

VEVAY TOWNSHIP PLANNING COMMISSION  
Special Meeting  
Wednesday, May 11, 2016  
Vevay Township Hall – 6:00 p.m.

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MINUTES

**Members present:** Jack Cady, Richard Lacasse, John Lazet, Pattie McNeilly, Ilene Thayer, and Wayne Uzzle.

**Members absent:** Bruce Walker.

**Other Persons present:** Supervisor Jesse Ramey, and Legal Counsel David Revore.

**I. Call to Order:** The meeting was called to order at 6:00 p.m. by Chair Thayer.

**II. Pledge of Allegiance**

The audience joined the Commission in reciting the Pledge of Allegiance.

**III. Set/Amend Agenda**

The agenda was accepted as submitted.

**IV. Brief Public Comment**

There was no public comment.

**V. Pending Business**

A. Discussion of possible Zoning Ordinance Amendment – Chapter 20 Signs

Commissioners had previously received electronic copies of proposed language from Legal Counsel to allow for Class 2 signs (up to 250 square feet) on-premises, and to amend Sec. 20.04 to reflect caselaw on protected speech.

COMMISSION – had discussion on:

- adding the definition of the equivalent of an Class 2 on-premises sign as a new subsection (F) in Sec. 20.02;
- adding a new section 20.07 to allow for Class 2 on-premises signs, and re-numbering the remaining sections in the Chapter;
- limiting such signs to the US-127 corridor;
- allowing such signs only if the primary use of the parcel is for a public utility or for a public use;
- keeping essentially the same limitations on size, location, etc., for Class 2 on-premises signs as currently apply to Class 2 off-premises signs;
- specifying that the 1500 foot separation would be from both on-premises and off-premises signs;

- how best to incorporate these signs in Table 20-1. Legal Counsel was asked to consider amending the narrative above the Table itself along the lines of “In addition to the signs permitted by Section 20.04 **AND SECTION 20.07** and the limitations thereof...”, and similarly at the end of the narrative as well;
- including a requirement for funding of reclamation efforts should a use and/or sign be abandoned;
- whether other chapters of the Ordinance need to be amended as well;
- Legal Counsel’s recommended changes to Sec. 20.04 to reflect caselaw and avoid potential future legal challenges;

B. Discussion of Consumers Energy Solar Garden Site Plan

Commissioners reviewed a proposed statement of findings of fact that detailed how the proposed site plan dated March 28, 2016, met all of the applicable provisions of the Zoning Ordinance. The statement is dated May 11, 2016, and titled “Findings of Fact on the Allen S. Frederick LLC Site Plan for Consumers Energy construction of a solar array on parcel #33-10-10-17-400-006, address 801 Jewett Road, Mason”.

The Commission carefully reviewed the document, item by item, to ensure that each requirement of the Zoning Ordinance site plan review was met. The narrative overview was deleted as it was not findings of fact as such, and two (2) minor wording changes were made to the actual findings of fact. These changes were consensual. The edited statement of findings of fact is appended to these minutes.

The findings of fact reflect the conclusions of the Commission after having:

- studied the revised site plan dated March 28, 2016;
- considered additional clarification in the four letters from Consumers Energy (CE) dated December 30, 2015, February 2, 2016, March 29, 2016, and April 27, 2016;
- heard from CE representatives at three different Commission meetings and talking through the various proposals in the site plan with CE representatives to ensure the pertinent provisions of the Zoning Ordinance were met;
- conducted a public hearing on May 4, 2016, and considered the input from residents and interested parties; and
- discussed the site plan at length and with specificity as a Commission.

**MOTION Lacasse, seconded by Uzzle, to accept the edited document (as appended) titled “Findings of Fact on the Allen S. Frederick LLC Site Plan for Consumers Energy construction of a solar array on parcel #33-10-10-17-400-006, address 801 Jewett Road, Mason”, dated May 11, 2016, as its findings of fact on the revised site plan dated March 28, 2016, and submitted by Consumers Energy for the construction of a solar array electrical generation project proposed to be constructed at 801 Jewett Road.  
CARRIED 6-0.**

**MOTION Cady, seconded by McNeilly, that in light of its review of the Consumers Energy proposed site plan (dated March 28, 2016) for a solar array electricity generation facility (also known as the “Vevay Solar Garden”) at 801 Jewett Road, and having determined that the site plan meets all applicable provisions of the Zoning Ordinance as noted in its**

**adopted statement of findings of fact, that the site plan be approved with the exception of the 250 square foot sign detailed in Diagram A4 on page GS-108, which is not permitted. CARRIED 6-0.**

**MOTION Uzzle, seconded by Lacasse, that if the proposed sign in Diagram A4 on page GS-108 complies with the Zoning Ordinance as amended in the future, then the sign design in diagram A4 and sign placement on page GS-107 are accepted as part of the site plan. CARRIED 6-0.**

## **VI. Any Other Business**

The Commission added to its list of possible amendments to the Zoning Ordinance:

- Possibly adding Large Solar Energy Systems to the Table of Uses in Section 9.02
- Addressing the possible need for a bond or escrow account to return a site to its original condition or to a reclaimed condition once the use is finished or terminated.

## **XI. Additional Public Comment**

There was no additional public comment.

## **XII. Adjournment**

There being no further business, the meeting was adjourned at 8:31 p.m.

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John Lazet, Secretary

**Vevay Township Planning Commission**  
**Findings of Fact on the Allen S. Frederick LLC Site Plan for Consumers Energy**  
**construction of a solar array on parcel #33-10-10-17-400-006, address 801 Jewett Road,**  
**Mason**  
**Adopted May 11, 2016**

**Section 3.06 – Street Access and Frontage**

Public road frontage – Condition Met. The site plan proposes using a 40 acre easement on the east side of a 72 acre parcel. The Ordinance requires road frontage of at least 200’ in the A-1 District; the site plan indicates development on a parcel with well over 1,000’ of road frontage on Jewett Road (page GS-104).

**Section 3.27 – Large Solar Energy System requirements**

Subsection C, Large Solar Energy Systems, requires these projects to meet the requirements of subsections B (2) and B (4), as well as the screening requirements of subsection A.

**C. 2. General Provisions**

- a. Location and setbacks for solar energy system equipment – Condition met. See especially page GS-101. The equipment will not be in a front yard, and will not be within 10 feet of a lot line:
  - North Property Line side yard setback: 88’
  - East Property Line/US-127 front yard setback: 66’
  - South Property Line side yard setback: 200’
  - West Property Line front yard setback: 1,211’
- b. Mechanical equipment screening – Condition met. Pages GS-101 and GS-103 detail substantial vegetative screening and trees already on the property, and all will be preserved. On page GS-107 the site plan provides for screening to the north of the equipment area by a two-row staggered planting of evergreen trees, spaced 20’ from center to center, between the equipment area and the north lot line. The mechanical equipment will not be clearly visible from the traveled portion of US-127 or Jewett Road, approximately 600’ and 1,200’ from the equipment area respectively. The solar panels themselves will substantially screen views of the equipment area from these thoroughfares and from the golf course approximately 1,300’ to the south of the equipment area.
- c. Minimizing glare, with documentation – Condition met. The applicant has submitted a preliminary report, prepared by Nova Consultants (solar engineers), that concludes that that there is “no potential for hazardous glare conditions” and that any glare that may be visible “would only last for a short duration of any day.” See CE dated April 27, 2016. The simulation study considered glare to pilots, airport control tower personnel, drivers on US-127, and golfers.  
The Photovoltaic modules utilize glass that is textured and coated with an anti-reflective compound. The location of the array in relation to off-site buildings (generally more than 1,000’ away), and topographic and other obscuring features minimizes the exposure of nearby roads and uses to glare. CE reported that the glare simulations show no glare in the winter, but glare is possible in portions of the summer, in the evenings, when the sun is at a certain position in the sky, when the sky is mostly clear. The duration is anticipated to be between 20 to 45 minutes per day for a stationary observer. Drivers travelling southbound on US-127 would not see any glare. Northbound drivers would not

see any glare unless they turn their heads to the west to see the glare directly. Additionally, existing trees and brush along the property will also help block the view. Simulation of glare for pilots and airport personnel was conducted, and talked through with officials from both Jewett airport and the Federal Aviation Authority. Both entities were satisfied that there would be no issues with glare from the panels. The study indicated no issue with glare for golfers.

- d. Lot coverage and a drainage plan – Conditions met. The parcel is about 72 acres in size. In the A-1 District, coverage is limited to 15%; calculations by CE, AGS and Mr. Eidelson indicate the project would cover just over 13% of the parcel. Drainage – Page GS-103 is a topographic map of the easement area with existing drainage indicated. There will be some re-grading of the SW corner of the easement area to reduce the approximately 10% slope. CE will validate the topographical grade and drainage during the construction phase to ensure drainage is unaffected. The panels shed precipitation, allowing existing drainage patterns to continue. The property has no recent history of ponding or standing water, and the project should not change drainage patterns. Page GS-101 comments detail seeding of the easement area. CE further indicated in their April 27, 2016, letter and during the May 4, 2016 Commission hearing that they will seed the area with grass to prevent soil erosion.
- e. Detergents and groundwater protection – Condition met. CE indicated in their letter of April 27, 2016, that the panels are designed and constructed to not need any cleaning, as rain and snow will bead up and carry off any dirt and dust. Any cleaning is to be done with water and soft cloths. For “stubborn soiling”, isopropyl alcohol may be used, applied with soft cloths. The alcohol is highly volatile and will quickly evaporate. Panel design and maintenance have been designed to prevent groundwater contamination.

#### **4. Ground-mounted Systems**

- a. Setbacks and no location in a front yard – Conditions met. There is no front yard as such. The Ordinance requires minimum setbacks from all property lines equal to the same setback as would be required for the principal building, but in no case less than 50’ when adjacent to an Agricultural or Residential District. Sec. 5.03 requires minimum front, side and rear yard setbacks for the A-1 District of 60’, 30’ and 50’ respectively. Page GS-101 provides for setbacks as follows:
  - North Property Line side yard setback: 88’
  - East Property Line/US-127 front yard setback: 66’
  - South Property Line side yard setback: 200’
  - West Property Line front yard setback: 1,211’
- b. Structures not to exceed 15’ in height – Condition met. The CE letter of April 27, 2016, specifies that panels are expected to be 12’ high, and in no circumstances would they exceed the 15’ height limit. Renderings on page GS-106, while not specifically labeled, indicate a height of 30” plus 77” plus the height of half of a panel. This calculated height does not exceed 15’.
- c. Screening of panels – Condition met. The Ordinance requires a minimum 20’-wide greenbelt along lot lines, including that plant spacing be a minimum 15’ but no greater than 25’ on-center, and that minimum plant heights be 8’ for evergreen trees and 3’ for shrubs. No greenbelt is required where the respective side of the LSES is a minimum distance of 150’ from the lot line to which it generally faces. Page GS-107 indicates that CE will plant a 20’-wide greenbelt along the entire northern periphery of the solar array area, to consist of evergreen trees and shrubs (see as well comments on the right side of the page).

- d. Decommissioning – Condition met. In its letter of April 27, 2016, CE placed on the record their plan for decommissioning, which would entail removal of all above ground structures, a regrading of the easement as necessary, and reseeding of the easement area.

### **Chapter 5 – Agricultural District**

Section 2.19 of the Ordinance defines “Solar Energy Systems” and “Large Solar Energy Systems” as: A system consisting of a device or combination of devices, structures or parts thereof, that collect, transfer or transform solar radiant energy into thermal, chemical or electrical energy.” and “ Large Solar Energy System (LSES): A solar energy system of a utility-scale intended to principally serve property and persons not located on the lot on which the system is located, and which relies on roof mounted and/or ground mounted collection systems that occupy more than ten (10) acres.” The CE proposal meets this definition. Section 3.27 authorizes a LSES development in an A-1 District, subject to the SLU provisions of Chapter 16. The applicant parcel is zoned A-1. The only applicable section in Chapter 5 is Sec. 5.03.

### **Section 5.03 – Development Requirements (Agricultural District)**

Lot area – Condition met. The application is for a 72-acre project site and the approximately 40 acre easement. These areas are in excess of the minimum required 2 acres.

Lot Width/Frontage – Condition met. Page GS-104, diagram C-4, indicates the 72-acre project site has frontage on Jewett Road of over 1,000’, meeting the required minimum 200’ of public road frontage.

Front setback of 60’ – Condition met. Page GS-101 indicates the shortest setback is 66 feet.

Lot Coverage not to exceed 15% - Condition met. Calculations by CE (letter dated March 29, 2016), AGS (Site Plan Review dated April 6, 2016) and Mr. Eidelson (Site Plan Review dated March 15, 2016) all determine the project to cover just over 13% of the lot area.

Yard Setbacks – Conditions met. Page GS-101, as noted previously, establishes all setbacks as meeting Ordinance requirements.

Lot width to depth ratio – Condition met. The legal description of the parcel included in the application indicates the parcel meets this requirement.

Maximum Height – Condition met. No buildings are proposed. As noted previously, panel heights meet the requirements of Sec. 3.27.

Minimum Dwelling Unit Floor Area – Not applicable.

Parking – Not applicable.

### **Chapter 20 – Signs**

On page GS-108, CE is proposing two (2) signs: a free-standing (ground) sign and the equivalent of a Class 2 off-premises sign that would be located on the east end of the parcel. Table 20-1 only permits one free-standing sign per parcel, so the proposal for two (2) signs is non-compliant with the Ordinance. As Sec. 20.06 does not permit Class 2 signs on site, that proposed sign is not allowed.

CE indicated both in their April 27, 2016, letter and in testimony during the May 4, 2016, Commission meeting that the proposed sign(s) will comply with all Ordinance requirements.

Ground sign – Condition met. Page GS-108, Diagram B-4 refers to the free-standing ground sign as a “monument” sign, to be located at the Jewett Road access drive entrance, of 32 square feet in area, 6 feet in height, and set back 50’ from the lot line. These

measurements meet the Ordinance limits of 32 square feet for sign area, not to exceed 6 feet in height, and set back 50' from the lot line.

Class 2 on-premises sign – Conditions not met. Table 20-1 only allows one free-standing sign per parcel, not to exceed 32 square feet in area. In Sec. 20.06, Class 2 size signs are only allowed on lots in an Industrial District that has frontage along US-127. This parcel is zoned A-1. If the Ordinance were to allow such a sign in an A-1 District, the proposed sign area of 250 square feet and height of 10' would meet current limits on Class 2 off-premises signs. During the May 4, 2016, Commission meeting, CE indicated that if such a sign were allowed, they would meet size, height, lot setback, lighting, and any other requirements of the Ordinance.

### **Section 14.03 – Site Plan Review Requirements**

A general location sketch showing at a minimum, properties, streets, and use of land within ½ mile of the area. – Condition met. Provided with the December 30, 2015 application, and detailed in the CE letter dated February 2, 2016.

Legal description of the subject property – Condition Met. Included with the April 4, 2016 SLU application, and also described on page GS-102 of the site plan.

Date, north arrow, and scale – Condition met. All are included in the revised site plan dated March 28, 2016, though the north arrow is actually a circle.

Name and address of the property owner or petitioner – Condition met. The April 4, 2016, SLU permit application lists the owner as Allen S. Frederick LLC, mailing address of 1813 Candlestick Lane, Midland, MI 48642.

Name and address of the professional individual responsible for the preparation of the site plan – Condition met. This information is noted on the cover sheet of the revised site plan as being Satya Baluja and Brian Czubko of NOVA Consultants, Inc., and also in the CE letter dated February 2, 2016.

Existing zoning and use of all properties abutting the subject property – Condition met. Listed in the comments section of page GS-102 of the site plan, and included in the CE letter dated February 2, 2016.

All buildings, parking, and driveways within 100' of all property lines – Condition met. CE notes in their letter dated February 2, 2016, that there are no buildings or parking within 100' of the property lines, and that there are two access highways within 100' of the proposed CE access drive.

The overall objectives of the proposed development – Condition met. The CE letter dated February 2, 2016 describes the project: “As part of the Solar Garden program, Consumers Energy is planning to install a one to six megawatt ground-mounted Solar Photovoltaic electricity generating system in the east 40 acres of the property located at 801 Jewett Road, Mason, Michigan 48854.” Thus, the overall objective is the generation of electricity using photovoltaic cells as part of expanding their renewable source energy program.

Size (in acres) of the subject property and approximate number of acres allocated to each proposed use and gross area in building, structures, parking, public streets and drives, and open space – Conditions met. CE notes in their letter dated March 29, 2016, that the parcel is 71.7 acres. During the May 4, 2016, Commission meeting it was stated that the parcel is 72.28 acres. For ease of referral, our findings refer to the parcel as having about 72 acres. No buildings are proposed. Structures include the solar arrays, for a maximum acreage of about 9.3 acres (405,000 square feet), to be located on a 40 acre easement on the east side of the parcel; and a staging area for vehicles of about 0.06 acres (2,000

square feet). No parking is proposed. No public streets or public access is proposed. No open space is proposed or required, but the parcel is undeveloped and being farmed. A private and gated gravel access road of approximately 2,281 feet in length and 15 feet wide is proposed, totaling about 0.79 acres, page GS-102. The calculation in the CE letter dated February 2, 2016, changed with the new application for an easement.

Dwelling unit densities by type – Not applicable.

Proposed method of providing sewer and water service, as well as other public and private utilities – Not applicable.

Proposed method of providing storm drainage – Condition met. The site already naturally drains. Page GS-103 indicates the direction and pattern of water drainage, as does Diagram A2 on page GS-104. Mr. Eidelson advises in his analysis received on April 16, 2016, that “According to the National Resource Conservation Service, soils on the project site are principally comprised of loam and sandy loam, ranging from well drained to somewhat poorly drained, but none are subject to frequent flooding or ponding.” After hearing from CE and from a farmer during the public hearing who is familiar with the property, it was determined that no further storm drainage measures need to be taken.

Property lines and required setbacks shown and dimensioned – Condition met. As noted previously, the proposal meets all setback requirements for a LSES system in the Agricultural District. See pages GS-101 and GS-102.

Dimensions of all existing and proposed structures on the subject property – Condition met. There are no existing structures. Dimensions of the proposed structures are adequately detailed in total on page GS-101; the specific individual arrays on page GS-106; and the sign(s) on page GS-108. No dwelling units are proposed. Page GS-101 indicates a 2,500 square foot concrete pad for location of the electrical equipment needed to convert and transmit the generated electricity.

Size and location of existing and proposed utilities and connections – Conditions met. The only utility to be added is electricity, which CE indicated will be generated on site (May 4, 2016 Commission meeting). No sewer, water, or natural gas service is needed.

All existing and proposed drives, acceleration/deceleration lanes, sidewalks, signs, exterior lighting, curbing, parking areas, fire lanes, and unloading areas – Conditions met. The proposed single lane gravel access road is adequately delineated on page GS-102 (Diagram A1). No sidewalks, curbing, parking areas, or fire lanes are required or proposed. Two signs are proposed on page GS-108: a ground sign near Jewett Road, which meets the requirements of the Ordinance, and the equivalent of a Class 2 off-premises sign (250 square feet in size) that would be on site. The Ordinance only allows for one sign per parcel (Table 20-1) and limits the overall size to 32 square feet. The second sign is thus prohibited. The prohibited larger sign, while meeting the dimensional requirements for an off-premises sign, is not permitted on site. CE has agreed in writing and verbally to construct signs in conformity with the Ordinance requirements.

Pavement width and right-of-way width of all roads, streets, and access easements within 100 feet of the subject property – Conditions met. The right-of-way for Jewett Road is noted on page 8 of the CE letter dated February 2, 2016, as 80’, and the right-of-way for US-127 as 70’ from the southbound center line. The existing CE access easement is detailed on pages GS-101, GS-103, and GS-107; the MDOT easement for US-127 is indicated on page GS-101.

Location and size of all surface water drainage facilities – Not applicable. After discussion with CE and as noted on pages GS-103 and GS-104 (Diagram A2), additional facilities are not needed.

Location of all solid waste disposal facilities, including recycling, and screening – No solid waste will be generated on site. CE stated in their letter dated April 27, 2016, that soft cloths could be used for cleaning the panels. If cloths are used for cleaning, they commented that they will be brought in and transported out by the maintenance truck.

Location for existing or proposed outside, above or below ground storage facilities for hazardous materials – Not applicable.

All existing vegetation and the location, type, and size of all proposed landscaping, and the location, height and type of existing and proposed fences and walls – Condition met.

Existing vegetation is noted on pages GS 101, GS-103, and GS 107. Proposed additional screening is indicated on page GS-107, and meets Ordinance requirements as noted previously.

Recreation areas, common use areas, flood plain areas and areas to be conveyed for public use and purpose – Not applicable.

Exterior lighting – Condition met. No exterior lighting is proposed, but if the Ordinance ever allows for an on-site Class 2 sign, CE will construct one on the east side of the easement for viewing by traffic on US-127. That sign would be lighted in accordance with whatever the Ordinance would require for such a sign.

Elevation drawings of proposed buildings – Condition met. No buildings are proposed. The elevation drawings of the proposed solar arrays are included on page GS-106. During the April 6, 2016, and the May 4, 2016, Commission meetings CE stated that the arrays would be no higher than an estimated twelve (12) feet. The CE letter dated April 27, 2016, also states that “The exact height of the solar panels will be determined during the engineering phase of the project, but will not exceed 15 feet.” CE commented during the May 4, 2016, Commission hearing that the arrays will be built to the topography, so that while some arrays will appear to be higher than others, the heights will reflect the ground level itself.

#### **D. Additional Information**

Given the submission of a revised site plan, several letters, and comments during Commission meetings, no additional graphics or written materials were requested. As there is no significant foreseeable traffic once construction is finished, no Traffic Impact Assessment or Traffic Impact Study is required of CE.

#### **Section 14.04 – Application and Review**

A. Application - Condition met. The Township has received the completed site plan review packet, containing twelve (12) site plans, a completed application form dated April 4, 2016, and stamped “Received Apr 13, 2016”, and the application fee, all as required by this section.

No other subsections are applicable to Commission review of the site plan.

#### **Section 14.06– Review Standards**

##### **C. Site Development Standards**

1. The uses proposed will not adversely affect the public health, safety, or welfare – Condition met. No traffic except for maintenance would occur. No noise, odor, smoke, dust, fumes, hazardous waste, excessive traffic, vibrations, environmental degradations, or site drainage issues would occur. Mr. Eidelson’s review, dated March 15, 2016, states: “Aside from the matters of glare and the use of detergents, I am aware of no published documentation by a recognized public agency of appropriate expertise that concludes that solar array facilities raise unique or significant public health, safety or welfare concerns.” The only issue of concern would be glare, which was addressed in the CE letters dated

December 30, 2015, and April 27, 2016, and also by comments and responses to questions during the May 4, 2016, Commission meeting.

CE commented that glare in general is about 1/1000 of the light intensity of looking at the sun. For glare to be a problem, it has to be in the direct sight (not peripheral) of the viewer. The panels have an anti-reflective coating on the panels to lower the intensity of glare. The FAA has developed a solar glare analysis tool specifically for solar arrays near airports, the main objective being to protect pilots and control tower personnel from glare. The tool rating determines after-image scenes on the retinas well as direct glare. The tool also includes the duration of looking at glare. The analysis indicated no glare for the airport approach paths, and airport personnel stated they have no issues with the array being constructed.

CE indicated in their letter dated April 27, 2016, that “The glare simulations show no glare in the winter half of the year. The simulations show glare is possible in portions of the summer half of the year, in the evenings, when the sun is at a certain position in the sky, when the sky is mostly clear. The duration is anticipated to be between 20 to 45 minutes per day for a stationary observer. Drivers travelling southbound on US-127 would not see any glare. Northbound drivers would not see any glare unless they turn their heads to the west to see the glare directly. Any glare noticeable to drivers maintaining a forward view would only be in their far peripheral vision. Additionally, existing trees and brush along the property will also help block the view and the array is over 225 feet away from the northbound lanes of US-127. In summary, any peripheral glare would not present be a driving hazard.” CE also stated that their analysis indicated no glare for golfers to the south.

CE detailed in their letter dated April 27, 2016, as well as in comments to the Commission during the May 4, 2016 meeting that the only chemical that might be used on site would be isopropyl alcohol. Given that it would be applied with soft cloths and evaporates rapidly, contamination of groundwater and the site is extremely unlikely. In summary, the proposed use would not adversely affect the public health, safety, or welfare.

1. Consideration of topography and potential development of surrounding properties – Condition met. Page GS-101 indicates how the project will not affect the existing topography except in the SW corner of the easement. CE testified that there will be some re-grading to reduce the current about 10% slope (page GS-104, diagram A-4), but the rest of the easement area will be unaffected. Page GS-103 and page GS-104 (diagram A2) detail the current drainage of the property. The proposal should not affect the drainage patterns, thereby not affecting possible nearby development. As the arrays will be constructed to roll with the topography, neighboring parcels are either already developed or farmed, and as there are no anticipated impacts from the proposed use, development or improvement of surrounding property is not an issue.
2. Visual and sound privacy; fencing if needed to minimize or prevent trespassing or other adverse effects on adjacent lands – Condition met. Given the setback of over 1200’ from Jewett Road and based on the topography, visual privacy is adequate. No sound is proposed by the use except for mowing maintenance, so sound is not an issue. The only applicable requirement is fencing. Pages GS-101, GS-103, and GS-107 detail the location of a fence around the development, which is adequate for the project. During the May 4, 2016, Commission meeting CE stated that they would install a six foot high grey cyclone fence.

3. Create a pleasant, pedestrian paced atmosphere – Not applicable.
4. Emergency vehicle access – Not applicable.
5. Exterior lighting – Not applicable. Should the equivalent of a Class 2 off-premises sign be allowed in the future, CE has indicated in their letter dated April 27, 2016, and verbally that any lighting of the sign would comply with the Ordinance.
6. Loading and unloading areas, need for screening them. Meet the requirements of Section. 15.02 – Not applicable.
7. Governmental approvals and permits – Condition met or in process. CE has indicated that it needs approval from the Township of a SLU permit, a building permit, a sign permit, a fence permit, and a variance if needed. All of these depend on the issuance of a SLU permit, which is being considered by the Commission. The County Drain Commission office has indicated that while a soil erosion and sedimentation control permit needed to be considered, no permits are required from their office. CE would need to seek a driveway permit from the Ingham County Road Department for their access road on Jewett Road. No state permits are required. The only Federal consideration was the FAA and Jewett Airport, both of whom expressed no concern with glare issues.
8. Purpose and spirit of the Ordinance and Master Plan - The existing use of farming has been there for many years and will be continued. The parcel is located in a portion of the Township that is designated by the Master Plan to be used for mixed use, and the proposed solar array, while it could occupy as much as 40 acres, is proposed to be adjacent to US-127, and within this mixed-use area. Given the location and that there are no negative impacts expected from the development, the spirit of the Zoning Ordinance and the Master Plan are considered to have been met. This proposed development would be a very good fit to the Township.

**D. Vehicular and Pedestrian Standards**

Not applicable. No public access and the limited company traffic are proposed. All of these six requirements were found to be not applicable.

**E. Environmental and Natural Features Standards**

1. Removal or alteration of significant natural features; buffering of the proposed use – Condition met. CE has indicated on pages GS-103 (comments) and GS-104 (Diagram A4) that the only alteration will be grading of about 4 acres in the SW corner to reduce the slope. Pages GS-101 and GS-103 mark the significant trees and brush lines, all of which will be retained. The north side setback requires a greenbelt; page GS-107 and comments detail compliance with vegetative screening/buffering.
2. Landmark trees or significant vegetation require protection – Not applicable, as no such tree or vegetation will be removed.
3. Appropriate measures to handle storm water drainage – Condition met. As detailed on pages GS-103 and GS-104 (diagram A2), drainage is currently adequate and should not be affected by the proposed development. Mr. Eidelson’s review dated March 15, 2016, states that the property is not “...subject to frequent ponding or flooding.” Drainage is deemed to be adequate and to not negatively impact any public storm drainage system.
4. Collection of surface water – Not applicable. Current drainage patterns should handle all rain and snowmelt waters.
5. Retaining natural drainage patterns – Condition met. The proposed development is not expected to affect or to necessitate any change in drainage patterns.

6. Utilize existing natural drainage features – Condition met. The proposal should not affect any current natural drainage features.
7. Accommodate storm water on site – Not applicable.

**SECTION 15.04 LIGHTING:**

As no exterior lighting is proposed, this section was determined to not be applicable. Again, should the equivalent of a Class 2 off-premises sign be allowed on site in the future, CE has indicated in their letter of April 27, 2016, and verbally during the May 4, 2016, Commission meeting that any lighting of the sign would comply with the Ordinance.

**SECTION 15.05 LANDSCAPING REQUIREMENTS**

The site already has a significant number of larger trees and vegetation that shield and mitigate the view, as noted on page GS-101. The only provision found to be applicable was for a landscape buffer zone along the north side of the easement. As noted under the Section 3.27 findings, CE's proposal to plant evergreens with vegetation between the trees meets the requirements of this section (see page GS-107).