.R. 17.00

Hardy LLC

(40 Acres)

10015 Wisner

FRD-114-3100

WARRANTY DEED

Raynor C. Hardy, a single man, individually and as trustee of the Raynor C. Hardy Trust dated *December 1, 2002* ("Grantor"), conveys and warrants to Hardy's, LLC, a Michigan limited liability company, whose address is 10170 Tipton Highway, Tipton, Michigan 79287-9712 ("Grantee"), the premises located in the Township of Franklin, Lenawee County, Michigan, described as:

See attached legal description

Commonly known as 10015 Wisner Hwy

subject to easements and restrictions of record, Grantor expressly reserves the liability for any mortgage encumbering the property and agrees to hold the trust harmless from any claims arising thereunder,

for the sum of NO CONSIDERATION. Transfer is a gift exempt from county transfer tax pursuant to MCL 207.505(a), and exempt from state transfer tax pursuant to MCL 207.526(a).

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

The Grantor grants to the Grantee the right to make all divisions(s) under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967.

DATED this 31 day of December, 20 02

Raynor C Hardy
Raynor C. Hardy, a single man, individually and as trustee of the Raynor C. Hardy Trust dated

STATE OF MICHIGAN)
LENAAWEE) ss.
COUNTY OF WASHTENAW)

The foregoing instrument was acknowledged before me this 31 day of December, 20 02, by Raynor C. Hardy, a single man, individually and as trustee of the Raynor C. Hardy Trust dated

BETH A. VANARSDALL
Notary Public, Monroe County, Michigan
Acting in Lenawee County, MI
My Commission Expires April 25, 2007

Beth A Vanarsdall
Monroe, Notary Public
Washtenaw County, Michigan
My Commission Expires: _____

SEND SUBSEQUENT TAX BILLS TO: GRANTEE

DRAFTED BY AND WHEN
RECORDED, RETURN TO:

Larry J. Ferguson, Esq.
✓ Ferguson & Widmayer, P.C.
538 North Division
Ann Arbor, MI 48104

FRD-114-3100-00 and
Tax Parcel FRD-115-4800 Recording Fee _____ Transfer Tax _____
00

* TYPE OR PRINT NAME UNDER SIGNATURE. SIGN IN BLACK INK. DO NOT LET SIGNATURE INVADE MARGINS.

17.00 net to



5020575
Page: 2 of 2
07/01/2004 04:07P
L-2275 P-219

Attachment to Warranty Deed

Grantor: Raynor C. Hardy, a single man, individually and as trustee of the Raynor C. Hardy Trust *dated 12/31/02*

Grantee: Hardy's, LLC, a Michigan limited liability company

The premises located in the Township of Franklin, Lenawee County, Michigan, described as:

The West Half (1/2) of the West Half (1/2) of the Southwest Quarter (1/4) of Section 14, Town 5 South, Range 3 East.

Also, the East Half (1/2) of the Southeast Quarter (1/4) of Section 15, Town 5 South, Range 3 East.

Also, commencing at the Southeast corner of the West Half (1/2) of the Southeast Quarter of Section 15, Town 5 South, Range 3 East, Thence West along the Section line 100 rods. Thence North 64 rods. Thence East parallel with the Section line 100 rods. Thence South 64 rods to the Place of Beginning, containing 40 acres, more or less.

FRANKLIN TOWNSHIP
HEIDI ROSS, TREASURER
3922 MONROE RD BOX 101
TIPTON, MI 49287



PLEASE RETURN THIS PORTION WITH PAYMENT THANK YOU.

THIS TAX IS PAYABLE JULY 1, 2024 THRU SEPT 14, 2024
After 9/14/2024, additional interest and fees apply

2024 Summer Tax for Prop #: FR0-114-3100-00

TAXPAYER NOTE: Are your name & mailing address correct? If not, please make corrections below.

Property Addr: 10015 WISNER HWY

710

*****AUTO**5-DIGIT 49267
HARDYS LLC
10170 TIPTON HWY
TIPTON, MI 49287-9712



Tax for Prop#: FR0-114-3100-00

Make Check Payable To: FRANKLIN TOWNSHIP

TOTAL AMOUNT DUE: 11,309.32

Please detach along perforation. Keep the bottom portion.

FRANKLIN TOWNSHIP		2024	Summer	Tax Bill																														
<p>MESSAGE TO TAXPAYER</p> <p>TAXES ARE DUE SEPTEMBER 14, 2024. PLEASE MAIL TAXES TO THE ABOVE ADDRESS OR PAY AT FRANKLIN TOWNSHIP HALL. A DROP BOX IS LOCATED NEAR THE TOWNSHIP HALL ENTRANCE DOOR FOR YOUR CONVENIENCE. OFFICE HOURS: MON. 9 AM - 5 PM, TUES. 9 AM - NOON, & WED. 9 AM - 5 PM.</p> <p>SUMMER TAX DEFERMENT QUALIFICATIONS ARE POSTED AT THE TOWNSHIP HALL. DEFERMENT FORMS MUST BE SIGNED AND FILED AT THE TOWNSHIP OFFICE BY SEPT 14, 2024 IF YOU WANT A RECEIPT, PLEASE ENCLOSE A SELF-ADDRESSED, STAMPED ENVELOPE WITH YOUR TAX PAYMENT.</p> <p>***POSTMARK IS NO LONGER HONORED DUE TO MAIL DELIVERY DELAYS***</p>		<p>PAYMENT INFORMATION</p> <p>This tax is payable 7/01/2024 thru 9/14/2024</p> <p>Pay by mail to: FRANKLIN TOWNSHIP HEIDI ROSS, TREASURER 3922 MONROE RD BOX 101 TIPTON, MI 49287</p>																																
<p>PROPERTY INFORMATION</p> <p>Property Assessed To: HARDYS LLC</p> <p>10170 TIPTON HWY TIPTON, MI 49287</p> <p>School: TECUMSEH PUBLIC SCHOOLS</p> <p>Prop #: FR0-114-3100-00</p> <p>Prop Addr: 10015 WISNER HWY</p> <p>Legal Description: W 1/2 OF W 1/2 OF SW 1/4 SEC 14</p>		<p>TAX DETAIL</p> <table><tr><td>Taxable Value:</td><td>646,540</td><td>AGRICULTURAL-IMPROV</td></tr><tr><td>State Equalized Value:</td><td>2,489,700</td><td>Class: 101</td></tr><tr><td>Assessed Value:</td><td>2,489,700</td><td></td></tr><tr><td>P.R.E. %:</td><td>100.0000</td><td></td></tr></table> <div><p>Taxes are based upon Taxable Value. 1 mill equals \$1.00 per \$1000 of Taxable Value. Amounts with no millage are either Special Assessments or other charges added to this bill.</p></div>			Taxable Value:	646,540	AGRICULTURAL-IMPROV	State Equalized Value:	2,489,700	Class: 101	Assessed Value:	2,489,700		P.R.E. %:	100.0000																			
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<p>OPERATING FISCAL YEARS</p> <p>The taxes on bill will be used for governmental operations for the following fiscal year(s):</p> <p>County: JAN 1 - DEC 31 Twn/Cty: JULY 1 - JUNE 30 School: JULY 1 - JUNE 30 State: OCT 1 - SEPT 30</p> <p>Does NOT affect when the tax is due or its amount</p>		<table><thead><tr><th>DESCRIPTION</th><th>MILLAGE</th><th>AMOUNT</th></tr></thead><tbody><tr><td>STATE ED</td><td>6.00000</td><td>3,879.24</td></tr><tr><td>COUNTY OPER</td><td>3.40000</td><td>3,491.31</td></tr><tr><td>LENAAWEE INT SCH</td><td>3.64620</td><td>2,357.41</td></tr><tr><td>SCHOOL DEBT</td><td>2.20000</td><td>1,422.38</td></tr><tr><td>SCH PUB REC OPER</td><td>0.24590</td><td>158.98</td></tr><tr><td>SCHOOL OPER</td><td>18.00000</td><td>EXEMPT</td></tr><tr><td colspan="2">Total Tax</td><td>11,309.32</td></tr><tr><td colspan="2">Administration Fee</td><td>0.00</td></tr><tr><td colspan="2">TOTAL AMOUNT DUE</td><td>11,309.32</td></tr></tbody></table>			DESCRIPTION	MILLAGE	AMOUNT	STATE ED	6.00000	3,879.24	COUNTY OPER	3.40000	3,491.31	LENAAWEE INT SCH	3.64620	2,357.41	SCHOOL DEBT	2.20000	1,422.38	SCH PUB REC OPER	0.24590	158.98	SCHOOL OPER	18.00000	EXEMPT	Total Tax		11,309.32	Administration Fee		0.00	TOTAL AMOUNT DUE		11,309.32
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As of March 1st, all or part of your prior year taxes were returned delinquent to the County. For more information please call the County Treasurer (517) 264-4554.

ADMINISTRATOR'S OFFICE

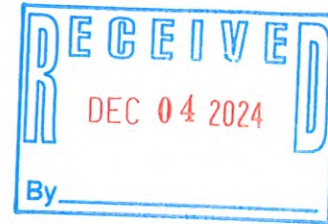
Kimberly L. Murphy
County Administrator

301 N. Main Street, Adrian, MI 49221
p: 517-264-4508 | f: 517-264-4512
www.Lenawee.MI.US



November 20, 2024

Lenawee County Planning Commission
Becky Liedel, Chairperson
Region 2 Planning
120 W Michigan Ave, 9th Floor
Jackson, MI 49201



Lenawee County Planning Commission:

The 2025-2029 edition of the *Lenawee County Parks and Recreation Plan* has been developed in accordance with the "MDNR Guidelines for the Development of Community Parks and Recreation" and is expected to be uploaded in *MI Grants* by the end of the year.

The development of this edition included the following steps:

- Lenawee County recognized the need to update the Lenawee County Parks and Recreation Plan.
- Lenawee Parks Commission and Administration office conducted an online public survey in May and June of 2024.
- The County Administrator's Office revised the entire plan and collaborated with the Region 2 Planning Commission, to update specific sections of the 2025-2029 plan, during the summer of 2024.
- The Parks Commission used feedback from the public survey to create the goals, objectives, and action program in the plan, with support from the County Administrator's Office.
- The Parks Commission recommended that the draft plan be made available for public review to the Board of Commissioners.
- The Lenawee County Board of Commissioners opened the plan for public review from October 9, 2024 through November 12, 2024. A public hearing was set by the Lenawee County Board of Commissioners and held on November 13, 2024.
- The County Board of Commissioners adopted the new edition of the Lenawee County Parks and Recreation Plan on November 13, 2024.

A hard copy of the 2025-2029 edition of the Lenawee County Parks and Recreation Plan is enclosed and an electronic copy is available on the [County website](#).

Please call my office at 517-264-4508 for any question you may have.

Respectfully,

A handwritten signature in blue ink that reads "Kimberly L. Murphy".

Kimberly L. Murphy
Lenawee County Administrator



Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

2025 MEETING & SUBMITTAL DEADLINE SCHEDULE

The Lenawee County Planning Commission meets on the **third (3rd) Thursday** of **each month** at **6:00 p.m.** in the **Lenawee Room** of the **Human Services Building**, located at **1040 N. Winter Street**, Adrian, Michigan 49221, unless otherwise indicated.

<u>LCPC Meeting Date</u>	<u>Submittal Deadline</u>
January 16, 2025	December 31, 2024
February 20, 2025	February 12, 2025
March 20, 2025	March 12, 2025
April 17, 2025	April 9, 2025
May 15, 2025	May 7, 2025
June 19, 2025**	June 11, 2025
July 17, 2025	July 9, 2025
August 21, 2025	August 13, 2025
September 18, 2025	September 10, 2025
October 16, 2025	October 8, 2025
November 20, 2025	November 12, 2025
December 18, 2025	December 10, 2025

If the regular meeting coincides with a legal holiday, the Commission will choose an appropriate alternative date within the same month. Special meetings, if any, will be announced in accordance with the Zoning Enabling Act, ensuring a minimum of 72 hours' notice. To have your submission included on the meeting agenda, please send it before noon (12:00 pm) on the Wednesday preceding the meeting, as specified in the Submission Deadline dates.

** Juneteenth is a holiday and the meeting cannot be held in the Human Services Bldg.

Rev. 11/26/2024