

To: Cohoctah Township Planning Commission

From: Ranger Power, c/o Drew Vielbig, Development Manager

Date: September 28, 2022

Subject: Review of Cohoctah Township Draft Solar Ordinance

Dear Members of the Cohoctah Township Planning Commission,

We appreciate your time and thoughtful consideration over the past several months to prepare amendments to the Township's Utility-Scale Solar Energy Systems Ordinance. Ahead of the Planning Commission's October 6 Public Hearing related to this Ordinance, my team and I have noted a few questions and comments for your review and consideration. These questions and comments pertain to a handful of provisions and primarily seek clarification in the most recent draft of the Ordinance. We look forward to attending the Planning Commission's meeting on October 6th to discuss further.

Thank you for your consideration.

Regards,

A handwritten signature in black ink, appearing to read "D. Vielbig". The signature is stylized with a large, looping initial "D" and a cursive "Vielbig".

Drew Vielbig

Development Manager | Ranger Power

COHOCTAH TOWNSHIP

UTILITY SCALE SOLAR ENERGY SYSTEMS ORDINANCE

- 13.27.M.1 – “No landscaping shall be placed within fifty (50) feet of any **right-of-way**.
 - **Does this requirement exclude other types of right-of-way's, such as easement right-of-way's, drain right-of-way's, pipeline right-of-way's, etc.?**
 - **Suggestion: clarify that no landscaping shall be placed within 50 feet of road right of way.**
- 13.27.M.2 – “Landscape screening shall be installed to obscure the Utility Scale Solar Energy System from adjacent non-participating uses... shall be reasonably screened from the view of surrounding non-participating residences, streets, and roads to the maximum extent practicable ~~by garden walls, fences, hedges, landscaping, earth berms, or other means,~~ except to the extent that such screening is either impracticable or would result in ineffective solar access on the site in question. The perimeter of Large Solar Energy Systems shall also be screened and buffered by installed evergreen or native vegetative plantings whenever existing natural vegetation does not otherwise reasonably obscure the Large Solar Energy System **from adjacent residential structures...**
 - **Suggestion: requirement can be waived if participating project landowners would prefer not to have landscaping to screen the view from their residence.**
 - **Suggestedion: clarify if the presence of existing vegetation, woodlots, or other natural features provide adequate screening from view of the project.**
- 13.27.R Drainage Tiles: “Drain tiles on the Utility Scale Solar Energy System rendered non-functioning directly as a result of construction or operation on the Utility Scale Solar Energy System will be replaced or repaired so as to ~~not create any drainage issues~~ maintain the existing drainage volume of the parcel(s) throughout the life of the Utility Scale Solar Energy System. **A drainage plan shall be provided.**
 - **Drainage Plans require an extensive amount of civil engineering and design that is typically associated with a Final Site Plan. Typically, this level of engineering is not conducted until a Site Plan has been Finalized so that the Drainage Plan does not need to be redone in the future if Site Plan changes occur.**
 - **Suggestion: clarify the Drainage Plan can be provided along with the Final Site Plan rather than the Conceptual Site Plan**
- 13.27.T Abandonment and Decommissioning: - “... The value of the decommissioning plan shall be determined by a third-party financial consultant or engineer **selected by the Township** and paid for by the developer through escrow...
 - **If acceptable to the Township, we (the Developer/Applicant) would offer to hire a third-party engineer to prepare a Decommissioning Plan, which would be submitted to the Township along with the Special Use Permit Application for review by the Township and respective consultants. If requested by the Township, the Developer/Applicant would establish an escrow account in connection with the Special Use Permit Application to review this Decommissioning Pan and other aspects of the Application.**

- **Suggestion: require the Applicant to provide a decommissioning plan that has been prepared by a third-party Michigan licensed engineer. The applicant will provide an escrow if the Township selects an engineer to review the plan.**
- 13.27.DD Modifications of Approved Site Plan: “Any modifications, revisions, or changes to **an approved site plan** shall be considered either a minor or major site plan amendment and must follow the standards of Section 20.11 Amendment of an approved site plan.”
 - **Typically, a Conceptual Site Plan will include the maximum extent of the project area that may be utilized for solar panels. As project development continues, and site design progresses, the layout will be refined and will likely shrink. These types of design modifications will typically occur between the approval of the Conceptual Site Plan and the submittal of a Final Site Plan to the Township.**
 - **Suggestion: clarify that these changes relate to the Final Site Plan.**