



Conway Township Planning Commission

Monday, November 14, 2022 | 7:00pm

Conway Township Hall | 8015 N. Fowlerville Road | Fowlerville, MI 48836

- 1. CALL TO ORDER / PLEDGE**
- 2. ROLL CALL**
- 3. APPROVAL OF PLANNING COMMISSION MEETING November 14, 2022 AGENDA**
- 4. CALL TO THE PUBLIC**
- 5. APPROVAL OF THE October 10, 2022 PLANNING COMMISSION MINUTES**
- 6. COMMUNICATIONS**
 - a. Zoning Administrator's Report
 - b. Board Ex-Officio Report
 - c. Livingston County Planning Commission Report
- 7. PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE ZONING ORDINANCE**
 - a. Swimming Pools | Section 6.07 Supplemental Regulations pertaining to Yards
 - b. Solar Energy Systems | Section 6.26 Solar Energy Systems
- 8. OLD BUSINESS**
 - a. Recommendation to Township Board regarding Proposed Zoning Ordinance Amendments
 - b. Master Plan Update
- 9. NEW BUSINESS**
- 10. PLANNING COMMISSION MEMBER DISCUSSION**
- 11. LAST CALL TO THE PUBLIC**

Comments from resident Riley
Comments from resident Weiss
Comments from resident Porter
- 12. ADJOURNMENT**

Any person may speak for up to three minutes during the public comment period.

Next Meeting will be Monday, December 12, 2022.

CONWAY TOWNSHIP POLICY No. 7

PUBLIC COMMENT AND CONDUCT POLICY

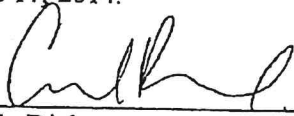
Conway Township Board recognizes its obligation to obtain and the benefits to be received from public comments on matters pending before the Board. To provide an orderly and efficient manner to obtain public comment and to provide the public with an opportunity to participate in public meetings, the Conway Township Board hereby adopts the following policy for public comment and conduct at public meetings:

1. Public comment is restricted to only those times designated for public comment on the agenda, unless permitted otherwise by the chairperson or a majority of the Board. All persons addressing the Board shall comment only after being recognized by the chairperson conducting the meeting.
2. No individual speaker shall be permitted to speak more than 3 minutes regardless of topic and no time may be transferred or assigned by others to the speaker as to extend the 3-minute time limit. At the discretion of the chairperson, a speaker may be allowed to comment further than the three-minute limit. Alternatively, the chairperson may direct the speaker to submit further comment to the Board in writing at a later date.
3. When recognized by the chairperson to speak, the individual recognized shall approach and speak from the podium or location designated by the chairperson and shall not deviate from the location. When the speaker is advised by the chairperson to stop speaking when time has expired, the speaker shall cease speaking and be seated.
4. Prior to addressing the Board, each speaker shall first state for the record the speaker's name and address, the subject on which the speaker will speak, and state whether the speaker represents an organization or other person, and identify such organization or person. All remarks shall be addressed to the Board as a whole and not to any member thereof specifically or any other member of the public. Public comment is not intended to require Board members or Township staff to provide any answer to the speaker. Discussions between speakers and members of the audience will not be permitted.
5. Only one speaker will be acknowledged at a time. In the event that a group of persons supporting or opposing the same position desires to be heard, in the interest of time, a person shall be designated to express the group's concern. A maximum of three speakers may speak on the same subject unless otherwise allowed by a vote of the majority of members of the Board present. The Board may direct other persons to submit comments to the Board in writing in the same manner as designated above.
6. Public comments must be presented in a respectful manner and participants shall conduct themselves in an orderly and civil manner. Comments or language of a lewd, insulting, or provocative nature shall not be permitted. No person shall disrupt the Board and/or partake in behavior that becomes hostile, argumentative or threatens the public or an individual's safety, or is disruptive to the meeting. No person shall utilize any profane or obscene speech or gesture.
7. Violation of any provision of this policy shall be deemed a breach of the peace and such person will be asked to leave. If the person being asked to leave does not voluntarily leave or cease the behavior, the person may be ejected and law enforcement may be called to remove the person.
8. Any person shall have the right to tape record, videotape or broadcast the proceedings of the Township Board, but shall not utilize the electric outlets of the Township without prior permission of the Township Clerk. Any tape recording, video camera or other camera utilized by any such person, shall be kept at least ten feet from all members of the Board and shall not be placed behind them.

This policy may be adopted for use by other boards, commissions, and committees of the Township. This policy or a summary of it may be placed on the back of the meeting agenda or made available with the meeting agenda.

* * * * *

I, Cindy Dickerson, Conway Township Clerk, hereby certify that this administrative Conway Township Policy No. 7 was approved by a regular meeting of the Conway Township Board on June 17, 2014.

/s/ 

Cindy Dickerson
Conway Township Clerk



Conway Township Planning Commission Meeting Minutes
 Monday, October 10, 2022 | 7:00pm EST
 Conway Township Hall | 8015 N. Fowlerville Road, Fowlerville, MI 48836

Agenda	Items Discussed	Actions to be Taken
Attendees	PC Members Present: Jeff Klein, Meghan Swain-Kuch, Dave Whitt, George Pushies - Ex-Officio, Lucas Curd, and Kayla Poissant Zoning Administrator – Gary Klein Livingston County Planning Commissioner: Dennis Bowdoin Township Attorney: Abby Cooper, JD Township Planners: Justin Sprague and Hannah Smith	None
Call to Order/Pledge	Chair, M. Swain-Kuch called the Conway Township Planning Commission meeting to order at 7:00pm and led the Pledge of Allegiance.	None
Approval of Agenda	Amendments to the October 10 th Meeting Agenda- Add #6- Approval of the August 8 th , Meeting Minutes New Business- Add A- Selection of Vice Chair of the Planning Commission. Motion to accept the meeting agenda as amended for October 10th. Motion by D. Whitt. Support J. Klein. Motion Approved.	Motion Passed
Approval of September 2022 Minutes	Motion to accept meeting minutes from September 2022. Motion by J. Klein. Support by L. Curd. Motion Approved.	Motion Passed
Approval of August 2022 Minutes	Motion to accept meeting minutes from August 2022. Motion by D. Whitt. Support by J. Klein. Motion Approved.	Motion Passed
Call to the Public	None at this time.	None
Communications	a. Zoning Administrator Report: There were four land use permits last month which included two house permits, one pole barn permit, and a one well permit.	None

	<p>b. Board Ex-Officio Report: The minutes from the Conway Township Board Meeting is in the packet. G. Pushies states it is self-explanatory.</p> <p>c. Livingston County Planning Commission Report: Last month the county did a tax amendment for Brighton. The change was a zoning from R2 to light industrial in Green Oak. Handy Township also had a tax amendment. October 11th is the Citizen's Planners Training deadline for applicants who wish to take the class.</p>	<p>None</p> <p>None</p>
<p>Old Business</p>	<p>A. Solar energy systems- The Planning Commission is focusing on the Commercial side of the Solar ordinances at this time, and working to update what the Master Plan already includes. There was discussion regarding landscaping around the solar energy systems. J. Sprague stated that Shiawassee County is allowing the neighbors next to the solar energy systems discuss with the developer a landscaping plan and come up with an agreement. If an agreement is unable to be reached, the situation would fall back into the ordinances. The agreement will be in writing and submitted to the township. If an agreement is reached and the original owner sells the property, the agreement would stand with the new homeowner but would not be altered unless agreed upon. It was discussed and agreed add a section to have a two-year minimum maintenance on all landscaping. With regards to decommissioning, it was discussed that the Planning Commission would submit a recommendation to the Township Board regarding the performance guarantee initially and every three years. A. Cooper brought up using the financial guarantee if the developer fails to decommission the solar energy system properly. This was discussed and changes will be made. Setbacks were discussed. The ordinances do clarify between participating and non-participating landowners. In general, non-participating landowners have a setback of 200 ft, and participating is 150 ft from the property line to the point or side of the solar panel. Wetlands have a minimum setback of 50 ft, but the Planning Commission has the authority to extend it up to 150 ft. Battery/battery storage will not be allowed at this time per the recommended ordinances. Pollinator habitat standard must be a 76 on the MSU scorecard. With regards to the Fire Department training for emergency situations on a solar energy system farm, this is for the Township Board to discuss and address. The noise levels</p>	

	<p>for neighboring non-participating properties must be at or less than 45 decibels. With regards to agency reviews, there is a Zoning process at the township level, and then county and state also have their own reviews. The reviews all have to be passed and cleared in order to start building. On reporting from the developer, it was discussed to have a written annual report, and then on the third year they must be present for the review. On ground water contamination, there are the permits that must be secured. Michigan Department of Environment, Great Lakes & Energy is going to be called if there are any issues regarding contamination. Moving forward, a Public Hearing must be scheduled. A. Cooper is going to create a Public Hearing outline/section and submit it to the Planning Commission. This will include removing any references to solar energy systems, and then adding the new ordinances. The Public Hearing does not mean that the ordinances are passed, it is a chance for the public to come and speak on this issue before the ordinances go for review and a vote at the Township level.</p> <p>Motion to hold a Public Hearing on the Solar Energy Systems on Monday, November 14th, 2022. Motion by J. Klein. Support by D. Whitt. Motion Approved.</p> <p>B. Master Plan Update- The Planning Commission discussed to make a recommendation to the Township Board to start a five-year review to update existing ordinances in the Master Plan.</p> <p>Motion to recommend to the Board of Trustees to initiate an update to the Conway Township Master Plan. Motioned by D. Whitt. Supported by J. Klein. Motion Approved.</p> <p>C. Section 6.07- Discussed that a permit must be needed for a permanent pool if the grade to the top of the side wall of the pool is greater than 24 inches in height.</p> <p>Motion to have a Public Hearing on Section 6.07 Supplemental Regulations Pertaining to Yards on Monday, November 14th, 2022. Motion by J. Klein. Support by L. Curd. Motion Approved.</p>	<p>Motion Passed</p> <p>Motion Passed</p> <p>Motion Passed</p>
New Business	A. Selection of a Vice Chair- D. Whitt made a recommendation to wait until the Planning Commission	None

	Board is at full capacity to choose a Vice Chair. This will be postponed until the Planning Commission is at full capacity.	
Commission Discussion	D. Whitt discussed how the upcoming Planner's training is going to be very educational and helpful to the current members.	None
Last Call to the Public	<p>Jenny Engles- She requested clarity on the definitions of participating and non-participating properties.</p> <p>a. H. Smith- Stated the participating properties are ones that are touching that particular solar energy system. If one property touches two solar farms, there will be two separate site plans and applications for that one property. J. Sprague also mentioned that any landowner within 300 ft of the project will be notified of the Public Hearing of each project that occurs.</p> <p>Ed Wilkins- He asked about property values and whether the solar energy system would affect the value. He asked about taxes coming into the township. He asked for clarification regarding the landscaping maintenance and if a natural disaster occurs. He asked about Public Hearing notifications and how they get notified.</p> <p>a. J. Klein stated that Sarah Mills had done studies with this and based on the studies it is estimated that property values will possibly decrease roughly 2.5- 5%. This is not definite decrease, only an estimation. There are taxes assessed by that state. M. Swain mentioned that the commission was looking into keeping the land agricultural versus switching it to industrial. If the land was industrial zoned, some money would be coming into the township for sinking funds or mileages. J. Sprague stated that the ordinance states that the developer must maintain the landscaping for the life of the project, but they have up to six months to replace the downed or diseased trees. J. Sprague stated that all Public Hearings are posted in the newspaper for all residents to be notified, and with site plans, all residents within that 300 ft have to be notified as well which is separate from the Master Plan changes. A. Cooper mentioned that if the Planning Commission does not recommend these changes to the Township Board, developers would be under the current</p>	None

	ordinances in the Master Plan which are not as strict as the ones being proposed.	
Adjournment	Motion to adjourn at 8:29pm. Motion by G. Pushies. Support by J. Klein. Motion Approved.	Motion Passed

Respectfully Submitted:

Kayla Poissant,
PC Secretary

Approved:

Meghan Swain-Kuch,
PC Chair

DRAFT

Unapproved Minutes
Of the October 18, 2022
Conway Township
Regular Board Meeting
7:00 pm

REGULAR MEETING

Supervisor Grubb called the meeting to order at 7:00 p.m. with the pledge of allegiance to the American flag.

Roll call: Clerk Elizabeth Whitt, Trustee Richard Hohenstein, Trustee George Pushies, Supervisor William Grubb,

Absent: Treasurer Debra Grubb

Consent Agenda approved by roll call: Pushies – no, Hohenstein – yes, W. Grubb – yes Whitt – yes. Motion approved.

Call to the public: three attendees spoke regarding enforcement officer, county commissioner and solar farms.

Motion to approve the Board Meeting Agenda with the following amendment: Add items 17 – Chairs. Motion by Hohenstein, supported by Whitt. Motion approved.

Motion to accept the audit report as presented made by Whitt, supported by Hohenstein. Motion approved.

Motion to spend up to \$1000 on new chairs made by Whitt, supported by W Grubb. Roll Call: W Grubb – yes, Whitt – yes, Hohenstein – yes, Pushies – yes. Motion approved.

Call to the public: 5 attendees spoke regarding Super intendent letter, solar power, parking lot entry, fentanyl signs, property taxes

Motion to adjourn at 8:50 p.m. Motion by Whitt. Support by Pushies. Motion approved.

Elizabeth Whitt, Township Clerk

Gabi Bresett, Township Deputy Clerk



Livingston County Department of Planning

LIVINGSTON COUNTY PLANNING COMMISSION MEETING

Wednesday, October 19, 2022 – 6:30 p.m.

Administration Building, Board of Commissioners Chambers
304 East Grand River, Howell, MI 48843

Please note that this is a hybrid meeting with County Planning Commissioners and staff meeting in-person. Audience participants are welcome to attend in-person or via Zoom by using the meeting link at the bottom of the agenda

Kathleen J. Kline-Hudson
AICP, PEM
Director

Agenda

Robert A. Stanford
AICP, PEM
Principal Planner

Scott Barb
AICP, PEM
Principal Planner

1. Call to Order
2. Pledge of Allegiance to the Flag
3. Roll and Introduction of Guests
4. Approval of Agenda – October 19, 2022
5. Approval of Meeting Minutes – September 21, 2022
6. Call to the Public
7. Zoning Reviews
 - A. Z-36-22 Genoa Township, Rezoning, NSD Neighborhood Service District/MDR Medium Density Residential with a TC Town Center Overlay to HDR High Density Residential/RPUD Residential Planned Unit Development in Sections 11 and 14
 - B. PA-01-22 Howell Township, Farmland and Open Space Agreement, Section 9, 40 Acres, Luke and Anna Bowman
 - C. PA-02-22 Howell Township, Farmland and Open Space Agreement, Section 9, 40 Acres, Luke and Anna Bowman
8. Old Business
 - A. Fall 2022 Citizen Planner Educational Series
 - B. 2023-2027 Parks & Open Space Plan
9. New Business
10. Reports
11. Commissioners Heard and Call to the Public
12. Adjournment

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

•
(517) 546-7555
Fax (517) 552-2347

•
Web Site
co.livingston.mi.us

Via Zoom (on-line meetings):

<https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vcHRjWkVIZz09>

Via the Zoom app

Join a meeting, with meeting number: **399 700 0062**

Enter the password: **LCBOC** (ensure there are no spaces before or after the password)

Meeting ID: **399 700 0062**

Password: **886752**

Meeting recordings may be made using a personal computer or laptop, after requesting ability from the meeting host.

**LIVINGSTON COUNTY PLANNING
COMMISSION MEETING MINUTES**

September 21, 2022

6:30 p.m.

Hybrid In-Person and Virtual Zoom Meeting

**Zoom Virtual Meeting Room Meeting ID: 399-700-0062 / Password: LCBOC
<https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vcHRjWkVIZz09>**

PLANNING COMMISSION	
COMMISSIONERS PRESENT:	BRIAN PROKUDA JASON SCHROCK BILL ANDERSON PAUL FUNK DENNIS BOWDOIN MATT IKLE BILL CALL
COMMISSIONERS ABSENT:	
STAFF PRESENT:	KATHLEEN KLINE-HUDSON ROB STANFORD SCOTT BARB
OTHERS PRESENT:	BRUCE POWELLSON, MARION TOWNSHIP

1. **CALL TO ORDER:** Meeting was called to order by Planning Commissioner Prokuda at 6:30 PM.
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL AND INTRODUCTION OF GUESTS:** None.
4. **APPROVAL OF AGENDA**

**Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO APPROVE THE
AGENDA, DATED SEPTEMBER 21, 2022, SECONDED BY COMMISSIONER FUNK.**

All in favor, motion passed

5. **APPROVAL OF PLANNING COMMISSION MEETING MINUTES**

**Commissioner Action: IT WAS MOVED BY COMMISSIONER FUNK TO APPROVE THE
MINUTES, DATED AUGUST 17, 2022, SECONDED BY COMMISSIONER ANDERSON.**

All in favor, motion passed.

6. **CALL TO THE PUBLIC:** None.

7. ZONING REVIEWS:

A. **Z-33-22 BRIGHTON TOWNSHIP, TEXT AMENDMENT
ARTICLE 14 DESIGN REQUIREMENTS, SECTIONS 14-01, 18-03, 20-04 METAL ROOFS
AND SITE PLAN APPROVAL EXTENSIONS.**

The Brighton Charter Township Planning Commission proposes to amend Section 14-01 regarding metal roofs, Section 18-03 regarding site plan review, and Section 20-04 regarding condominium review, of the Township Zoning Ordinance.

Township Planning Commission Recommendation: Approval. The Brighton Charter Township Planning Commission recommended Approval of this zoning amendment at its August 8, 2022 public hearing. There were no public comments noted regarding the proposed text amendments.

Staff Recommendation: The three proposed text amendments regarding metal roofs, site plan review, and condominium review appear to be reasonable and appropriate. Metal roof construction has become a fairly popular construction option. Revising the allowable administrative extensive of site plans makes good sense given the recent slowed state of the local and national economies.

Commission Discussion: None.

Public Comment: None.

Commission Action:

**Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO
RECOMMEND APPROVAL, SECONDED BY COMMISSIONER BOWDOIN.**

Motion passed: 7-0

B. **Z-34-22 GREEN OAK TOWNSHIP, REZONING
GREEN OAK TOWNSHIP, R-2 SINGLE FAMILY TO LI LIMITED INDUSTRIAL IN
SECTION 3.**

Current Zoning: R-2 Single Family Residential

**Proposed Zoning: LI Limited Industrial
Section 3**

Township Master Plan:

The Green Oak Charter Township Master Plan updated and adopted in 2014, designates the site and the parcels immediately to the north and east, as Light Industrial (noted on map as Limited Industrial). The comparable zoning for this designation is LI Limited Industrial.

The master plan defines this future land use category as follows: Light industrial areas are designated to accommodate uses enclosed mainly within a building whose external effects are not experienced beyond their own property lines. Such areas are intended at Rushton and Silver Lake Road; along Park Place and Boardwalk; in the Kensington Pines Industrial Park; south of Maltby Road on Whitmore Lake Road; along Grand River Avenue; and along the central portions of the M-36 corridor. It is worth noting that should the State correctional facilities along M-36 ever be sold and redeveloped, it is the Township's intent that these areas be put to light industrial use.

Key conditions in the location of industrial lands are the accessibility to adequate roads, availability of rail (where needed), availability of adequate water supply and wastewater disposal, and compatibility with neighboring land uses.

County Comprehensive Plan: The 2018 Livingston County Master Plan does not direct future land use patterns, or development within the Township or surrounding area. A county-wide land use perspective is considered when reviewing potential rezoning amendments. The County Master Plan notes land use opportunities and constraints for each quadrant of the county. The opportunities and constraints pertinent to this rezoning amendment include:

- Possible Land Use Conflicts along much of the township boundary between Green Oak and Brighton Townships is noted as a potential land use constraint between commercial land uses and parks and recreational land use.
- The Fonda, Island & Briggs Lake Joint Water Authority has an established wellhead protection area at the border of Green Oak and Brighton Townships that is noted as an opportunity for water quality.

Township Planning Commission Recommendation: Approval. At the July 7, 2022, public hearing there were numerous public comments regarding: permitted land uses, planning & zoning; the potential impact on traffic and highway access; nuisances; hours of operation; and proposed industrial land uses.

Staff Recommendation: Approval. the proposed LI-Limited Industrial rezoning is compatible with surrounding commercial and industrial land uses and zoning, as well as the LI-Limited Industrial future land use designation for the site. The paved, primary roadway access of East Grand River Avenue, will support industrial development on this site, as will the municipal utilities present in this area of Green Oak Township.

Site Plan Review of this property will be critical to the quality of life for the residential area to the west, and it will be critical to the environmental integrity of Island Lake State Recreation Area to the south of the site.

Commission Discussion: Commissioner Schrock stated that residents made comments at the previous meeting regarding environmental issues such as the wellhead protection area and wetlands. Commissioner Ikle had concerns regarding drainage on the site, and stated the site needs buffering between the uses of commercial and residential and buffering to prevent impervious surface runoff. Commissioner Anderson said that the vacant Bar None restaurant site is the new home of Livingston County Meals on Wheels.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER SCHROCK.

Motion passed: 7-0

**C. Z-35-22 HANDY TOWNSHIP, TEXT AMENDMENT
CHAPTER 16 SPECIAL USES, SECTION 16.6 (AA) OFFICE AND SHOWROOMS OF CONTRACTORS.**

The Handy Township Planning Commission is proposing to amend the Township Ordinance by amending Chapter 16, Section 16.6 AA that establishes standards for contractors' showrooms and offices.

Township Planning Commission Recommendation: Approval. The proposed amendments were approved at the August 25, 2022 public hearing with no public comments noted in the minutes.

Staff Recommendation: proposed amendments are a reasonable addition to the Township Ordinance.

Commission Discussion: None.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER BOWDOIN.

Motion passed: 7-0

8. OLD BUSINESS:

- A. Visits to Local Planning Commissions:** Genoa Township was visited; no others scheduled at this time. Commissioner Ikle gave a brief overview of the meeting.
- B. Assembly Solar Facility Tour:** Principal Planner Stanford presented a slide show of the Assemble solar farm bus tour held on August 26. Planning Commissioners discussed their take-aways from the educational tour.

9. NEW BUSINESS:

- A. Fall 2022 Citizen Planner Educational Series:** This series begins October 27th, 2022.
- B. Planning Commission Terms Expiring in 2022:** The term renewals of Commissioners Anderson and Funk have been forwarded to the Livingston County Board of Commissioners for approval at the September 26, 2022, meeting.

10. REPORTS:

- A. Planning Department Annual Report:** Director Kline-Hudson reported that the Planning Department's Annual Report to the Livingston County Board of Commissioners went very well and the only question asked was about the zoning amendment process.
- B. Livingston County High Quality Natural Areas Assessment Interactive Map Launch:** Principal Planner Stanford provided the Commissioners with a brief presentation of the recently launched Livingston County High Quality Natural Areas Assessment Interactive Map.

11. COMMISSIONERS HEARD AND CALL TO THE PUBLIC: None.

12. ADJOURNMENT:

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO ADJOURN THE MEETING AT 7:50 P.M., SECONDED BY COMMISSIONER IKLE .

Motion passed: 7-0

Section 6.07 Supplemental Regulations pertaining to Yards

6. Swimming pools shall not be subject to yard requirements, provided the following minimum conditions are met:

a. Yard areas with a swimming pool, spa, hot tub or similar device (below ground or above ground) shall erect and maintain a fence or enclosure approved by the Zoning Administrator.

b. Fencing is to be a minimum of four (4) feet high, and equipped with a self-closing and self-latching gate. Latching devices are to be located at a minimum height of three (3) feet above the ground. Such fencing may be omitted where building walls without doorways abut the pool area, provided that the entire perimeter of the pool area is secured. Above ground swimming pools with sides of four (4) feet or more above grade, do not require fencing but do require a removable access ladder that lifts for safety. A spa or hot tub with a locking cover shall not require a fence.

c. Swimming pools, spas, hot tubs, similar facilities and surrounding decks, walks or similar accessories with an elevation measured from the mean grade at any point adjacent to such facility of two (2) feet or less shall be at least ten (10) feet from any lot line. Where the elevation is greater than two (2) feet above grade at any point, the setback shall be at least fifteen (15) feet from any public street right-of-way or lot line.

d. Swimming pools, spas, hot tubs and similar devices shall not be located in any front yard or in any easement.

e. No lights shall be erected, operated or maintained in connection with a swimming pool in such a manner as to create an annoyance to surrounding properties.

f. No overhead wiring shall be above a swimming pool.

g. Seasonal swimming pools, spas, hot tubs and similar structures that are intended to be temporary in nature such as inflatable pools or of similar materials which do not require a permanent location, foundation or other fixed position on the property as defined in Article 2 (Structures) shall not be required to obtain a Land Use Permit as required in Article 3, Section 3.03 if the height of the temporary structure does not exceed twenty-four (24") inches from the grade level.

Proposed Amendments to Conway Township Zoning Ordinance Related to Solar Energy Systems

1) Add New Definitions to Article 2.

Solar Energy System (SES): A photovoltaic system or solar thermal system for generating and/or storing electricity or heat, including all above and below ground equipment or components required for the system to operate properly and to be secured to a roof surface or the ground. This includes any necessary operations and maintenance building(s), but does not include any temporary construction offices, substation(s) or other transmission facilities between the SES and the point of interconnection to the electrical grid.

1. **Building-Mounted Solar Energy System:** A solar energy system attached to the roof or wall of a building, or which serves as the roof, wall or window or other element, in whole or in part, of a building.
2. **Ground-Mounted Solar Energy System:** A solar energy system mounted on support posts, like a rack or pole, that is attached to or rests on the ground. The system is not attached to and is separate from any building on the parcel of land on which the solar energy system is located.
3. **Utility-Scale Solar Energy System:** A large-scale facility of solar energy arrays with the primary purpose of wholesale or retail sales of generated electricity.
4. **Accessory Solar Energy System:** A small-scale solar energy system with the primary purpose of generating electricity for the principal use on the site.

Solar Array: A photovoltaic panel, solar thermal collector, or collection of panels or collectors in a solar energy system that collects solar radiation.

Dual Use: A solar energy system that employs one or more of the following land management and conservation practices throughout the project site:

1. **Pollinator Habitat:** A site designed to have vegetation that will enhance pollinator populations, including a diversity of flowering plants and wildflowers, and meets a score of 76 or more on the Michigan Pollinator Habitat Planning Scorecard for Solar Sites.
2. **Conservation Cover:** A site designed with practices to restore native plants, grasses, and prairie with the aim of protecting specific species or providing specific ecosystem services, such as carbon sequestration or soil health. The site must be designed in partnership with a conservation organization or approved by the Livingston Conservation District.
3. **Forage/Grazing:** Sites that incorporate rotational livestock grazing and forage production as part of a vegetative maintenance plan.
4. **Agrivoltaics:** Sites that combine raising crops for food, fiber, or fuel, and generating electricity within the project area to maximize land use.

Maximum Tilt: The maximum angle of a solar array (i.e. most vertical position) for capturing solar radiation as compared to the horizon line.

Minimum Tilt: The minimal angle of a solar array (i.e. most horizontal position) for capturing solar radiation as compared to the horizon line.

Participating Property: One or more properties under a signed lease or easement for development of a utility-scale solar energy system associated with a project.

Non-Participating Property: One or more properties for which there is not a signed lease or easement for development of a utility-scale solar energy system associated with a project.

- 2) **Delete Definition for Solar Energy Collector in Article 2.**
- 3) **Change references from building-mounted solar energy collectors in Sections 7.02(A)(13), 8.02(A)(13), 10.02(A)(15), and 11.02(F) to accessory solar energy systems; remove references to ground-mounted energy collectors in Sections 7.03(A)(20), 8.03(A)(12), 10.03(A)(9), and 11.03(A)(8); and change references from commercial solar energy systems in Sections 7.03(A)(21), 10.03(A)(10), and 11.03(A)(9), to utility-scale solar energy systems.**
- 4) **Replace current Section 6.26 regarding Solar Energy Collectors with the following:**

Section 6.26 Solar Energy Systems

A. Purpose and Intent.

Conway Township promotes the effective and efficient use of solar energy collection systems. It is the intent of the Township to permit these systems by regulating the siting, design, and installation of such systems to protect the public health, safety, and welfare, and to ensure compatibility of land uses in the vicinity of solar energy systems. Accessory and utility-scale solar energy systems, as defined in this Ordinance, shall comply with the provisions of this Section.

B. Criteria For the Use of All Solar Energy Equipment.

1. Solar energy equipment shall be located to minimize visual impacts from the public right-of-way.
2. Solar energy equipment shall be repaired, removed, or replaced within twelve (12) months of no longer being operational.
3. All solar energy equipment must conform to all County, State, and Federal regulations and safety requirements as well as applicable industry standards.

C. Accessory Solar Energy Systems. Accessory solar energy systems, as defined in Article 2 Definitions, include building-mounted systems and ground-mounted systems with the primary purpose of generating electricity for the principal use on the site. Accessory solar energy systems are a permitted accessory use in all zoning districts, subject to administrative review and approval.

1. **Application to Zoning Administrator.** An applicant who seeks to install an accessory solar energy system shall submit an application to the Zoning Administrator upon forms furnished and approved by the Conway Township Board of Trustees.
2. **Application Criteria.** The application must be approved in

writing by the Zoning Administrator. The application shall include the following:

- a. Photographs of the property's existing conditions.
- b. Renderings or catalogue cuts of the proposed solar energy equipment.
- c. Certificate of compliance demonstrating that the system has been tested and approved by Underwriters Laboratories (UL) or other approved independent testing agency acceptable to Township.
- d. Plot plan to indicate where the solar energy equipment is to be installed on the property.
- e. In addition to the criteria contained in this subsection, applicants seeking approval of an accessory solar energy system shall meet the requirements of subsection (4) for a building-mounted system and subsection (5) for a ground-mounted system.

3. **Exclusions from Administrative Review.**

- a. The installation of one (1) solar panel with a total area of less than eight (8) square feet.
- b. Repair and replacement of existing solar energy equipment, provided that there is no expansion of the size or coverage area of the solar energy equipment.

4. **Building-Mounted Solar Energy System Requirements.** A building-mounted solar energy system shall be a permitted accessory use in all zoning districts, subject to the following requirements:

- a. Administrative review as set forth in subsection (1) above is required of all building-mounted solar energy systems permitted as an accessory use, subject to the exclusions in subsection (3).
- b. Solar energy systems that are mounted on the roof of a building shall not project more than five (5) feet above the highest point of the roof but, in any event, shall not exceed the maximum building height limitation for the zoning district in which it is located, and shall not project beyond the eaves of the roof.
- c. Solar energy systems that are roof-mounted, wall-mounted

or are otherwise attached to a building or structure shall be permanently and safely attached to the building or structure. Proof of the safety and reliability of the means of such attachment shall be submitted to the Zoning Administrator prior to installation; such proof shall be subject to the Zoning Administrator's approval.

- d. Solar energy systems that are wall-mounted shall not exceed the height of the building wall to which they are attached.
- e. Solar energy systems shall not be mounted on a building wall that is facing an adjacent public right-of-way.
- f. The exterior surfaces of solar energy systems that are mounted on the roof or on a wall of a building, or are otherwise attached to a building or structure, shall be generally neutral in color and substantially non-reflective of light.
- g. Solar energy systems shall be installed, maintained, and used only in accordance with the manufacturer's directions. Upon request, a copy of such directions shall be submitted to the Zoning Administrator prior to installation. The Zoning Administrator may inspect the completed installation to verify compliance with the manufacturer's directions.
- h. Solar energy systems, and the installation and use thereof, shall comply with the County construction code and the electrical code.
- i. A building-mounted solar energy system installed on a nonconforming building, structure, or use shall not be considered an expansion of the nonconformity, but shall be required to meet all height and placement requirements.

5. **Ground-Mounted Accessory Solar Energy System Requirements.** Ground-mounted solar energy systems which are accessory to a principal use shall be a permitted accessory use in all zoning districts, subject to the following requirements:

- a. Administrative review as set forth in subsection (1) above is required of all accessory ground-mounted solar energy systems permitted as an accessory use, subject to the exclusions in subsection (3).
- b. Accessory ground-mounted solar energy systems shall be located only as follows:
 - They shall be located in the rear yard or the side yard, but

not in the required rear yard setback or in the required side yard setback unless permitted by the Planning Commission.

- Should extenuating circumstance exist that prevent locating in the rear or side yard, the Planning Commission may approve a front yard location, but, in no event, shall the energy system be located in the required front yard setback. The applicant shall demonstrate to the Commission that the rear or side yard location is not feasible.
- c. Solar energy systems shall be permanently and safely attached to the ground. Proof of the safety and reliability of the means of such attachment shall be submitted with the application and shall be subject to the Zoning Administrator's approval.
- d. Solar energy systems shall be installed, maintained and used only in accordance with the manufacturer's directions. Upon request, a copy of such directions shall be submitted to the Zoning Administrator prior to installation. The Zoning Administrator may inspect the completed installation to verify compliance with the manufacturer's directions.
- e. Accessory ground-mounted solar energy systems shall not exceed sixteen (16) feet in height, measured from the ground at the base of such equipment, when oriented at maximum tilt.
- f. The exterior surfaces of solar energy systems shall be generally neutral in color and substantially non-reflective of light.
- g. The total area of accessory ground-mounted solar energy systems shall not exceed fifty percent (50%) of the square footage of the principal building of the property. For any parcel of land two (2) acres or less, an accessory ground-mounted solar energy system shall not be deemed an accessory building or structure for purposes of Section 6.06(E).
- h. An accessory ground-mounted solar energy system installed on a nonconforming use or lot shall not be considered an expansion of the nonconformity, but shall be required to meet all placement and height requirements.

D. Utility-Scale Solar Energy Systems. Utility-scale solar energy systems, as defined in Article 2 Definitions, are permitted by Special Land Use approval and are subject to site plan and special land use review

requirements.

1. **Special Land Use Required.** Special land use approval is required for a utility-scale solar energy system. Utility-scale solar energy systems are permitted as a special land use in AR Agricultural Residential, C Commercial, and I Industrial districts only.
2. **Height.** Utility-scale solar energy systems shall not exceed sixteen (16) feet in height, measured from the ground at the base of such equipment, when oriented at maximum tilt. The Planning Commission can permit up to twenty (20) feet in height for utility-scale systems as part of the special land use approval, to allow for grazing or other operations.
3. **Lot Coverage.** The total area of utility-scale solar energy systems shall not be included in the calculation of the maximum permitted lot coverage requirement for the parcel of land.
4. **Installation and safety.** Utility-scale solar energy systems shall be properly installed to ensure safety, and meet the following requirements:
 - a. Solar energy systems shall be safely attached to the ground. Proof of the safety and reliability of the means of such attachment shall be submitted with the special land use application and shall be subject to the Planning Commission's approval.
 - b. Solar energy systems shall be installed, maintained and used only in accordance with the manufacturer's directions. A copy of such directions shall be submitted with the special land use application. The special land use, if granted, may be subject to the Zoning Administrator's inspection to determine compliance with the manufacturer's directions.
5. **Appearance.** The exterior surfaces of solar energy systems shall be generally neutral in color and substantially non-reflective of light.
6. **Compliance with construction and electrical codes.** Utility-scale solar energy systems, and the installation and use thereof, shall comply with all applicable construction codes and electric codes, including state construction codes and the National Electric Safety Code.
7. **Fencing.** Utility-scale solar energy systems shall be fenced in with at least a seven (7) foot chain link fence or seven (7) foot woven wire fence with wooden or steel posts. Fencing must meet all applicable standards, including National Electrical Code

requirements. Barbed wire is prohibited. Fencing is not subject to setback requirements.

8. **Transmission and communication lines.** All power transmission and communication lines between banks of solar panels and to nearby electric substations or interconnections with any buildings or other structures shall be located underground. Exemptions may be granted in instances when soil conditions, shape, topography, or other elements of the natural landscape interfere with the ability to bury lines, or distance makes undergrounding infeasible, at the discretion of the Planning Commission.
9. **Setbacks.** Minimum setbacks shall be two-hundred (200) feet from any non-participating property with a residence and one hundred twenty-five (125) feet from all other non-participating properties. This shall be measured from the property line of the adjacent property to the closest point of the solar array at minimum tilt or any solar energy system components. A utility-scale solar energy system is not subject to property line setbacks for common property lines of two or more participating lots, except road right-of-way setbacks shall apply.
10. **Setback from wetlands.** Utility-scale solar energy systems shall be at least fifty (50) feet from the edge of any wetland, or any shoreline or drain easement. The Planning Commission shall have the authority to require up to one hundred fifty (150) feet setback, at the Commission's discretion.
11. **Sound.** The sound pressure level of a utility-scale solar energy system and all ancillary solar equipment shall not exceed 45 dB(A) at the property line of adjacent non-participating properties or the exterior of any non-participating habitable structure, whichever is closer. The site plan shall include modeled sound isolines extending from the sound source to the property lines to demonstrate compliance with this standard.
12. **Lighting.** Utility-scale solar energy system lighting shall be limited to inverter and/or substation locations only. Any lighting shall be directed downward 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.
13. **Groundcover.** A utility-scale solar energy system shall include the installation of ground cover vegetation maintained for the duration of operation until the site is decommissioned. A ground cover vegetation establishment and management plan shall be submitted as part of the site plan.
 - a. Properties bound by a Farmland Development Rights Act

(PA 116) Agreement must follow the Michigan Department of Agriculture and Rural Development's Policy for allowing commercial solar panel development on PA 116 lands.

- b. Ground cover at properties not enrolled in PA 116 shall meet one or more of the following types of Dual Use, as defined in this Ordinance, to promote ecological benefits:
 - Pollinator Habitat
 - Conservation Cover
 - Forage/Grazing
 - Agrivoltaics

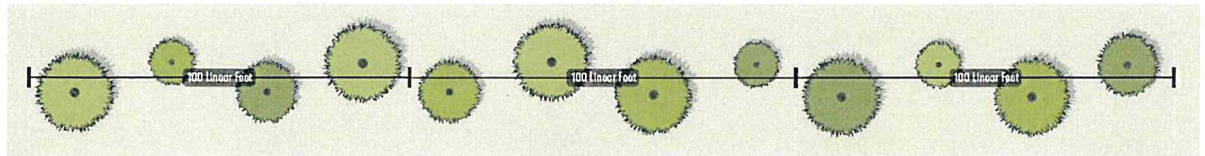
14. **Drainage.** Drainage on the site shall be maintained in a manner consistent with, or improved upon, existing natural drainage patterns. Any disturbance to drainage or water management practices must be managed within the property and on-site, in order to not negatively impact surrounding properties as a result of the development. This shall be maintained for the duration of the operation and shall be able to be returned to pre-existing conditions following decommissioning. Any existing drainage tiles that are identified on the property shall be shown on the as-built drawings submitted following construction.

15. **Wildlife Corridors.** Utility-scale solar energy system developments shall have access corridors for wildlife to navigate through the development. Applicants shall demonstrate within their site plan means for allowing wildlife corridors throughout the site, which may include natural patterns, breaks in the fencing, and other means for allowing movement of migratory animals and other wildlife.

16. **Landscaping/Screening.** Landscaping shall be provided in accordance with the standards required in Section 6.16 Required Landscaping and Screening, as well as the following additional screening requirements if determined appropriate by the Planning Commission:
 - a. At least four (4) evergreen trees provided every one hundred (100) linear feet. The trees shall be in a staggered pattern and evenly distributed within each one hundred (100) linear feet section, as shown in Figure 6.26.1. Trees shall be planted outside of the fencing.
 - b. Each evergreen tree shall have a minimum mature height of fifteen (15) height and have a minimum height of seven (7) feet at the time it is planted.
 - c. Landscaping shall be installed and inspected following project completion and prior to energy generation within the project. Landscaping shall be maintained in accordance with Section 6.16(E) of this Ordinance.
 - d. If an adjacent property owner desires to have less screening than that required where the utility-scale solar energy system

is adjacent to their property, exemptions may be granted by the Planning Commission so long as a written agreement of desired screening between the developer and adjacent property owner is filed with and accepted by the Township.

Figure 6.26.1 Landscaping/Screening



Landscaping/Screening

At least four (4) evergreen trees provided every one hundred (100) linear feet. The trees shall be in a staggered pattern and evenly distributed within each one hundred (100) linear feet section.

17. **Signage.** Signage shall be permitted in accordance with Article 17. Signage shall be required to identify the owner and provide a 24-hour emergency contact phone number.
18. **Agricultural Protection.** Utility-scale solar energy systems shall be sited to minimize impacts to agricultural production, including the following:
 - a. Systems shall be sited to minimize land disturbance or clearing except for minimally necessary. Topsoil shall be retained on-site.
 - b. Any access drives shall be designed to minimize extent of soil disturbance, water runoff, and soil compaction.
19. **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. Per MDARD standards, this land must be able to be returned to agricultural uses following the end of the solar development agreement or if/when the solar development is decommissioned for any reason.
20. **Battery Storage.** On-site battery storage accessory to a utility-scale solar energy system is prohibited.
21. **Decommissioning.** A decommissioning plan is required at the time of application to be reviewed and approved by the Planning Commission.
 - a. The decommissioning plan shall include:
 - The anticipated manner in which the project will be decommissioned, including a description of the process for removal of all structures and foundations, restoration of soil to a depth of four (4) feet and vegetation, and how all above-grade and below-grade improvements will be removed, retained, or restored for viable reuse of the property consistent with the zoning district.

- The projected decommissioning costs for removal of the system (net of salvage value in current dollars) and site restoration/soil stabilization, less the amount of the surety bond posted with the State of Michigan for decommissioning of panels if installed on PA 116 land.
 - The method of ensuring that funds will be available for site decommissioning and stabilization. A performance guarantee is required. The Planning Commission shall review the cost estimate provided and recommend a financial guarantee amount to the Township Board, who will ultimately determine the amount required. This financial security guarantee must be posted at the time of receiving a land use permit for the system. The security shall be in the form of a cash bond, irrevocable bank letter of credit, or performance bond in a form approved by the Township. The estimate shall be prepared by the engineer for the applicant and shall be subject to approval by the Township.
- b. A review of the amount of the performance guarantee based on inflation, salvage value, and current removal costs shall be required every three (3) years, for the life of the project, and approved by the Conway Township Board of Trustees. Updated costs estimates based on these conditions shall be provided by the applicant for review. The Planning Commission shall review the updated cost estimate and make a recommendation to the Township Board on the performance guarantee amount. The applicant shall provide escrow funds, in an amount determined by the Planning Commission, for the Township to review the updated cost estimates.
 - c. A utility-scale solar energy system owner may at any time proceed with the decommissioning plan approved by the Planning Commission and remove the system as indicated in the most recent approved plan.
 - d. Any proposed amendment to the decommissioning plan shall be presented to the Planning Commission for approval.

22. **Abandonment.** In the event that a utility-scale solar energy system has not been in operation for a period of one year without a waiver from the Planning Commission, the system shall be considered abandoned and shall prompt an abandonment hearing conducted by the Township Board. If deemed abandoned after a hearing, the system shall be removed by the applicant or the property owner and the site shall be stabilized and re-vegetated, in compliance with the approved decommissioning plan. If the abandoned system is not removed or repaired, amongst other available remedies, the Township may pursue legal action against the applicant and property owner to have the system removed and assess its cost to the tax roll of the subject parcel. The applicant and property owner shall be responsible for the payment of any costs and attorney's fees incurred by the Township in securing

removal of the structure. The Township may utilize the benefit of any performance guarantee being held to offset its cost. As a condition of approval, the applicant and property owner shall give permission to the Township to enter the parcel of land for this purpose.

23. **Annual Reports.** For a utility-scale solar energy system, a written annual report shall be submitted to the Planning Commission by a date determined at the time of special land use approval. The annual report shall include an update on electricity generation by the project, as well as document all complaints received regarding the utility-scale solar energy system along with the status of complaint resolutions and the actions taken to mitigate the complaints. Applicants shall also provide an in-person verbal report every three (3) years to the Planning Commission.
24. **Additional approvals and agency reviews.** The following approval and agency reviews shall be required, as applicable:
 - a. Local Fire Chief;
 - b. Department of Environment, Great Lakes, and Energy (EGLE);
 - c. Livingston County Drain Commissioner;
 - d. Livingston County Road Commission;
 - e. Livingston County Health Department;
 - f. Federal Aviation Administration (FAA);
 - g. Local Airport Zoning (if applicable);
 - h. Building Department;
 - i. Tax Assessor.
25. **Operations Agreement.** The applicant shall provide the Planning Commission with an operations agreement, which sets forth the operations parameters, the name and contact information of the certified operator, inspection protocol, emergency procedures and general safety documentation. It shall be a condition of approval that the Zoning Administrator shall be notified and provided copies of any changes.
26. **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.
27. **Maintenance and Repair.** Repair, replacement, and maintenance of components is permitted without the need for a new special land use permit. Proposals to change the project footprint of an existing system shall be considered a new

application.

28. **Site Plan Requirements.** Utility-scale solar energy systems are subject to submittal and approval of a site plan meeting all requirements in Article 14 Site Plan Review. Prior to formal site plan submission, applicants may submit an optional conceptual layout plan to the Planning Commission for discussion and feedback. Special land use permits shall be applied for at the time of formal site plan submission.

a. **Optional Conceptual Layout Plan.** For utility-scale solar energy systems, applicants may submit an optional conceptual layout plan for review prior to submission of a formal site plan. The conceptual site plan may be reviewed by the Planning Commission to allow for discussion and feedback. The following information may be shown on a conceptual layout plan:

- General parcel information, as required by Section 14.03(A) General Information, as applicable;
- Existing topography of the site shown at two (2) foot contour intervals with existing surface drainage patterns indicated;
- Proposed plans for site grading and drainage management;
- General landscaping plan, including proposed details for screening;
- The proposed location and layout of all solar arrays in the solar energy system;
- The proposed location and layout of any ancillary equipment (such as inverters), buildings, access drives, and security fencing;
- Location of existing wetlands, shoreline, or drain easements.

b. **Site Plan.** Formal site plan submission for a utility-scale solar energy system must include a detailed site plan including all applicable requirements found in Section 14.03 Required Information of this Ordinance, except that utility-scale solar energy systems shall be submitted at a scale of 1" = 200 feet, plus the following site plan requirements:

- Location of all arrays, including dimensions and layout of arrays, ancillary structures and equipment, utility connections, dwellings on the property and within three-hundred (300) feet of the property lines, any existing and proposed structures, wiring locations, temporary and permanent access drives, fencing details, wildlife corridors, screening and landscaping detail, and any signage;
- Information on where and how the utility-scale solar energy system will connect to the power grid. No utility-scale solar energy system shall be installed until evidence has been given to the Planning Commission that the electric utility company has agreed to allow the applicant to install an

interconnected customer-owned generator to the grid or the applicant otherwise has a means for the wholesale or retail sales of generated electricity;

- Plan for land clearing and/or grading required for the installation and operation of the system;
- Plan for ground cover establishment and management;
- Anticipated construction schedule;
- Sound modeling study including sound isolines extending from the sound source(s) to the property lines;
- A decommissioning plan in accordance with 6.26.D(21);
- The location of prime farmland, as defined by the U.S. Department of Agriculture, Natural Resources Conservation Service – Web Soil Survey, to ensure agricultural protection in accordance with Section 6.26.D(18);
- Additional studies may be required by the Planning Commission if reasonably related to the standards of this Ordinance as applied to the application, including but not limited to:
 - Visual Impact Assessment: A technical analysis by a third party qualified professional of the visual impacts of the proposed project, including a description of the project, the existing visual landscape, and important scenic resources, plus visual simulations that show what the project will look like (including proposed landscaping and other screening measures), a description of potential project impacts, and mitigation measures that would help to reduce the visual impacts created by the project.
 - Environmental Analysis: An analysis by a third-party qualified professional to identify and assess any potential impacts on the natural environment including, but not limited to, wetlands and other fragile ecosystems, wildlife, endangered and threatened species. If required, the analysis shall identify all appropriate measures to minimize, eliminate or mitigate adverse impacts identified and show those measures on the site plan, where applicable.
 - Stormwater Study: An analysis by a third-party qualified professional that takes into account the proposed layout of the utility-scale solar energy system and how the spacing, row separation, and slope affects stormwater infiltration, including calculations for a 100-year rain event. Percolation tests or site-specific soil information shall be provided to demonstrate infiltration on-site without the use of engineered solutions.
 - Glare Study: An analysis by a third-party qualified

professional to determine if glare from the utility-scale solar energy system will be visible from nearby residents and roadways. If required, the analysis shall consider the changing position of the sun throughout the day and year, and its influences on the utility-scale solar energy system.

- c. Final site plan approval shall only be granted once all necessary governmental approvals have been obtained. Planning Commission approval is conditioned upon approval from all other agencies.
- d. **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 14.08 Amendment of an Approved Site Plan.
 - **Major Changes.** Major site plan changes considered major include those listed in Section 14.08(C), or the following:
 - Changes of location of arrays, fencing, buildings, or ancillary equipment by more than ten (10) feet.
 - An increase in height of solar panels.
 - **Minor Changes.** Minor site plan changes considered minor include those listed in Section 14.08(D), or the following:
 - Changes of location of arrays, fencing, buildings, or ancillary equipment by less than ten (10) feet.
- e. **Application Fee & Escrow Required.** An applicant for a utility-scale solar energy system must pay applicable application fees according to the Conway Township fee schedule. An escrow account shall be set up when special land use application is filed to cover costs and expenses associated with the review and approval process.

29. **As-Built Drawings.** A set of as-built drawings shall be submitted to the Township following project completion and prior to energy generation within the project.

E. Solar Access Requirements. When a solar energy collection system is installed on a lot, accessory structures or vegetation on an abutting lot shall not be located so as to block the solar array's access to solar energy. The portion of a solar energy system that is protected is the portion which is located so as not to be shaded between the hours of 10:00am and 3:00pm by a hypothetical twelve (12) foot obstruction located on the lot line.

F. Solar Access Exemptions. Structures or vegetation existing on an abutting lot at the time of installation of the solar energy collection system, or the effective date of this ordinance, whichever is later is exempt from subsection (E). above. Said subsection described in subsection (E) above controls any structure erected on, or vegetation planted in, abutting lots after the installation of the solar energy collection system.

Stop Solar Power Plants

Janet Riley <THREEBOYS_712@msn.com>

Tue 11/8/2022 10:18 AM

To:

- Elizabeth Whitt <clerk@conwaymi.gov>

Cc:

- PC1 <PC1@conwaymi.gov>;
- PC2 <PC2@conwaymi.gov>;
- Bill Grubb <supervisor@conwaymi.gov>;
- PC Secretary <PCSecretary@conwaymi.gov>;
- PC3 <PC3@conwaymi.gov>;
- Trustee 1 - Conway Township <trustee1@conwaymi.gov>;
- Trustee 2 - Conway Township <trustee2@conwaymi.gov>;
- abby@crlaw.biz <abby@crlaw.biz>;
- PC Chair <PCChair@conwaymi.gov>

Dear Liz Whitt,

My name is Janet Riley. I live at 5987 Lovejoy Rd. I am against the solar power plants being permitted in Conway and Cohoctah townships. I cannot believe they are even being considered. This will totally destroy many peoples lives and this community. Home values will decrease. No one will want to move to Fowlerville if you permit this eye sore. The schools will receive tax dollars but the student population will decrease. I am concerned for my families safety and also all the wildlife habitat and safety.

The township board was elected to serve all the people, not the few select farmers who will profit tremendously while crushing others dreams. In my opinion, this is dirty money. This should be proposed on an election ballot and voted on by all the people in the township.

I am not against solar energy but it should be done in an industrial area or along side the highway, not next door and surrounding peoples homes where they are raising their children.

Stand up for the people of this township, DO NOT BE BULLIED by these powerful companies!!

Please include my letter in the township hall meetings and confirm that you have received it.

Janet Riley

Sent from Mail for Windows

From: steven weiss <stevenweiss7@gmail.com>
Sent: Monday, November 7, 2022 1:37 PM
To: Elizabeth Whitt <clerk@conwaymi.gov>
Subject: To: Conway Township zoning and planning commission

To: Conway Township zoning and planning commission
Cc: Conway Township clerk
Cc: Livingston county planning commission

From: Steven Weiss
7104 Sober Rd.
Fowlerville, Mi. 48836

Re: proposed utility scale solar farms in the Township

As a tax paying resident of this Township for the past 32 years, I vehemently oppose the proposed installation of utility scale solar farms in the township.

The size and scope of this proposed project is going to negatively impact this community.

First and foremost it is a major eyesore for the residence who live in this area for its rural charm.

The impact that all of this extra traffic of construction equipment and vehicles is going to reach havoc on the roads that are already in horrible shape.

The township residents expressed their approval years ago to increase their property taxes to help pay for road construction and improve these roads now we're going to go the other way?

I think it would be a good idea for the elected Township and county officials to listen to what the residents want and not with some big energy companies and corporate farmers greed. we all know that this is what it comes down to.

Some years back when they decided to revamp the master plan to address subdivisions in this Township they asked for residents input and approval on how to go about doing this.

Article 7. Section 7.01 of the Conway Township master plan that was approved. The very first paragraph "the agricultural residential district is established to preserve and protect lands best suited for agricultural uses while also designating land area for rural residential living that does not alter the general agricultural character of the district."

How can this possibly ok

to install vast amounts of solar panels in these areas that are supposed to be protected to not alter the general agricultural character of the district?

Other negative impacts on the residence include a decrease in property value, noise from the inverters (Constant humming sound), Impaired views, potential toxin or metal contamination that these panels are going to be constructed of, major drainage issues (in an area that has already has flooding issues), impact on the local wildlife, just to name a few.

Please listen to the residents that you are supposed to be representing and protecting their best interests and not that of big business.

Steven Weiss
7104 Sober Road
Fowlerville, Mi. 48836
Stevenweiss7@gmail.com



“In the effort to try to save the climate, are we destroying the environment?”

Michael Shellenberger January 4, 2019

I am writing to express our opposition to the proposed Utility Scale Solar projects that are being pursued by Conway Township. My family lives at 9402 Sober Road and our property would be directly affected by such projects.

Based on information provided in the Michigan State University Planning & Zoning for Solar Energy Systems guide, which is intended to help communities have zoning regulations in place to address all scales of Solar Energy Systems (SES), it is vital that communities have planning and zoning in place to address these proposals. By doing so, the communities have the opportunity to proactively determine how SES can fit into their landscape through master planning and zoning ordinance development. A community's Master Plan sets the vision and high-level goals for the community. Local policy related to renewable energy generation is established first in the master plan. Including SES in local plans support the establishment of related zoning regulations, consistent with the requirements of the Michigan Zoning Enabling Act (MZEA). A community-supported vision, followed by the adoption of reasonable zoning standards, together establish a successful framework for SES in a community. Incorporating renewable energy into the master plan is a logical place to start before drafting zoning regulations. The MZEA requires that all zoning be based on a plan. The master plan therefore establishes the community's formal policy position on solar energy development. While neither ideal nor recommended, communities sometimes zone first and plan second. If a community cannot avoid amending the zoning ordinance without first amending the plan, they should work closely with a qualified planner or municipal attorney to perform a master plan review in order to find element that support or contradict a solar energy zoning amendment.

Conway Township has not informed its residents in the ongoing plan to proceed with Utility Scale Solar projects that will negatively affect many homeowners. Changes such as reduced setbacks (originally 1000 ft was amended 200 ft) and criteria for the use of all solar energy equipment (originally 6 months to repair, remove, or replace was amended to 12 months) have been made to our current Zoning Ordinance that does not protect property owners from the negative affects of decreased property value, possible health issues due to contamination, drainage issues, decreased wildlife for those who hunt for their family's food source and general aesthetics of our country views. The original set back was put in place to protect those living in agricultural areas. These changes will leave us vulnerable and have negative impacts for years to come opening the door for additional projects that are not consistent with our township's current Master Plan. It is clear that our Township Planning Commission did not have the knowledge needed to properly make the amendments especially in the time constraints of a moratorium. They relied on the knowledge of the township attorney who does not specialize in land use. They should have quickly realized they would need to seek counsel specializing in land use.

Without proper information township officials were easily misled with information from the developers instead of relying on unbiased research that so many have been doing related to solar energy. The changes have been made with immense pressure from the developers and large families that have a long history in the township and community. The township chose not to communicate with the public which could have voiced the many, many concerns which would lead to the areas of research that were necessary to draft proper ordinance amendments. With lack of knowledge and time constraints the township did not address zoning problems or create an overlay district and now the developers are aggressively pursuing the township without an adequate zoning ordinance in place to protect the citizens who live here.

The township is gambling with potential decreases in property values of up to a 30% for homeowners adjoining said projects (the township Master Plan notes adverse effects of industrial operations). For many people, the value of their home is their biggest retirement asset which they have spent years updating, fixing and improving because they love where they live. With increased pressure from federal and state governments for continued renewable energy programs, it is likely that solar companies will become excluded from personal properties taxes in the future. This will mean only the farmers who decided to participate will benefit from the lease payments, not the schools, not the township, not essential services. So, the price paid will be on the backs of the homeowners.

Conway Township as noted in their own Master Plan, is commuter county with 93% of it's residents driving an average of 40 minutes to work. The residents of this township chose their property and the agricultural aesthetic over their time to commute and vehicle costs to get to work. This means increased fuel and maintenance to live in the peaceful country setting we chose at the time of purchase. These projects would completely change the landscape of not just from our houses but our drives to and from work, school, church and everyday activities.

In reading our township's Master Plan we feel the planned solar project contradicts the following stated objectives:

1. Preserve and promote the right of the individual property owner while maintaining a rural way of life.
2. Protection of natural resources and rural character of the township.
3. Neighborhoods must prevent pollution and siltation of wetland by controlling drainage and stormwater runoff.
4. Enhance single family residential character of neighborhoods.
5. Preserve existing agricultural operations and encourage continued farming activities through long-term protection of agricultural resources.
6. Encourage limitations of development densities, and the avoidance of excess consumption of prime farmland.
7. Allow for small industrial development in a manner that maintains the health and vitality of the surrounding natural environment.
8. Identify appropriate locations in the township for small-scale commercial and industrial land uses.
9. Update Zoning Ordinance to allow for renewable energy generation in designated areas of the community. (This is clearly listed in the Industrial Goals section yet the projects are targeting agricultural property).
10. Preserve the natural resources of the township, including its open spaces, woodlands, wetlands, agricultural areas, floodplains and natural aesthetics.
11. Preserve the natural water bodies and drainage ways, flora and fauna, and unique geologic landforms, which give Conway Township its natural character.
12. Update the Zoning Ordinance and other enforcement tools to ensure development will minimize disruptions to wetland, floodplains, rivers, and other natural features. Maintain and protect the surface and groundwater throughout the township through strategic measure that prevent wastewater discharge.
13. Permit alternative sources of energy that benefit township residents and do not negatively impact the township's unique character and natural resources.
14. Conway Township is a zoned community that promotes the preservation of the existing farmland, woodlands and wetlands, and other natural resource asset of the community.
15. To maintain and preserve the desired rural character of the township and immediate areas surrounding the designated area; industrial land use will require high quality site design layouts, standards and bulk regulation necessary to mitigate, or avoid adverse effects created by industrial use and operation; i.e. noise, smoke, glare, waste and other features of typical industrial operations. Strict compliance with standard zoning regulations and zoning district regulations should be enforced.
16. Conway Township must effectively communicate the importance of long-term planning. Notify residents of meetings that will address development and public service improvement proposals. Notification should be provided through multiple sources including the township's newsletters, Municipal postings, community website, and other available means of communication. (We found out three weeks ago and every neighbor we have spoken to had no idea as well).
17. The local government has the responsibility to protect the health, safety, and welfare of their citizens. Proactive mitigation policies and actions reduce conflicts and promote safe and resilient communities.
18. Preserve existing agricultural operations and encourage farming activities through long term protection of agricultural operations.

As you can see this is not a small list of contradictions with the current Township Master Plan which will negatively impact a large number of residents for projects that only benefit a few. Additionally, there is so much research that shows solar energy is not an adequate renewable energy source. Energy costs continue to rise, they are not recycled and contain hazardous materials, they have serious and permanent negative affects to water sources and animals. As

the search for proper renewable energy progresses and technology advances solar farms will be a thing of the past. Not for our residents though...we will be stuck looking at them for 25-30 years.

We sincerely hope you will consider the concerns of our small town for the people who want to live in a peaceful setting and enjoy our natural country aesthetics.

Sincerely,

Robert P. Porter
Sarah K. Porter
9402 Sober Road
Fowlerville MI 48836