



COHOCTAH PLANNING COMMISSION MEETING

September 01, 2022 at 8:00 PM
Township Hall | Fowlerville, Michigan

The Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting upon 72 hour advance notice by contacting Barb Fear, Township Clerk, by email: bfearclerk@gmail.com, phone: (517) 618-7404, or mail: 3530 Gannon Rd, Howell, MI 48855.

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE – *Moment of Silence*

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [1.](#) Minutes 08-04-2022

CALL TO THE PUBLIC

MATTERS PERTAINING TO THE GENERAL PUBLIC

- [2.](#) Carr Project- Oak Grove Rd

UNFINISHED BUSINESS

- [3.](#) Solar Farm Ordinance
4. Master Plan

NEW BUSINESS

- [5.](#) Renewal of Hardship Mobile Home Permits
6. Election of Chairperson

CALL TO THE PUBLIC

ADJOURNMENT



COHOCTAH PLANNING COMMISSION MEETING

August 04, 2022 at 8:00 PM
Township Hall | Fowlerville, Michigan

The Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting upon 72 hour advance notice by contacting Barb Fear, Township Clerk, by email: bfearclerk@gmail.com, phone: (517) 618-7404, or mail: 3530 Gannon Rd, Howell, MI 48855.

MINUTES

CALL TO ORDER

The meeting was called to order at 8:04pm

PLEDGE OF ALLEGIANCE – *Moment of Silence*

ROLL CALL

PRESENT: Tony Tyler, Chrissy DeFrancisco, Mark Cican, Mike Jolliff, Phil Charette
Faith Heil, Jessica Buttermore, Attorney Abby Cooper, Zoning Administrator Fred Buckner and 7 citizens.

APPROVAL OF AGENDA

Motion made by Heil, Seconded by Buttermore to approve the agenda as amended.
Voting Yea: Tyler, DeFrancisco, Cican, Jolliff, Charette, Heil, Buttermore, motion carried.

APPROVAL OF MINUTES

1. Minutes 07-07-2022

Motion made by Cican, Seconded by Buttermore to approve the minutes of 07-07-2022 as presented. Voting Yea: Tyler, DeFrancisco, Cican, Jolliff, Charette, Heil, Buttermore, motion carried.

CALL TO THE PUBLIC

Information was provided by the Carr family. The project will be on the agenda for consideration in September.

MATTERS PERTAINING TO THE GENERAL PUBLIC

UNFINISHED BUSINESS

2. Solar Farm Ordinance Discussion/Review

The Attorney will make the corrections discussed and work with the Planner on an updated draft for the September meeting.

3. Master Plan

Leave on agenda.

NEW BUSINESS

Election for a new Chairman will be held at the September meeting.

CALL TO THE PUBLIC

None

ADJOURNMENT

Motion made by Tyler, Seconded by Cican to adjourn the meeting at 8:51pm.

Voting Yea: Tyler, DeFrancisco, Cican, Jolliff, Charette, Heil, Buttermore, motion carried.

Michael & Peggy Carr

6062 McGuire Road, Fenton, Michigan 48430 - (586) 531-5516

July 7, 2022

Cohoctah Township
10518 Antcliff Road
Fowlerville, MI 48836

Attn: Fred Buckner

RE: 8000 Oak Grove Road

Dear Mr. Buckner,

Thank for taking the time to speak with us this morning to review our options for the future use of our property. We previously met with Mark Fosdick on March 17, 2022 and provided the township with a detailed written proposal on April 12, 2022, with no productive response. As discussed, we purchased our farm in 2020, with the assurance of the then Cohoctah Township zoning administrator that we could use the former dairy barn for an auto repair facility. Subsequently, we purchased the farm, two land use permits were issued for that purpose by the Township, and our renovations began. After a substantial amount of work was completed, our land use permits were then revoked by the Township. We now have a partially completed renovation of the dairy barn with very limited usefulness in its current condition. This chain of events has caused a devastating hardship for us.

We are now requesting the Township to allow us to finish the renovation, preserving the character of the existing dairy barn, for the Agricultural Tourism uses allowed under Section 16.52 of the Cohoctah Township ordinance. We would like to grow and sell our own agricultural crops on site, produce crafts for sale, hold barn dances, weddings, anniversaries, birthdays, picnics, pony rides and other rural agricultural based activities to generate income. We do not want to lose this farm because it can't support itself.

We anticipate a maximum capacity of 150 guests at any given time. Weekday operations would be limited to 10:00 pm, with the weekend limited to 11:30 pm. We are proposing a primary gravel parking area to accommodate 60 vehicles, as illustrated on our attached aerial site plan, with a grassy overflow parking area to accommodate up to an additional 115 vehicles, if needed. All activities will be confined to the barns and our surrounding property. Any food provided will be prepared off site and portable restroom facilities will be located to the rear of the barn, as needed.

Please review and consider our request at your earliest convenience. Contact us with any questions or concerns.

Sincerely,

Michael Carr

Peggy Carr



80 40 0 80 160 240 Feet

Carr Automotive Properties



Orthophotos Flown Spring 2015
Printed June 19, 2020
Parcel lines are a representation only;
Not intended for survey purposes.

APPLICATION FOR LAND USE PERMIT
COHOCTAH TOWNSHIP

Land Use No. _____
Fee _____

DELIVER/MAIL TO: COHOCTAH TOWNSHIP 10518 ANTCLIFF RD FOWLerville MI 48836

OWNER Michael + Peggy Carr DATE 7-7-2022
ADDRESS 6062 McGuire Rd TAX CODE NO. 4702-26-200-010
CITY Fenton ZIP 48430 PHONE 586-531-5516

Contractor (if applicable) Wil-Pro Development Corp. Address 12985 Cove Ridge Dr.

City South Lyon Zip 48178 Phone 248-921-6011

Site Address 8000 Oak Grove Rd Nearest Crossroads Chase Lake Rd.

Size of lot: Front 903.56 Rear 1581.07 Side 611.47 Side 619.22 Acres 13.9

Zoning District RA

Type of construction:

*Check if structure is located in a flood plain _____

Principal Structure

 New Single Family Addition Attached Garage X Other

Accessory Structure

 Detached Garage, Shed, or Pole Barn Deck Fence Pool/Hot Tub Sign X Other

Foundation: Basement Crawlspace X Slab Posts Other

Size of structure: Width 38' Length 156' Height 10'

Square feet: 1st Floor 5772 2nd Floor 3rd Floor

Structure setback (feet from property line): Front 224' Rear 311' Side 81' Side 650'

 Attach a drawing showing the following: dimensions of property, all roads adjacent to property, easements, wetlands, lakes and streams, all structures, existing or proposed wells, septic tanks and fields, dimensions of structures to property lines, dimensions of proposed structure including height.

 N/A Attach two sets of construction plans, plus one site plan.

 Attach document verifying proof of ownership (i.e. tax bill, property transfer affidavit, deed) **NOTICE: Applications in the settlement districts must go before the Planning Commission (Meets the 1st Thursday of every month)**

Land Use No _____

LAND USE PERMIT FEES (accepted in check or cash only).

Residential.....\$50.00
Commercial/Industrial.....\$200.00 + \$3,000.00 (toward 3% inspection fee)

After obtaining a Land Use Permit, you must contact the Livingston County Building Department (517-546-3240) to pull a building permit. You may be required to obtain permits from the following: Health Department (517-546-9850), Drain Commission (517-546-0040), Road Commission (517-546-4250) and any other applicable permits.

NOTICE: PLEASE READ AND INITIAL EACH

- me/PLC* 1. Land use Permit shall be null and void if proposed development does not have its first inspection within one (1) year.
- me/PLC* 2. Applicant shall notify Zoning Administrator at time of staking out foundation, then after digging but before pouring foundation, and again/or for compliance with Site Plan including driveways, screening, fencing, parking areas, signs, etc. as applicable. ***FAILURE TO DO SO WILL AUTOMATICALLY CANCEL YOUR LAND USE PERMIT REQUIRING YOU TO REAPPLY. A CANCELLED LAND USE PERMIT AUTOMATICALLY CANCELS COUNTY BUILDING PERMITS (21.04E5)!**
- me/PLC* 3. Applicant shall notify Zoning Administrator when construction is ready for final inspection for issuance of CERTIFICATE OF COMPLIANCE. A CERTIFICATE OF COMPLIANCE MUST BE OBTAINED BEFORE THE LIVINGSTON COUNTY BUILDING DEPARTMENT WILL ISSUE A CERTIFICATE OF OCCUPANCY ON NEW RESIDENCES, BUILD-OUT ADDITIONS, OR COMMERCIAL.
- me/PLC* 4. The Zoning Administrator may suspend or revoke a permit issued in error or on the basis of incorrect information supplied by the applicant or agent or in the event of violation of any of the ordinances or regulations of the Township.

I hereby certify that all information attached to this application is true and accurate to the best of my knowledge. I certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application and agree to conform to all applicable ordinances of Cohoctah Township. I acknowledge that private covenants and restrictions are potentially enforceable by private parties.

Authorized Applicant Signature *[Signature]* Printed Name Michael R. Caerz

If not property owner, attach a copy of signed authorization

+++++
TOWNSHIP USE ONLY

Zoning Administrator _____ Date _____

Phone No. _____

____ Approved _____ Disapproved Comments _____

Michael & Peggy Carr

6062 McGuire Road, Fenton, Michigan 48430 - (586) 531-5516

April 10, 2022

Cohoctah Township
10518 Antcliff Road
Fowlerville, MI 48836

Attn: Mark Fosdick

RE: 8000 Oak Grove Road

Dear Mr. Fosdick,

Thank for taking the time to meet with us recently to review our options for the future use of our property. As discussed, we purchased our farm in 2020, with the assurance of the then Cohoctah Township zoning administrator that we could use the former dairy barn for an auto repair facility. Subsequently, we purchased the farm, two land use permits were issued for that purpose by the Township, and our renovations began. After a substantial amount of work was completed, our land use permits were then revoked by the Township. We now have a partially completed renovation of the dairy barn with very limited usefulness in its current condition. This chain of events has caused a devastating hardship for us.

We are now requesting the Township to allow us to finish the renovation, preserving the character of the existing dairy barn, for the Agricultural Tourism uses allowed under Section 16.52 of the Cohoctah Township ordinance. We would like to provide our own agricultural crops and crafts for sale, hold barn dances, weddings, anniversaries, birthdays, picnics, pony rides and other rural agricultural based activities to generate income. We do not want to lose this farm because it can't support itself.

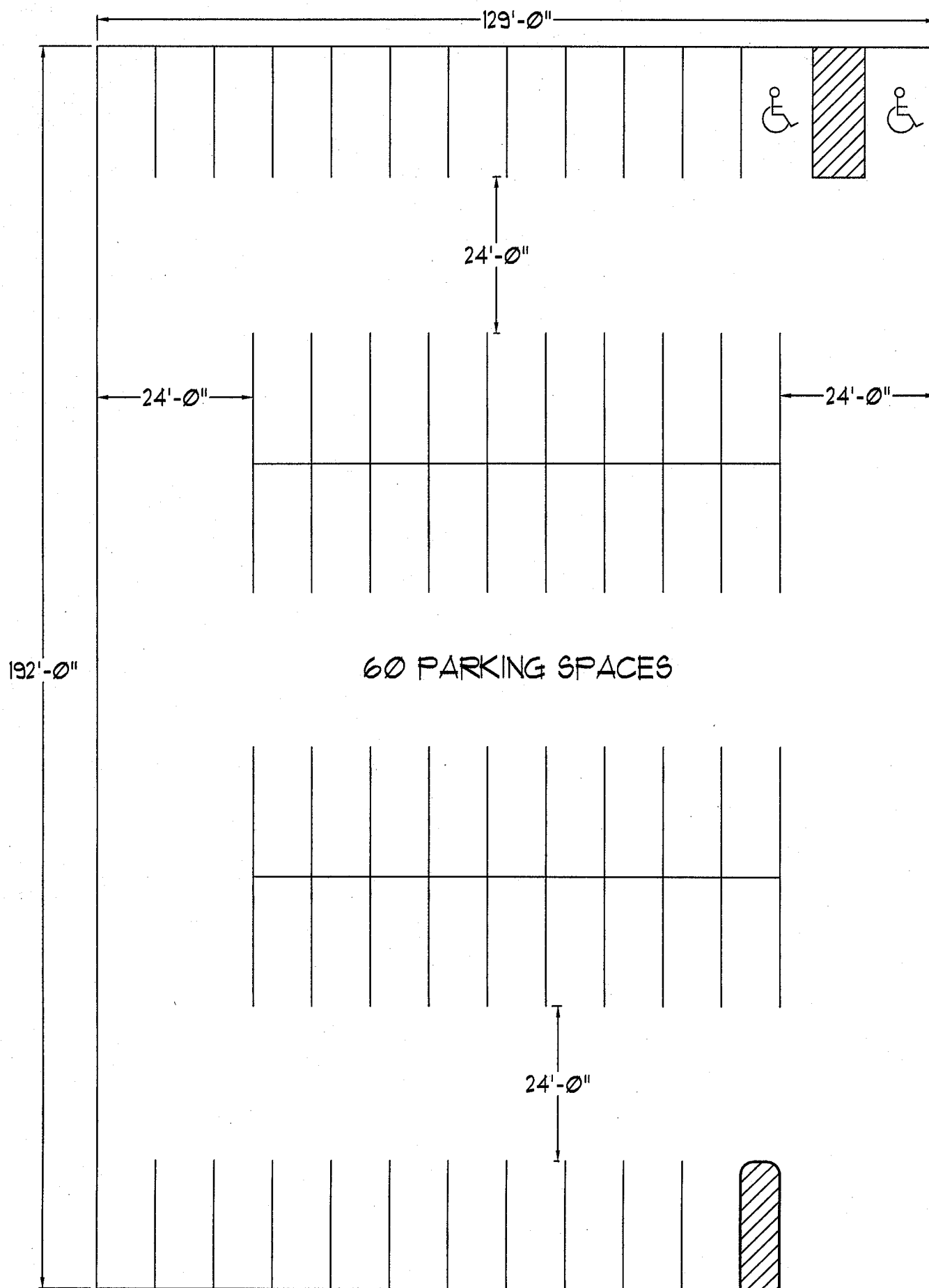
We anticipate a maximum capacity of 150 guests at any given time. Weekday operations would be limited to 10:00 pm, with the weekend limited to 11:30 pm. We are proposing a primary gravel parking area to accommodate 60 vehicles, as illustrated on our attached aerial site plan, with a grassy overflow parking area to accommodate up to an additional 115 vehicles, if needed. All activities will be confined to the barns and our surrounding property. Any food provided will be prepared off site and portable restroom facilities will be located to the rear of the barn, as needed.

Please review and consider our request at your earliest convenience. Contact us with any questions or concerns.

Sincerely,

Michael Carr

Peggy Carr



CARR FARM - FRONT PARKING AREA

CARR FARM PARKING A - 4-10-22

Zoning

procedures outlined in Article XX, including any appropriate supporting information, subject to a finding by the Planning Commission of all of the following:

- (a) Such changes will not adversely affect the initial basis for granting approval;
- (b) Such changes will not adversely affect the overall Open Space and Rural Preservation Development in light of the intent and purpose of such development as set forth in this Section; and
- (c) Such changes shall not result in the reduction of open space area as required herein.

(Amd. No. 38, § 1, 11-14-2002; Amd. No. 44, § 2, 3-10-2005; Amd. No. 47, § 1, 2-9-2006; Amd. No. 71, § 2, 9-13-2012; Amd. No. 73, § 1, 12-13-2012)

State Law reference— Open space preservation, MCL 125.3506.

Sec. 16.51. - Traffic Impact Assessment.

- A. The Planning Commission may require a Traffic Impact Assessment (TIA), at the expense of the applicant, for any residential, office, commercial, industrial or mixed use development, which includes a land area of five acres or more or a building over 50,000 square feet, or when permitted uses could generate either a 30 percent increase in average daily traffic, or at least 100 directional trips during the peak hour of the traffic generator or the peak hour on the adjacent streets, or over 750 trips in an average day, before approving a required site plan or making a decision upon a request for Planned Unit Development approval. Trip generation figures must come from the most recent version of Trip Generation published by the Institute of Traffic Engineers, or any local trip generation rates either published or approved by the Michigan Department of Transportation. At their discretion, the Planning Commission may accept a TIA prepared for another public agency.

(Amd. No. 46, 12-8-2005; Amd. No. 81, § 30, 5-11-2017)

Sec. 16.52. - Agricultural tourism.

(1) Definitions.

- a. "*Agricultural Tourism, Ag-tourism and/or agri-tourism* means the practice of visiting an agribusiness, horticultural, or agricultural operation, including but not limited to, a farm, orchard, winery, greenhouse, hunting preserve, a companion animal or livestock show, for the purposes of recreation, education, or active involvement in the operation, other than as a contractor or employee of the operation.
- b. *Value-added agricultural product* means the enhancement or improvement of the overall value of an agricultural commodity or of an animal or plant product to a higher

Zoning

value. The enhancement or improvement includes, but is not limited to marketing, agricultural processing, transforming, or packaging, educational presentation, activities and tours.

- c. *Agricultural products* include, but are not limited to, crops (corn, wheat, hay, potatoes); fruit (apples, peaches, grapes, cherries, berries, etc.); cider; vegetables (sweet corn, pumpkins, tomatoes, etc.); floriculture, herbs; forestry; husbandry; livestock and livestock products (cattle, sheep, hogs, horses, poultry, ostriches, emus, farmed deer, farmed buffalo, milk, eggs, and fur, etc.); aquaculture products (fish, fish products, water plants and shellfish); horticultural specialties (nursery stock, ornamental shrubs, flowers and Christmas trees); maple sap, etc.
 - d. *Agriculturally related products* means items sold at a farm market to attract customers and promote the sale of agricultural products. Such items include, but are not limited to all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream based desserts and beverages, jams, honey, gift items, food stuffs, clothing and other items promoting the farm and agriculture in Michigan and value-added agricultural products and production on site.
 - e. *Non-agriculturally related products* means those items not connected to farming or the farm operation, such as novelty t-shirts or other clothing, crafts and knick-knacks imported from other states or countries, etc.
 - f. *Agriculturally related uses* means those activities that predominantly use agricultural products, building or equipment, such as pony rides, corn mazes, pumpkin rolling, barn dances, sleigh/hay rides, and educational events, such as farming and food preserving classes, etc.
 - g. *Non-agriculturally related uses* means activities that are part of an agri-tourism operation's total offerings but not tied to farming or the farm's buildings, equipment, fields, etc. Such non-agriculturally related uses include amusement rides, concerts, etc. and are subject to special use permit.
 - h. *Farm Market/On-farm market/roadside stand* means the sale of agricultural products or value-added agricultural products, directly to the consumer from a site on a working farm or any agricultural, horticultural or agribusiness operation or agricultural land.
 - i. *Seasonal* means a recurrent period characterized by certain occurrences, festivities, or crops; harvest, when crops are ready; not all year round.
 - j. *Seasonal sign* means a sign erected for a limited period of time during the year when retailing activities for a particular farm product is available to the public.
- (2) *Permitted principal uses.* General and specialized farming or agricultural products and agricultural activities, including the raising or growing of crops, livestock, poultry, bees

Zoning

and other farm animals, products and foodstuffs. Any building or structure may be located thereon and used for the day-to-day operation of such activities, for the storage or preservation of said crops, or animals, products and collection, distribution, or processing, and for the incidental sale of crops, products and foodstuffs raised or grown on said parcels or in any building or structure on such parcels.

- a. Storage, retail or wholesale marketing, or processing of agricultural products into a value-added agricultural product is a permitted use in a farming operation.
 - b. Cider mills or wineries selling product, in a tasting room, derived from crops grown primarily on site.
 - c. Seasonal U-pick fruits and vegetables operations.
 - d. Seasonal outdoors mazes of agricultural origin such as straw bales or corn.
 - e. Food sales/processing, processing any fruits/produce.
 - f. Uses b. through e. listed above may include any or all of the following ancillary agriculturally related uses and some non-agriculturally related uses so long as the general agricultural character of the farm is maintained:
 1. Value-added agricultural products or activities such as education tours or processing facilities, etc.
 2. Bakeries selling baked goods containing produce grown primarily on site.
 3. Playgrounds or equipment typical of a school playground, such as slides, swings, etc. (not including motorized vehicles or rides).
 4. Petting farms, animal display, and pony rides.
 5. Wagon, sleigh and hayrides.
 6. Nature trails.
 7. Open air or covered picnic area with restrooms.
 8. Educational classes, lectures, seminars.
 9. Historical agricultural exhibits.
 10. Kitchen facilities, processing/cooking items for sale.
 11. Gift shops for the sale of agricultural products and agriculturally related products. Such shops may also offer for sale non-agriculturally related products such as antiques or crafts but only as an accessory to the agriculturally related products.
- (3) Permitted principal special uses with conditions.
- a. Bed and breakfast.
 - b. Restaurant operations related to the agricultural use on the site.
 - c. Non-agriculturally related uses listed as permitted uses in the district where the

Zoning

property is located but which include any of the following ancillary uses may require a special use permit.

1. Small-scale entertainment (e.g., car show, art fair).
2. Family oriented animated barns (e.g., fun houses, haunted houses, or similar) and small mechanical rides.

(Amd. No. 55, § 1, 3-13-2008)

Sec. 16.53 - Water drainage.

No development of any parcel of property, whether platted or not, shall occur that results in, or will or could result in, the increase of the flow of water onto adjacent property that is not owned by the person who is developing the subject parcel.

(Amd. No. 55, § 4, 3-13-2008)

Sec. 16.54. - Wireless antenna or antennae.

Wireless communication antenna shall be considered a permitted accessory use when placed on, or attached to, any legally existing structure, except a residential dwelling, in any zoning district provided that any such antenna shall not extend more than 20 feet above the tallest portion of the structure on or to which it is attached. Furthermore, the height of any such antenna at its tip shall not exceed 200 feet from the surface of the ground unless:

- a. (1) The antenna is located on a lawfully existing or approved communication tower or wireless communication facility; or
(2) It is located on a structure which has received a height variance.
- b. If a wireless communication antenna requires an accessory equipment storage structure, it shall not be greater than 15 feet in height and shall meet all zoning requirements. If the structure is located within a residentially zoned district then its exterior finish shall be compatible with any adjacent residential structure.
- c. All wireless communication antenna shall be designed to blend into or meet the aesthetic character of the principal structure where it is located taking into consideration the location of the wireless communication antenna and the line of sight angle and distance from the road right-of-way and any neighboring uses.
- d. No accessory equipment structure or area shall be allowed in any rights-of-way.
- e. The Planning Commission may require the structure on which the wireless antenna or antennae is located to be fenced and/or have an anti-climbing device if the Planning Commission finds that the structure poses a potential hazard or attractive nuisance to the health, safety, or welfare of the general public.

ZONING PERMIT

NUMBER 262020

THIS PERMIT MUST BE DISPALYED ON
THE PREMISES WHEN WORK STARTS

Any person willfully destroying this permit before the completion of this Project 262020
will be punished to the full extent of the law.

Date 2-15-2020

This permit issued to Peggy L Carr

Location 9990 Oak Grove

COHOCTAH TOWNSHIP

[Signature]
Zoning Inspector

APPLICATION FOR LAND USE PERMIT
COHOCTAH TOWNSHIP

Land Use No. 262020
Fee paid

DELIVER TO: COHOCTAH TOWNSHIP HALL 10518 ANTCLIFF RD
MAIL TO: COHOCTAH TOWNSHIP 3530 GANNON ROAD, HOWELL, MI 48855

OWNER Michael + Peggy Carr DATE 9-30-2020
ADDRESS 6062 McGuire Rd. TAX CODE NO. 4702-26-200-010
CITY Fenton, Mi. ZIP 48430 PHONE 586-531-5516

Contractor (if applicable) Woodstream Bldg. Co. Address 12985 Cove Ridge Dr.
City South Lyon, mi. Zip 48178 Phone 248-921-6011
Site Address 7990-8000 Oak Grove Rd. Nearest Crossroads Chase Lake Rd.
Size of lot: Front 903.56 Rear 1581.07 Side 611.47 Side 619.22 Acres 13.9

Zoning District Agricultural

Type of construction:

APPROVED

*Check if structure is located in a flood plain ☐

Principal Structure

New Single Family

COHOCTAH TOWNSHIP
BY [Signature]
DATE 10-1-2020

Attached Garage ☒ Other ☐

Accessory Structure

Detached Garage, Shed, or Pole Barn ☐ Deck ☐ Fence ☐ Pool/Hot Tub ☐ Sign ☒ Other

Foundation: ☐ Basement ☐ Crawlspace ☒ Slab ☐ Posts ☐ Other

Size of structure: Width 38' Length 156' Height 10'

Square feet: 1st Floor 5772 2nd Floor 3rd Floor

Structure setback (feet from property line): Front 224' Rear 311' Side 81' Side 650'

BC Attach a drawing showing the following: dimensions of property, all roads adjacent to property, easements, wetlands, lakes and streams, all structures, existing or proposed wells, septic tanks and fields, dimensions of structures to property lines, dimensions of proposed structure including height.

BC Attach two sets of construction plans, plus one site plan.

BC Attach document verifying proof of ownership (i.e. tax bill, property transfer affidavit, deed)

BC Lighting will be to code 16.24

NOTICE: Applications in the settlement districts must go before the Planning Commission

(Meets the 1st Thursday of every month)

MRC Parking to be behind building

LAND USE PERMIT FEES (accepted in check or cash only)

Residential.....\$40.00
 Commercial/Industrial.....\$150.00 + \$3,000.00 (toward 3% inspection fee)

After obtaining a Land Use Permit, you must contact the Livingston County Building Department (517-546-3240) to pull a building permit. You may be required to obtain permits from the following: Health Department (517-546-9850), Drain Commission (517-546-0040), Road Commission (517-546-4250) and any other applicable permits.

NOTICE: PLEASE READ AND INITIAL EACH

- PLC* 1 1. Land use Permit shall be null and void if proposed development does not have its first inspection within one (1) year.
- PLC* 2 2. Applicant shall notify Zoning Administrator at time of staking out foundation, then after digging but before pouring foundation, and again/or for compliance with Site Plan including driveways, screening, fencing, parking areas, signs, etc. as applicable. ***FAILURE TO DO SO WILL AUTOMATICALLY CANCEL YOUR LAND USE PERMIT REQUIRING YOU TO REAPPLY. A CANCELLED LAND USE PERMIT AUTOMATICALLY CANCELS COUNTY BUILDING PERMITS (21.04E5)!**
- PLC* 3 3. Applicant shall notify Zoning Administrator when construction is ready for final inspection for issuance of **CERTIFICATE OF COMPLIANCE**. **A CERTIFICATE OF COMPLIANCE MUST BE OBTAINED BEFORE THE LIVINGSTON COUNTY BUILDING DEPARTMENT WILL ISSUE A CERTIFICATE OF OCCUPANCY ON NEW RESIDENCES, BUILD-OUT ADDITIONS, OR COMMERCIAL.**
- PLC* 4 4. The Zoning Administrator may suspend or revoke a permit issued in error or on the basis of incorrect information supplied by the applicant or agent or in the event of violation of any of the ordinances or regulations of the Township.

I hereby certify that all information attached to this application is true and accurate to the best of my knowledge. I certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application and agree to conform to all applicable ordinances of Cohoctah Township. I acknowledge that private covenants and restrictions are potentially enforceable by private parties.

Authorized Applicant Signature [Signature] Printed Name Michael R Carr

If not property owner, attach a copy of signed authorization

+++++
 TOWNSHIP USE ONLY

Zoning Administrator HARRY FLANARY Date 10-1-2020

Phone No. 517-404-3108 [Signature]

APPROVED

COHOCTAH TOWNSHIP

BY [Signature]
 DATE 10-1-2020

X Approved _____ Disapproved Comments _____

APPLICATION FOR LAND USE PERMIT
COHOCTAH TOWNSHIP

Land Use No. H 40-2020
Fee PAID

DELIVER TO: COHOCTAH TOWNSHIP HALL 10518 ANTCLIFF RD
MAIL TO: COHOCTAH TOWNSHIP 3530 GANNON ROAD, HOWELL, MI 48855

OWNER Michael + Peggy Carr DATE 10-1-20
ADDRESS 6062 McGuire Rd TAX CODE NO. 4702-26-200-010
CITY Fenton, MI ZIP 48430 PHONE 586-531-5516

Contractor (if applicable) Woodstream Bldg Co. Address 12985 Cove Ridge Rd.
City South Lyon, MI Zip 48178 Phone 248-921-6011

Site Address 7990-8010 Oak Grove Rd Nearest Crossroads Chase Lake Rd.

Size of lot: Front 903.56 Rear 1581.07 Side 611.47 Side 619.22 Acres 13.9

Zoning District Agricultural **APPROVED**

Type of construction:

COHOCTAH TOWNSHIP
BY [Signature]
DATE 10-1-2020

*Check if structure is located in a flood plain

Principal Structure

 New Single Family Addition Attached Garage X Other

Accessory Structure

 Detached Garage, Shed, or Pole Barn Deck Fence Pool/Hot Tub Sign X Other

Foundation: Basement Crawlspace X Slab Posts Other

Storage -
Bldg B

Size of structure: Width 40 Length 100 Height 17'

Square feet: 1st Floor 4000 2nd Floor 3rd Floor

Structure setback (feet from property line): Front 23' Rear 487' Side 805' Side 58'

✓ Attach a drawing showing the following: dimensions of property, all roads adjacent to property, easements, wetlands, lakes and streams, all structures, existing or proposed wells, septic tanks and fields, dimensions of structures to property lines, dimensions of proposed structure including height.

✓ Attach two sets of construction plans, plus one site plan.

✓ Attach document verifying proof of ownership (i.e. tax bill, property transfer affidavit, deed)

MK Exterior Lighting will be to code 16.24

NOTICE: Applications in the settlement districts must go before the Planning Commission

(Meets the 1st Thursday of every month)

LAND USE PERMIT FEES (accepted in check or cash only)

Residential.....\$40.00
 Commercial/Industrial.....\$150.00 + \$3,000.00 (toward 3% inspection fee)

After obtaining a Land Use Permit, you must contact the Livingston County Building Department (517-546-3240) to pull a building permit. You may be required to obtain permits from the following: Health Department (517-546-9850), Drain Commission (517-546-0040), Road Commission (517-546-4250) and any other applicable permits.

NOTICE: PLEASE READ AND INITIAL EACH

MLC **1. Land use Permit shall be null and void if proposed development does not have its first inspection within one (1) year.**

MLC **2. Applicant shall notify Zoning Administrator at time of staking out foundation, then after digging but before pouring foundation, and again/or for compliance with Site Plan including driveways, screening, fencing, parking areas, signs, etc. as applicable. *FAILURE TO DO SO WILL AUTOMATICALLY CANCEL YOUR LAND USE PERMIT REQUIRING YOU TO REAPPLY. A CANCELLED LAND USE PERMIT AUTOMATICALLY CANCELS COUNTY BUILDING PERMITS (21.04E5)!**

MLC **3. Applicant shall notify Zoning Administrator when construction is ready for final inspection for issuance of CERTIFICATE OF COMPLIANCE. A CERTIFICATE OF COMPLIANCE MUST BE OBTAINED BEFORE THE LIVINGSTON COUNTY BUILDING DEPARTMENT WILL ISSUE A CERTIFICATE OF OCCUPANCY ON NEW RESIDENCES, BUILD-OUT ADDITIONS, OR COMMERCIAL.**

MLC **4. The Zoning Administrator may suspend or revoke a permit issued in error or on the basis of incorrect information supplied by the applicant or agent or in the event of violation of any of the ordinances or regulations of the Township.**

I hereby certify that all information attached to this application is true and accurate to the best of my knowledge. I certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application and agree to conform to all applicable ordinances of Cohoctah Township. I acknowledge that private covenants and restrictions are potentially enforceable by private parties.

Authorized Applicant Signature *MLC* Printed Name Michael R Carr

If not property owner, attach a copy of signed authorization

+++++
 TOWNSHIP USE ONLY

Zoning Administrator *Larry Flanary* Date 10-1-2020

Phone No. 517-404-3108

APPROVED
 COHOCTAH TOWNSHIP
 BY *J. Flanary*
 DATE 10-1-2020

☒ Approved ☐ Disapproved Comments _____

Preservation of 7990 Oak Grove Road

We are the proud new purchasers of the property and buildings located at 7990 Oak Grove Road, Howell, Michigan 48843. Several of the buildings on the property are in need of attention after some years of neglect. It is our intention to restore the existing buildings in a manner to preserve the original agricultural architecture that we appreciate. We do not want to add any new buildings at this time, only to bring the existing buildings we have back to a functional life. Our intention is to begin the repairs to Buildings A & B, as shown on the attached aerial site plan provided by the Livingston County G.I.S. Department. Our proposed repairs shall include the following:

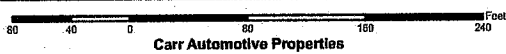
1. Repair/replace the damaged roofs.
2. Repair/replace the damaged concrete floors.
3. Replace the existing windows and doors.
4. Repair/replace the damaged siding.
5. Update the utilities.
6. Install a new septic system.
7. Install a new well.
8. Update the driveways and sidewalks.
9. Improve the landscaping.

We look forward to becoming new members of your community. Please contact us if you have any questions or concerns.

Sincerely,
Mike & Peggy Carr



Livingston County, Michigan
Information Technology Department
G.I.S. Division 517.548.3230



Carr Automotive Properties



Orthophotos From Spring 2015
Printed June 10, 2020
Partial Aerials are a representation only.
Not intended for survey purposes.

April 15, 2021

Peggy Carr
P.O. Box 809
Hartland, MI 48353

Re: Revocation of Permit for Home Occupation
Property Address: 7990 Oak Grove Road
Parcel ID No.: 4702-26-200-010

Dear Ms. Carr,

In a meeting of the Board of Trustees for Cohoctah Township, the Board determined that the Home Occupation Permit given to you on July 21, 2020, to operate a vehicle repair and maintenance restoration shop at the property referenced above, must be revoked due to your violations of the Township's Zoning Ordinance. Specifically:

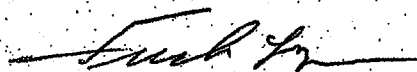
- The Board learned that you do not intend on residing at the property where the occupation will occur. Sec. 16.21(A).
- The Board learned that three (3) of the thirteen (13) acres you are purchasing, which three (3) acres includes the residential dwelling on the property, is under land contract with a third-party; furthermore, no splits of this parcel have been approved by the Township. Sec. 16.21(A); see also Sec. 6.06.
- The Board learned that the structure being used for the home occupation exceeds 50 percent of the gross floor area of the principal structure. Sec. 16.21(I)(2).
- The Board learned that the equipment you intend on using for your occupation is not characteristic of small workshops. Sec. 16.21(C).

Paragraph 4 of the Land Use Permit Application that was completed and signed by you makes clear that the Township is permitted to revoke the Land Use Permit upon the finding of any errors, like those described above. As a result of the foregoing, you are hereby directed to cease your home occupation at the property referenced above.

You do have a right to appeal this decision. All appeals must be made in accordance with Article XXII of the Township's Zoning Ordinances and as provided for in Michigan's Zoning Enabling Act, Act 110 of 2006.

Thank you for your cooperation.

Sincerely,



Frederick Buckner
Zoning Administrator

Zoning

- ARTICLE XXII. - ZONING BOARD OF APPEALS
- ARTICLE XXIII. - AMENDING THE ZONING ORDINANCE
- ARTICLE XXIV. - SEVERABILITY
- ARTICLE XXV. - EFFECTIVE DATE OF ORDINANCE
- ARTICLE XXVI. - LRR LIMITED RECREATION RESIDENTIAL

ZONING COMPARATIVE TABLE ORDINANCES

STATE LAW REFERENCE TABLE



< Sec. 5.06. - Dimensional regulations.

ARTICLE VII. - RR RURAL RESIDENTIAL DISTRICT >

ARTICLE VI. - AR AGRICULTURAL RESIDENTIAL DISTRICT^[4]



Footnotes:

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State Law reference— *Michigan Right-To-Farm Act, MCL 286.471 et seq.*

Sec. 6.01. - Purpose.



The purpose of the AR Agricultural Residential District is to provide for the compatible arrangement and development of parcels of land for residential building purposes in a pastoral, agricultural, woodland or open land setting, which will remain unserved by public water distribution and wastewater disposal systems in the foreseeable future, but which are suitable for large lot residential purposes, which can accommodate healthful on-site water supply and wastewater disposal, but which reserves and conserves that land which is most adaptable for present and future agricultural, woodland, natural resource and other extensive land uses.

(Ord. of 11-12-1987, § 6.01)

Sec. 6.02. - Permitted principal uses.



- A. General farming.
- B. Field crop, fruit, vegetable, horticultural, maple sugar production, annelid and similar types of specialized farming.
- C. Greenhouses and nurseries for trees, shrubs and plants.
- D. Raising and keeping of cattle, horses, and ponies.

Zoning

- E. Raising and keeping of rabbits, poultry and similar small animals.
- F. On-site production and consumption of food for animals.
- G. Apiaries (beekeeping).
- H. Hatcheries.
- I. Public and semi-public buildings for the housing of public facilities, utilities and services.
- J. Public and private conservation areas and structures for water, soil, forest, wildlife, minerals and open space.
- K. Reserved.
- L. Public areas for forest preserves, game refuges and similar uses on at least 40 acres.
- M. Cemeteries, public, private or pet, on at least 20 acres.
- N. Nonfarm single-family dwellings on a lot having a minimum area of ten acres.
- O. Essential services as provided in Section 16.19.
- P. Family day care homes as provided in Section 16.41.
- Q. Foster care homes housing six or fewer persons as provided in Section 16.41A.
- R. Single-family housing in Open Space and Rural Preservation Developments as provided in Section 16.50.

(Ord. of 11-12-1987, § 6.02; Amd. No. 1, 8-11-1988; Amd. No. 2, 4-13-1989; Amd. No. 38, § 4, 11-14-2002; Amd. No. 40, § 4, 12-11-2003; Amd. No. 43, § 1, 10-14-2004; Amd. No. 56, 5-8-2008)

Sec. 6.03. - Permitted principal special uses with conditions.

The following special uses of land, buildings and structures are permitted in the AR Agricultural Residential District, subject to the provisions of Article XIII, "Special Uses":

- A. Temporary mobile homes located outside of mobile home parks, including trailers, motor homes, and recreational vehicles as provided in Section 13.10.
- B. Temporary transient amusement enterprises as provided in Section 13.12.
- C. Sanitary landfill as provided in Section 13.14.
- D. Extraction of sand, gravel, rock and minerals which are located on at least 20 contiguous acres of land planned, operated and maintained in accordance with Section 13.15.
- E. Housing of elderly as provided in Section 13.19.
- F. Group day care homes as provided in Section 13.22.
- G. Commercial kennels may be operated and maintained in accordance with Section 13.23.

Zoning

H. Wireless communications structures as provided in Section 13.24.



I. Permitted public and private institutions for human care, religion, education and other human social purposes.

1. The proposed site for any of the uses permitted in this Subsection shall have at least one property line abutting a paved impermeable hard surfaced public road.

2. Front, side and rear yards shall be set back at least 50 feet, and shall be landscaped in trees, shrubs, and grass. All such landscaping shall be maintained in a healthy condition. There shall be no parking or structures permitted in these yards, except required entrance drives and those walls used to screen the use from abutting residential lots and parcels.

J. Public and private areas for golf courses, golf driving ranges, country clubs, miniature golf courses, historical places, parks, playgrounds, beaches, resorts, swimming pools, campgrounds, recreational vehicle parks, court game clubs and organizational camping, as provided in Section 13.26.

K. Solar farms as provided in Section 13.27.

(Ord. of 11-12-1987, § 6.03; Amd. No. 1, 8-11-1988; Amd. No. 12, §§ 2, 9, 11-11-1993; Amd. No. 41, § 4, 7-8-2004; Amd. No. 56, 5-8-2008; Amd. No. 81, § 6, 5-11-2017; Amd. No. 84, § 7, 11-9-2017)

Sec. 6.04. - Permitted accessory uses.



A. Buildings and structures customarily incidental to the operation of a principal agricultural or other use permitted in this District.

B. Buildings and structures customarily incidental to single-family residential dwellings.

C. Signs related to permitted uses, provided that all such signs shall conform to the requirements of Article XIX.

D. Home occupations and home businesses, as provided in Section 16.21.

E. Private residential swimming pools in conformance with the provisions of Section 16.20.

F. Farm implement and vehicle repair and maintenance.

G. Herbicide, insecticide and fertilizer sales and application.

H. Greenhouses and nurseries.

I. Grain and feed storage facilities.

J. Cold and other storage facilities for agricultural products.

K. Agricultural commercial enterprises, including, but not limited to, seed and other agricultural product sales.

(Ord. of 11-12-1987, § 6.04; Amd. No. 81, §§ 7, 8, 5-11-2017)

- A. *Roadside Stands.* In this District each farm may have one roadside stand for the purpose of selling produce or other products principally raised or produced on that farm in the course of its permitted agricultural activity. The stand shall be located and constructed to meet the following requirements:
1. The structure shall not be more than one story in height.
 2. The floor area shall not be more than 400 square feet.
 3. The stand shall be located no closer than 40 feet from the nearest highway pavement or other traveled surface. In no case shall the stand occupy any part of the right-of-way.
- B. *Mobile Homes as Accessory Dwellings.* Mobile homes as accessory dwellings shall be permitted as follows:
1. Permitted on 40 acres or more of land used for agricultural production with the following conditions:
 - (a) The parcel has a principal farm dwelling located on it.
 - (b) The farm parcel is at least 40 acres in area for the first mobile home, and an additional 40 acres for each additional mobile home.
 - (c) The occupants meet either one of the following conditions:
 - (1) Have a family relationship to those persons occupying the principal farm dwelling.
 - (2) A full-time employee of the occupants of the principal farm dwelling and engaged in an agricultural occupation on the farm on which the mobile home is located.
 2. Permitted on a single-family residential lot with the following conditions:
 - (a) The lot has a principal single-family dwelling located upon it.
 - (b) The lot is a legal lot of record.
 - (c) The occupants have a direct family relationship to those persons occupying the principal dwelling.
 - (d) The occupants have a need as determined by their acquisition of a physician's certification prescribing the need for such housing during the period of illness or infirmity.
 3. Mobile homes permitted under Subsections B.1 and B.2 above shall also meet the following additional conditions:
 - (a) Mobile homes used for this purpose shall be limited to only one per single-family

Zoning

residential lot or one per each 40 acres of a farm parcel.



- (b) Mobile homes shall have a minimum dimension of 12 feet in width and 700 square feet of mobile home floor area.
- (c) Mobile homes used for this purpose shall have immediate and unlimited access to all facilities located in the principal dwelling on the farm or single-family residential lot for the maintenance of proper health, and sanitation, including potable water and sanitary disposal facilities for solid and liquid wastes.
- (d) All accessory mobile homes shall be located within the appropriate setback lines for the yard in which they are located, except that no accessory mobile home shall be located in a front yard of a principal dwelling.
- (e) Zoning permits shall be approved by the Planning Commission and reviewed annually thereafter for continued need and compliance.
- (f) Zoning permits issued for such use shall terminate at such time that any one or combination of the above conditions ceases to be met.
- (g) Prior to the issuance of a zoning permit the owners of the principal use shall post a financial guaranty with the Township in accordance with Section 16.22B for each mobile home for which a permit is sought.

C. *Noncommercial Kennels.* Those lots or parcels which are in conformance with this zoning district can have a maximum of five dogs over six months of age provided the applicant and kennel comply with the conditions set forth in Section 16.46.

(Ord. of 11-12-1987, § 6.05; Amd. No. 5, § 6, 12-13-1990; Amd. No. 12, § 3, 11-11-1993)

Sec. 6.06. - Dimensional regulations.



- A. *Lot Area.* A permitted parcel shall have a minimum of 20 acres in area, except as otherwise may be provided in this Ordinance.
- B. *Lot Width.* Minimum of 200 feet at the building setback line.
- C. *Lot Coverage.* Maximum of 20 percent.
- D. *Floor Area.* The minimum first floor area of a one-story dwelling, 960 square feet; and for a two-story dwelling, 700 square feet; and a minimum total of 960 square feet for both stories.
- E. *Yard and Setback Requirements.*
 - 1. *Front Yard.* Minimum of 50 feet from the road right-of-way line, except as required by the Master Plan for Roads and Highways, whichever is greater.
 - 2. *Side Yards.* Minimum of 20 feet for each side yard, except where a side yard abuts a road right-of-way line, the minimum shall be 50 feet.

COHOCTAH TOWNSHIP UTILITY SCALE SOLAR ENERGY SYSTEMS ORDINANCE

An amendment the Cohoctah Township Zoning Ordinance to add definitions related to solar energy and establish standards for utility scale solar energy systems.

1. AMENDMENT OF ARTICLE II: DEFINITIONS

Section 2.02 Definitions of the Zoning Ordinance is hereby amended to add the following definitions which shall read, in its entirety, as follows:

1. Abandonment: Any solar energy system or facility that is no longer producing power.
2. Conceptual Plan: 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, where and how project will connect to the power grid, and any other information Applicant deems necessary to provide the Township with a general overview of the proposed Project.
3. Decommission: To remove or retire a solar energy system or facility from active service.
4. Height: The height of a solar energy system, measured vertically from the adjacent grade to its highest point at maximum tilt.
5. Non-Participating Property: A property that is not subject to an Utility Scale Solar Energy Facility lease or easement agreement at the time an application is submitted for a Special Land Use for the purposes of constructing an Utility Scale Solar Energy Facility.
6. Participating Property: A property that participates in a lease or easement agreement, or other contractual agreement, with an entity submitting a Special Land Use Permit application for the purpose of developing an Utility Scale Solar Energy Facility.
7. PV Array: see Photovoltaic (PV) Devices.
8. Photovoltaic (PV) Devices: A device designed to collect and transform solar energy into electricity.
9. Repowering: reconfiguring, renovating, or replacing an SES to maintain or increase the power rating of the SES within the existing project footprint.
10. Solar Farm: See Utility Solar Energy Facilities.
11. Utility Scale Solar Energy System (SES): A Solar Energy System where the principal design, purpose, or use of such system is to provide energy to off-site uses or the wholesale or retail sale of generated electricity to any person or entity.

2. 13.27 UTILITY SCALE SOLAR ENERGY SYSTEMS. The following requirements shall apply to all Utility Scale Solar Energy Systems.

- A. Purpose and Intent: The purpose and intent of this Section is to establish standards for the siting, installation, operation, repair, decommissioning, and removal of Utility Scale Solar Energy Systems, as a permitted Special Use with conditions in the following districts: RD, WRD, AR, RR, NSC, and LI.
- B. All applications for a Utility Scale Solar Energy Systems use must be accompanied by a Conceptual Plan, at time of submission of application. The conceptual plan

shall be reviewed by Planning Commission and allow for discussion with and feedback from the Planning Commission. This plan must be approved by the Planning Commission prior to submission of a final site plan.

- C. Final site plan submittal must include a detailed site plan including all applicable requirements found in this ordinance, drawn to scale, dimensioned, and certified by a registered engineer licensed in the State of Michigan, displaying the following information:
- 1 All requirements for a site plan contained in Article XX of the Cohoctah Township Zoning Ordinance, unless otherwise specified in the information below;
 - 2 Scale of 1 inch = 200 feet;
 - 3 All lot lines and dimensions, including a legal description of each lot or parcel comprising the Utility Scale Solar Energy System;
 - 4 Names of owners of each lot or parcel within Cohoctah Township that is on the property and within one hundred fifty (150) feet of the property lines;
 - 5 Vicinity map showing the location of all surrounding land uses;
 - 6 Location of all above or below ground drainage systems including but not limited to, farm tiles, county drains, wetlands, and road ditches;
 - 7 Location and height of all existing and proposed PV Array(s), buildings, structures, electrical tie lines and transmission lines, security fencing, and all above-ground structures and utilities associated with the Utility Scale Solar Energy System;
 - 8 Horizontal and vertical (elevation) to scale drawings with dimensions that show the location of the proposed PV Array(s), buildings, structures, electrical tie lines and transmission lines, security fencing and all above ground structures and utilities on the property;
 - 9 Location of all existing and proposed overhead and underground electrical transmission or distribution lines within the Utility Scale Solar Energy System and within one hundred (100) feet of all exterior property lines of the Utility Scale Solar Energy System;
 - 10 Proposed setbacks from the PV Array(s) to all existing and proposed structures within two hundred (200) feet of the Utility Scale Solar Energy System;
 - 11 Land elevations for the Solar Array(s) location and the relationship to the land elevations of all existing and proposed structures within two hundred (200) feet of the Utility Scale Solar Energy System at a minimum of five (5) foot contours;
 - 12 Access driveways within and to the Utility Scale Solar Energy System,

together with a detailed narrative regarding dimensions, composition, and maintenance of each proposed driveway. All access drives shall be subject to Livingston County Road Commission approval and shall be planned so as to minimize the use of lands for that purpose;

- 13 Planned security measures to prevent unauthorized trespass and access during the construction, operation, removal, maintenance or repair of the Utility Scale Solar Energy System;
- 14 A written description of a maintenance plan to be used for the PV Array and other components of the Utility Scale Solar Energy System, including landscaping upkeep, regular checks and maintenance for the equipment, and decommissioning and removal. The description shall include maintenance schedules, types of maintenance to be performed, and decommissioning and removal procedures and schedules if the Utility Scale Solar Energy System is decommissioned;
- 15 Planned lighting measures if any, such as fixed motion lights or if mounted on equipment;
- 16 Additional detail(s) and information as required by this Article XII for Special Land Uses, Article XX for Site Plans, and as required by the Planning Commission.

D. Application Escrow Account: An escrow account shall be deposited with the Township by the Applicant when the Applicant applies for a Special Land Use Permit for a Utility Scale Solar Energy System. The monetary amount deposited by the Applicant in escrow with the Township shall be the amount estimated by the Township, to cover all reasonable costs and expenses associated with the Special Land Use Permit review and approval process, which costs shall include, but are not limited to, reasonable fees of the Township Attorney, Township Board, Township Planner and Township Engineer, as well as costs for any reports or studies that are reasonably related to the zoning review process for the application. The Applicant shall have thirty (30) days to pay the amount estimated by the Township. Such escrow amount shall be in addition to any filing or application fees established by resolution. At any point during the Special Land Use Permit review process, the Township may require the Applicant to place additional funds into escrow with the Township if the existing escrow amount deposited by the Applicant is deemed insufficient by the Township. If the escrow account needs replenishing and the Applicant refuses to do so within thirty (30) days, the Special Land Use Permit process shall cease until the Applicant makes the required additional escrow deposit. Any applicable zoning escrow policies or other Ordinances adopted by the Township must also be complied with by the Applicant. The Township shall provide a summary of all account activity to the Applicant within a timely manner upon request. Any funds remaining within the escrow after approval or denial of the Special Land Use Permit shall be returned in a timely manner to the Applicant.

- E. Land Enrolled in PA 116 Farmland Development Rights Program. Per the Michigan Department of Agriculture and Rural Development (MDARD), land enrolled in the PA 116 program may be permitted to participate in solar energy development subject to MDARD policy and requirements.
- F. Compliance with the County Building Code and the National Electric Safety Code: Construction of a Utility Scale Solar Energy System shall comply with the National Electric Safety Code and the County Building Code (as shown by approval by the County) as a condition of any Special Land Use Permit under this section. In the event of a conflict between the County Building Code and National Electric Safety Code (NESC), the NESC shall prevail.
- G. Certified PV Array Components: Components of a PV Array shall be approved by the Institute of Electrical and Electronics Engineers (“IEEE”), Solar Rating and Certification Corporation (“SRCC”), Electronic Testing Laboratories (“EIL”), or other similar certification organization if the similar certification organization is approved by the Township, which approval shall not be unreasonably withheld.
- H. Height: Maximum height of a PV Array, other collection device, components or buildings of the Utility Scale Solar Energy System, shall not exceed sixteen (16) feet at full tilt (as measured from the natural grade at the base of improvements). Substation and electrical transmission equipment shall not exceed one hundred (100) feet in height.
- I. Lot Size: A Utility Scale Solar Energy System shall be located on one or more parcels with an aggregate area of five (5) acres or greater.
- J. Setbacks: A minimum setback distance of fifty (50) feet from all exterior property lines of the Utility Scale Solar Energy System and existing public roads and railroad rights-of-way shall be required for all buildings and PV Arrays. Additionally, a minimum setback distance of one hundred (100) feet shall be provided from PV Arrays, equipment, and/or buildings from all non-participating residential property lines.
- K. Lot Coverage: Total area of arrays shall not be included in the calculation of maximum permitted lot coverage requirement for any parcel.
- L. Dual Use/Groundcover. A Utility Scale Solar Energy System shall include the installation of perennial ground cover vegetation maintained for the duration of operation until the site is decommissioned. The Applicant shall include a ground cover vegetation establishment and management plan as part of the site plan.
 - 1 Sites bound by PA 116 must follow the Michigan Department of Agriculture and Rural Development’s Policy for Allowing Commercial Solar Panel Development on PA 116 Lands.
 - 2 All properties not enrolled in the PA 116 program must provide one of the following four types of Dual Use defined in this ordinance to promote ecological benefits:

- a. Pollinator Habitat: Solar sites designed to meet a score of 76 or more on the Michigan Pollinator Habitat Planning Scorecard for Solar Sites (www.pollinators.msu.edu).
 - b. Conservation Cover: Solar sites designed in consultation with conservation organizations that focus on restoring native plants, grasses, and prairie with the aim of protecting specific species (e.g., bird habitat) or providing specific ecosystem services (e.g., carbon sequestration, soil health).
 - c. Forage: Solar sites that incorporate rotational livestock grazing and forage production as part of an overall vegetative maintenance plan.
 - d. Agrovoltatics: Solar sites that combine raising crops for food, fiber, or fuel, and generating electricity within the project area to maximize land use.
- 3 If it is not feasible to provide Dual Use, developer must demonstrate to Planning Commission why it is not reasonably feasible.
 - 4 All groundcovers must be native plants with substantial root system to support soil, no turf grass.
 - 5 Application must include an invasive species and noxious weeds management control plan.

M. Screening/Security: A Utility Scale Solar Energy System shall be completely enclosed by perimeter security fencing to restrict unauthorized access. Such fencing shall be seven (7) feet in height and be constructed of a woven wire fence, such as deer fencing. The Planning Commission may consider an alternative fence-type as part of the special use approval. Electric fencing or barbed wire is prohibited. The perimeter of Utility Scale Solar Energy Systems shall also be screened and buffered by installed evergreen or native vegetative plantings whenever existing natural vegetation does not otherwise reasonably obscure the Utility Scale Solar Energy System from adjacent non-participating residential structures, subject to the following requirements:

- 1 No landscaping shall be placed within fifty (50) feet of any right-of-way.
- 2 Landscape screening shall be installed to obscure the Utility Scale Solar Energy System from adjacent non-participating uses and from passersby. Utility Scale Solar Energy Systems shall be reasonably screened from the view of the surrounding non-participating residences, streets, and roads to the maximum extent practicable, except to the extent that such screening is either impracticable or would result in ineffective solar access on the site in question. The perimeter of Large Solar Energy Systems shall also be screened and buffered by installed evergreen or native vegetative plantings whenever existing natural vegetation does not otherwise reasonably obscure the Large Solar Energy System from adjacent residential structures, subject to the following requirements:
 - a. All Utility Scale Solar Energy Systems that rely on landscaping or a vegetative buffer for screening shall maintain a minimum opacity

of at least sixty percent (60%), and a mature height of not less than six (6) feet or sixty percent (60%), whichever is greater, of the height of the Utility Scale Solar Energy System when oriented to maximum tilt.

- b. The evergreen or native and shrub vegetative buffer shall either be composed of one (1) row of evergreen trees and two (2) offset rows of shrubs that at planting shall be a minimum of six (6) feet in height (evergreen trees) and shrubs two (2) feet in height. Or two (2) rows of evergreen trees. with one (1) row having a minimum height of four (4) feet and the other a minimum height of six (6) feet.
 - c. All plant materials shall be installed between March 15 and November 15. If the Applicant requests a Land Use Permit from the Township and the Applicant is unable to plant during the installation period, the Applicant will provide the Township with a surety or corporate guarantee for an amount equal to one and one-half (1.5) times the cost of any planting deficiencies that the Township shall hold until the next planting season. After all plantings have occurred, the Township shall return the financial guarantee.
 - d. Failure to install or continuously maintain the required vegetative buffer shall constitute a violation of this Ordinance and any Special Use Permit may be subject to revocation.
- N. Signage is not permitted. This exclusion does not apply to information that may be necessary for electrical operations and the safety and welfare of the public. An information sign shall be posted and maintained at the entrance(s) which lists the name and phone number of the operator.
- O. Agricultural Preservation and Habitat Impact: Land clearing shall be limited to what is minimally necessary for installation and operation of the system and to ensure all-season access to solar resources given the topography of the land. Topsoil distributed during preparation shall be retained on site. In addition, access drives shall be designed to minimize extent of soil disturbance, water run-off, and soil compaction.
- P. Noise: No component of any Utility Scale Solar Energy System shall emit noise exceeding forty-five (45) dBA (Leq (1 hour)) as measured at the exterior property boundary or the existing ROW line. The site plan shall include modeled sound isolines extending from the sound source to the property lines to demonstrate compliance with this standard.
- Q. Lighting: Lighting shall be limited to inverter and/or substation locations only. Lighting shall be downlit shielding and be placed to keep light on site and glare away from adjacent properties, bodies of water, and adjacent roadways. Flashing or intermittent lights are prohibited. Motion lights, for the purpose of security,

may be permitted at the discretion of the Planning Commission.

- R. Drain Tiles: Drain tiles on the Utility Scale Solar Energy System site rendered non-functioning directly as a result of construction or operation on the Utility Scale Solar Energy System will be replaced or repaired so as to maintain the existing drainage volume of the parcel(s) throughout the life of the Utility Scale Solar Energy System. A drainage plan shall be provided.
- S. Distribution, Transmission and Interconnection: All collection lines and interconnections from the PV Array(s) to any electrical substations shall be located and maintained underground inside the Utility Scale Solar Energy System, except in areas where technical or physical constraints make it necessary to install equipment above ground. This requirement excludes transmission equipment meant to connect the project substation to the local transmission system.
- T. Abandonment and Decommissioning: Following the life of the project, the Applicant shall perform decommissioning and removal of the Utility Scale Solar Energy System and all its components. The Applicant shall prepare a Decommissioning Plan and submit it to the Planning Commission for review and approval prior to issuance of the Special Land User Permit. The decommissioning plan shall be written to provide security to the Township for one hundred percent (100%) of the cost to remove and dispose of all panels, wiring, and restoration of the land to its original conditions. All work must be done when soil is dry to prevent compaction. The value of decommissioning shall be determined by a third-party financial consultant or engineer selected by the Township and paid for by the developer through escrow. Once value of decommissioning is determined, it shall be updated on a periodic basis of not less than every three (3) years. Any Photovoltaic (PV) Devices that are not operated for a continuous period of twelve (12) months shall be considered abandoned and shall prompt and abandonment hearing. The ground must be restored to its original condition within three hundred sixty-five (365) days of abandonment or decommissioning.
 - 1 Continuing Obligations: Failure to keep any required financial security in full force and effect at all times while a Utility Scale Solar Energy System 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 Utility Scale Solar Energy System Applicant, owner and 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.
- U. Complaint Resolution Protocol: Applicant shall provide a Complaint Resolution protocol at time of submission of final site plan. The operator of the project or its assigns shall initially respond within ten (10) business days to complaints from neighboring property owners arising from and related to the operation of the Utility Scale Solar Energy System. Any resolution shall include lawful and reasonable solutions consistent with the Zoning Ordinance, which shall also be provided to the Township Zoning Administrator.

- 1 Applicant will submit annual report to Township Board that details complaints received regarding the Utility Scale Solar Energy System and status of complaint resolution and actions taken to mitigate complaints.
- V. Indemnity/Insurance: The Township shall be indemnified from all third-party claims for personal or property damage arising from the developer's negligent and/or intentional acts and/or omissions during construction, maintenance and decommissioning of the Utility Scale Solar Energy System and shall be listed as an additional insured on applicable insurance policies during the life of the project.
- W. General Standards: The Planning Commission shall not approve any Utility Scale Solar Energy System Special Land Use Permit unless it finds that all the general standards for Special Land Uses contained in Article XIII of this Ordinance are met.
- X. Approval Time Limit and Extension: Special Use and Site Plan approvals or permits under this Section shall be valid for one year but, if requested by the Applicant prior to that expiration date, shall be extended for an additional one-year period if good faith effort is shown.
- Y. Maintenance and Repair: Each Utility Scale Solar Energy System must always be kept and maintained in good repair and condition. If the Township Zoning Administrator determines that a Utility Scale Solar Energy System fails to meet the requirements of this Ordinance, the Special Land Use Permit, any other applicable violations, or that it poses a safety hazard, the Zoning Administrator, or his or her designee, shall provide notice to the Applicant.. If, after a reasonable cure period (not to exceed fourteen (14) days), the identified issues are not addressed, the Applicant is entitled to a hearing before the Township Board. If the Township Board determines that identified issues require that the Utility Scale Solar Energy System must be shut down, Applicant shall immediately shut down the Utility Scale Solar Energy System and not operate, start or restart the Utility Scale Solar Energy System until the issues have been resolved. Applicant shall keep all sites within the Utility Scale Solar Energy System neat, clean, and free of refuse, waste or unsightly, hazardous, or unsanitary conditions.
- Z. Roads: Any material damages to a public road located within the Township resulting from the construction, maintenance, or operation of a Utility Scale Solar Energy System shall be repaired at the Applicant's expense. In addition, the Applicant shall submit to the appropriate Livingston County agency a description of the routes to be used by construction and delivery vehicles; any road improvements that will be necessary to accommodate construction vehicles, equipment, or other deliveries. The Applicant shall abide by all Livingston County requirements regarding the use and/or repair of Livingston County roads and shall obtain all required permits.
- AA. Density; Location. No more than 2.5% (two- and one-half percent) of the land in a ten (10) mile radius of the project area (radius is determined by central point of

project) of any existing Utility Scale Solar Energy System within the Township shall be approved for use as the project area for a new Utility Scale Solar Energy

BB. Repowering: In addition to repairing or replacing solar energy components to maintain the system, a Utility Scale Solar Energy System may at any time be repowered by reconfiguring, renovating, or replacing the system to increase the power rating within the existing project footprint.

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DD. Modifications of Approved Site Plan: Any modifications, revisions, or changes to an approved site plan shall be considered either a minor or major site plan amendment and must follow the standards of Section 20.11 Amendment of an approved site plan.

EE. Other Requirements: Each Utility Scale Solar Energy System shall also comply with all applicable federal, state and county requirements, in addition to other applicable Township Ordinances.

1 Additional approvals and agency reviews required as part of final site plan review, subject to Planning Commission:

- a. Michigan Department of Environment, Great Lakes, and Energy (EGLE);
- b. Livingston County Soil Erosion Permitting Agency – if the project is twenty (20) or more acres in size or is within five hundred (500) feet of a lake or stream.
- c. Livingston County Drain Commission.
- d. Livingston County Road Commission.
- e. Livingston County Building Department.

COHOCTAH TOWNSHIP UTILITY SCALE SOLAR ENERGY SYSTEMS ORDINANCE

An amendment the Cohoctah Township Zoning Ordinance to add definitions related to solar energy and establish standards for utility scale solar energy systems.

1. AMENDMENT OF ARTICLE II: DEFINITIONS

Section 2.02 Definitions of the Zoning Ordinance is hereby amended to add the following definitions which shall read, in its entirety, as follows:

1. Abandonment: Any solar energy system or facility that is no longer producing power.
2. Conceptual Plan: 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, where and how project will connect to the power grid, and any other information Applicant deems necessary to provide the Township with a general overview of the proposed Project.
3. Decommission: To remove or retire a solar energy system or facility from active service.
4. Height: The height of a solar energy system, measured vertically from the adjacent grade to its highest point at maximum tilt.
5. Non-Participating Property: A property that is not subject to an Utility Scale Solar Energy Facility lease or easement agreement at the time an application is submitted for a Special Land Use for the purposes of constructing an Utility Scale Solar Energy Facility.
6. Participating Property: A property that participates in a lease or easement agreement, or other contractual agreement, with an entity submitting a Special Land Use Permit application for the purpose of developing an Utility Scale Solar Energy Facility.
7. PV Array: see Photovoltaic (PV) Devices.
8. Photovoltaic (PV) Devices: A device designed to collect and transform solar energy into electricity.
9. Repowering: reconfiguring, renovating, or replacing an SES to maintain or increase the power rating of the SES within the existing project footprint.
10. Solar Farm: See Utility Solar Energy Facilities.
11. Utility Scale Solar Energy System (SES): A Solar Energy System where the principal design, purpose, or use of such system is to provide energy to off-site uses or the wholesale or retail sale of generated electricity to any person or entity.

2. 13.27 UTILITY SCALE SOLAR ENERGY SYSTEMS. The following requirements shall apply to all Utility Scale Solar Energy Systems.

- A. Purpose and Intent: The purpose and intent of this Section is to establish standards for the siting, installation, operation, repair, decommissioning, and removal of Utility Scale Solar Energy Systems, as a permitted Special Use with conditions in the following districts: RD, WRD, AR, RR, NSC, and LI.
- B. All applications for a Utility Scale Solar Energy Systems use must be accompanied by a Conceptual Plan, at time of submission of application. The conceptual plan

shall be reviewed by Planning Commission and allow for discussion with and feedback from the Planning Commission. This plan must be approved by the Planning Commission prior to submission of a final site plan.

- C. Final site plan submittal must include a detailed site plan including all applicable requirements found in this ordinance, drawn to scale, dimensioned, and certified by a registered engineer licensed in the State of Michigan, displaying the following information:
- 1 All requirements for a site plan contained in Article XX of the Cohoctah Township Zoning Ordinance, unless otherwise specified in the information below;
 - 2 Scale of 1 inch = 200 feet;
 - 3 All lot lines and dimensions, including a legal description of each lot or parcel comprising the Utility Scale Solar Energy System;
 - 4 Names of owners of each lot or parcel within Cohoctah Township that is on the property and within one hundred fifty (150) feet of the property lines;
 - 5 Vicinity map showing the location of all surrounding land uses;
 - 6 Location of all above or below ground drainage systems including but not limited to, farm tiles, county drains, wetlands, and road ditches;
 - 7 Location and height of all existing and proposed PV Array(s), buildings, structures, electrical tie lines and transmission lines, security fencing, and all above-ground structures and utilities associated with the Utility Scale Solar Energy System;
 - 8 Horizontal and vertical (elevation) to scale drawings with dimensions that show the location of the proposed PV Array(s), buildings, structures, electrical tie lines and transmission lines, security fencing and all above ground structures and utilities on the property;
 - 9 Location of all existing and proposed overhead and underground electrical transmission or distribution lines within the Utility Scale Solar Energy System and within one hundred (100) feet of all exterior property lines of the Utility Scale Solar Energy System;
 - 10 Proposed setbacks from the PV Array(s) to all existing and proposed structures within two hundred (200) feet of the Utility Scale Solar Energy System;
 - 11 Land elevations for the Solar Array(s) location and the relationship to the land elevations of all existing and proposed structures within two hundred (200) feet of the Utility Scale Solar Energy System at a minimum of five (5) foot contours;
 - 12 Access driveways within and to the Utility Scale Solar Energy System,

together with a detailed narrative regarding dimensions, composition, and maintenance of each proposed driveway. All access drives shall be subject to Livingston County Road Commission approval and shall be planned so as to minimize the use of lands for that purpose;

- 13 Planned security measures to prevent unauthorized trespass and access during the construction, operation, removal, maintenance or repair of the Utility Scale Solar Energy System;
- 14 A written description of a maintenance plan to be used for the PV Array and other components of the Utility Scale Solar Energy System, including landscaping upkeep, regular checks and maintenance for the equipment, and decommissioning and removal. The description shall include maintenance schedules, types of maintenance to be performed, and decommissioning and removal procedures and schedules if the Utility Scale Solar Energy System is decommissioned;
- 15 Planned lighting measures if any, such as fixed motion lights or if mounted on equipment;
- 16 Additional detail(s) and information as required by this Article XII for Special Land Uses, Article XX for Site Plans, and as required by the Planning Commission.

D. Application Escrow Account: An escrow account shall be deposited with the Township by the Applicant when the Applicant applies for a Special Land Use Permit for a Utility Scale Solar Energy System. The monetary amount deposited by the Applicant in escrow with the Township shall be the amount estimated by the Township, to cover all reasonable costs and expenses associated with the Special Land Use Permit review and approval process, which costs shall include, but are not limited to, reasonable fees of the Township Attorney, Township Board, Township Planner and Township Engineer, as well as costs for any reports or studies that are reasonably related to the zoning review process for the application. The Applicant shall have thirty (30) days to pay the amount estimated by the Township. Such escrow amount shall be in addition to any filing or application fees established by resolution. At any point during the Special Land Use Permit review process, the Township may require the Applicant to place additional funds into escrow with the Township if the existing escrow amount deposited by the Applicant is deemed insufficient by the Township. If the escrow account needs replenishing and the Applicant refuses to do so within thirty (30) days, the Special Land Use Permit process shall cease until the Applicant makes the required additional escrow deposit. Any applicable zoning escrow policies or other Ordinances adopted by the Township must also be complied with by the Applicant. The Township shall provide a summary of all account activity to the Applicant within a timely manner upon request. Any funds remaining within the escrow after approval or denial of the Special Land Use Permit shall be returned in a timely manner to the Applicant.

- E. Land Enrolled in PA 116 Farmland Development Rights Program. Per the Michigan Department of Agriculture and Rural Development (MDARD), land enrolled in the PA 116 program may be permitted to participate in solar energy development subject to MDARD policy and requirements.
- F. Compliance with the County Building Code and the National Electric Safety Code: Construction of a Utility Scale Solar Energy System shall comply with the National Electric Safety Code and the County Building Code (as shown by approval by the County) as a condition of any Special Land Use Permit under this section. In the event of a conflict between the County Building Code and National Electric Safety Code (NESC), the NESC shall prevail.
- G. Certified PV Array Components: Components of a PV Array shall be approved by the Institute of Electrical and Electronics Engineers (“IEEE”), Solar Rating and Certification Corporation (“SRCC”), Electronic Testing Laboratories (“EIL”), or other similar certification organization if the similar certification organization is approved by the Township, which approval shall not be unreasonably withheld.
- H. Height: Maximum height of a PV Array, other collection device, components or buildings of the Utility Scale Solar Energy System, shall not exceed sixteen (16) feet at full tilt (as measured from the natural grade at the base of improvements). Substation and electrical transmission equipment shall not exceed one hundred (100) feet in height.
- I. Lot Size: A Utility Scale Solar Energy System shall be located on one or more parcels with an aggregate area of five (5) acres or greater.
- J. Setbacks: A minimum setback distance of fifty (50) feet from all exterior property lines of the Utility Scale Solar Energy System and existing public roads and railroad rights-of-way shall be required for all buildings and PV Arrays. Additionally, a minimum setback distance of one hundred (100) feet shall be provided from PV Arrays, equipment, and/or buildings from all non-participating residential property lines.
- K. Lot Coverage: Total area of arrays shall not be included in the calculation of maximum permitted lot coverage requirement for any parcel.
- L. Dual Use/Groundcover. A Utility Scale Solar Energy System shall include the installation of perennial ground cover vegetation maintained for the duration of operation until the site is decommissioned. The Applicant shall include a ground cover vegetation establishment and management plan as part of the site plan.
 - 1 Sites bound by PA 116 must follow the Michigan Department of Agriculture and Rural Development’s Policy for Allowing Commercial Solar Panel Development on PA 116 Lands.
 - 2 All properties not enrolled in the PA 116 program must provide one of the following four types of Dual Use defined in this ordinance to promote ecological benefits:

- a. Pollinator Habitat: Solar sites designed to meet a score of 76 or more on the Michigan Pollinator Habitat Planning Scorecard for Solar Sites (www.pollinators.msu.edu).
 - b. Conservation Cover: Solar sites designed in consultation with conservation organizations that focus on restoring native plants, grasses, and prairie with the aim of protecting specific species (e.g., bird habitat) or providing specific ecosystem services (e.g., carbon sequestration, soil health).
 - c. Forage: Solar sites that incorporate rotational livestock grazing and forage production as part of an overall vegetative maintenance plan.
 - d. Agrovoltatics: Solar sites that combine raising crops for food, fiber, or fuel, and generating electricity within the project area to maximize land use.
- 3 If it is not feasible to provide Dual Use, developer must demonstrate to Planning Commission why it is not reasonably feasible.
 - 4 All groundcovers must be native plants with substantial root system to support soil, no turf grass.
 - 5 Application must include an invasive species and noxious weeds management control plan.

M. Screening/Security: A Utility Scale Solar Energy System shall be completely enclosed by perimeter security fencing to restrict unauthorized access. Such fencing shall be seven (7) feet in height and be constructed of a woven wire fence, such as deer fencing. The Planning Commission may consider an alternative fence-type as part of the special use approval. Electric fencing or barbed wire is prohibited. The perimeter of Utility Scale Solar Energy Systems shall also be screened and buffered by installed evergreen or native vegetative plantings whenever existing natural vegetation does not otherwise reasonably obscure the Utility Scale Solar Energy System from adjacent non-participating residential structures, subject to the following requirements:

- 1 No landscaping shall be placed within fifty (50) feet of any right-of-way.
- 2 Landscape screening shall be installed to obscure the Utility Scale Solar Energy System from adjacent non-participating uses and from passersby. Utility Scale Solar Energy Systems shall be reasonably screened from the view of the surrounding non-participating residences, streets, and roads to the maximum extent practicable, except to the extent that such screening is either impracticable or would result in ineffective solar access on the site in question. The perimeter of Large Solar Energy Systems shall also be screened and buffered by installed evergreen or native vegetative plantings whenever existing natural vegetation does not otherwise reasonably obscure the Large Solar Energy System from adjacent residential structures, subject to the following requirements:
 - a. All Utility Scale Solar Energy Systems that rely on landscaping or a vegetative buffer for screening shall maintain a minimum opacity

of at least sixty percent (60%), and a mature height of not less than six (6) feet or sixty percent (60%), whichever is greater, of the height of the Utility Scale Solar Energy System when oriented to maximum tilt.

- b. The evergreen or native and shrub vegetative buffer shall either be composed of one (1) row of evergreen trees and two (2) offset rows of shrubs that at planting shall be a minimum of six (6) feet in height (evergreen trees) and shrubs two (2) feet in height. Or two (2) rows of evergreen trees. with one (1) row having a minimum height of four (4) feet and the other a minimum height of six (6) feet.
 - c. All plant materials shall be installed between March 15 and November 15. If the Applicant requests a Land Use Permit from the Township and the Applicant is unable to plant during the installation period, the Applicant will provide the Township with a surety or corporate guarantee for an amount equal to one and one-half (1.5) times the cost of any planting deficiencies that the Township shall hold until the next planting season. After all plantings have occurred, the Township shall return the financial guarantee.
 - d. Failure to install or continuously maintain the required vegetative buffer shall constitute a violation of this Ordinance and any Special Use Permit may be subject to revocation.
- N. Signage is not permitted. This exclusion does not apply to information that may be necessary for electrical operations and the safety and welfare of the public. An information sign shall be posted and maintained at the entrance(s) which lists the name and phone number of the operator.
- O. Agricultural Preservation and Habitat Impact: Land clearing shall be limited to what is minimally necessary for installation and operation of the system and to ensure all-season access to solar resources given the topography of the land. Topsoil distributed during preparation shall be retained on site. In addition, access drives shall be designed to minimize extent of soil disturbance, water run-off, and soil compaction.
- P. Noise: No component of any Utility Scale Solar Energy System shall emit noise exceeding forty-five (45) dBA (Leq (1 hour)) as measured at the exterior property boundary or the existing ROW line. The site plan shall include modeled sound isolines extending from the sound source to the property lines to demonstrate compliance with this standard.
- Q. Lighting: Lighting shall be limited to inverter and/or substation locations only. Lighting shall be downlit shielding and be placed to keep light on site and glare away from adjacent properties, bodies of water, and adjacent roadways. Flashing or intermittent lights are prohibited. Motion lights, for the purpose of security,

may be permitted at the discretion of the Planning Commission.

- R. Drain Tiles: Drain tiles on the Utility Scale Solar Energy System site rendered non-functioning directly as a result of construction or operation on the Utility Scale Solar Energy System will be replaced or repaired so as to maintain the existing drainage volume of the parcel(s) throughout the life of the Utility Scale Solar Energy System. A drainage plan shall be provided.
- S. Distribution, Transmission and Interconnection: All collection lines and interconnections from the PV Array(s) to any electrical substations shall be located and maintained underground inside the Utility Scale Solar Energy System, except in areas where technical or physical constraints make it necessary to install equipment above ground. This requirement excludes transmission equipment meant to connect the project substation to the local transmission system.
- T. Abandonment and Decommissioning: Following the life of the project, the Applicant shall perform decommissioning and removal of the Utility Scale Solar Energy System and all its components. The Applicant shall prepare a Decommissioning Plan and submit it to the Planning Commission for review and approval prior to issuance of the Special Land User Permit. The decommissioning plan shall be written to provide security to the Township for one hundred percent (100%) of the cost to remove and dispose of all panels, wiring, and restoration of the land to its original conditions. All work must be done when soil is dry to prevent compaction. The value of decommissioning shall be determined by a third-party financial consultant or engineer selected by the Township and paid for by the developer through escrow. Once value of decommissioning is determined, it shall be updated on a periodic basis of not less than every three (3) years. Any Photovoltaic (PV) Devices that are not operated for a continuous period of twelve (12) months shall be considered abandoned and shall prompt and abandonment hearing. The ground must be restored to its original condition within three hundred sixty-five (365) days of abandonment or decommissioning.
 - 1 Continuing Obligations: Failure to keep any required financial security in full force and effect at all times while a Utility Scale Solar Energy System 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 Utility Scale Solar Energy System Applicant, owner and 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.
- U. Complaint Resolution Protocol: Applicant shall provide a Complaint Resolution protocol at time of submission of final site plan. The operator of the project or its assigns shall initially respond within ten (10) business days to complaints from neighboring property owners arising from and related to the operation of the Utility Scale Solar Energy System. Any resolution shall include lawful and reasonable solutions consistent with the Zoning Ordinance, which shall also be provided to the Township Zoning Administrator.

- 1 Applicant will submit annual report to Township Board that details complaints received regarding the Utility Scale Solar Energy System and status of complaint resolution and actions taken to mitigate complaints.
- V. Indemnity/Insurance: The Township shall be indemnified from all third-party claims for personal or property damage arising from the developer's negligent and/or intentional acts and/or omissions during construction, maintenance and decommissioning of the Utility Scale Solar Energy System and shall be listed as an additional insured on applicable insurance policies during the life of the project.
- W. General Standards: The Planning Commission shall not approve any Utility Scale Solar Energy System Special Land Use Permit unless it finds that all the general standards for Special Land Uses contained in Article XIII of this Ordinance are met.
- X. Approval Time Limit and Extension: Special Use and Site Plan approvals or permits under this Section shall be valid for one year but, if requested by the Applicant prior to that expiration date, shall be extended for an additional one-year period if good faith effort is shown.
- Y. Maintenance and Repair: Each Utility Scale Solar Energy System must always be kept and maintained in good repair and condition. If the Township Zoning Administrator determines that a Utility Scale Solar Energy System fails to meet the requirements of this Ordinance, the Special Land Use Permit, any other applicable violations, or that it poses a safety hazard, the Zoning Administrator, or his or her designee, shall provide notice to the Applicant.. If, after a reasonable cure period (not to exceed fourteen (14) days), the identified issues are not addressed, the Applicant is entitled to a hearing before the Township Board. If the Township Board determines that identified issues require that the Utility Scale Solar Energy System must be shut down, Applicant shall immediately shut down the Utility Scale Solar Energy System and not operate, start or restart the Utility Scale Solar Energy System until the issues have been resolved. Applicant shall keep all sites within the Utility Scale Solar Energy System neat, clean, and free of refuse, waste or unsightly, hazardous, or unsanitary conditions.
- Z. Roads: Any material damages to a public road located within the Township resulting from the construction, maintenance, or operation of a Utility Scale Solar Energy System shall be repaired at the Applicant's expense. In addition, the Applicant shall submit to the appropriate Livingston County agency a description of the routes to be used by construction and delivery vehicles; any road improvements that will be necessary to accommodate construction vehicles, equipment, or other deliveries. The Applicant shall abide by all Livingston County requirements regarding the use and/or repair of Livingston County roads and shall obtain all required permits.
- AA. Density; Location. No more than 2.5% (two- and one-half percent) of the land in a ten (10) mile radius of the project area (radius is determined by central point of

project) of any existing Utility Scale Solar Energy System within the Township shall be approved for use as the project area for a new Utility Scale Solar Energy

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Gerald Simkus
10400 Owosso Road
Fowlerville, Michigan 48836

Cohoctah Township Offices
10518 Antcliff Road
PO Box 278
Cohoctah, Michigan 48816

August / - 22

Dear Planning Commission Members,

I am seeking the renewal of my manufactured home permit. The conditions in which my permit was granted still exist, nothing has changed. I am requesting to be put on the agenda for your next meeting. I will not be available to attend this meeting but I would like to be informed of the decision by mail.

Thank you.

Yours truly,

A handwritten signature in cursive script that reads "Gerald Simkus".

Gerald Simkus