

COHOCTAH TOWNSHIP

PLANNING COMMISSION

RESOLUTION TO APPROVE WITH CONDITIONS THE SPECIAL LAND USE APPLICATION SUBMITTED BY HEADLAND SOLAR, LLC.

RESOLUTION NO. 2025-01

At a meeting of the Planning Commission for the Township of Cohoctah, Livingston County, Michigan, held on the 15th day of September, 2025, at 5:30 p.m.

PRESENT: Buttermore, Charette, Carmack, Beach, Cican, Engel

ABSENT: Newton

The following preamble and resolution were offered by Carmack and seconded by Cican.

WHEREAS, Headland Solar, LLC (“Applicant”) filed a special land use application and site plan with Cohoctah Township (the “Township”) for a special land use permit construct and operate a utility-scale solar energy facility on the following parcels in the Township:

4702-07-100-002	4702-07-100-003	4702-06-100-015
4702-06-100-007	4702-06-100-004	4702-06-300-001
4702-06-100-003	4702-06-400-001	4702-06-300-002
4702-06-300-006	4702-07-200-005	4702-07-200-006
4702-07-400-009	4702-18-100-002	4702-08-100-002
4702-07-300-005	4702-18-100-009	4702-07-400-005

4702-18-300-001

WHEREAS, application materials (the “Application”) were received on April 30, 2025;
and

WHEREAS, the Application was prepared by Atwell, LLC on behalf of Headland Solar, LLC; and

WHEREAS, the project’s developer is Ranger Power LLC, which has its headquarters in Chicago, Illinois; and

WHEREAS, Ranger Power intends to sell Headland Solar to Desri LLC, that has its offices in New York and Colorado; and

WHEREAS, the required escrow was deposited with the Township on May 28, 2025; and

WHEREAS, the Township via letter on May 30, 2025, informed Headland Solar that the Application was incomplete, requested that all missing materials and information be provided by June 30, 2025, and that when the Application was deemed complete, the 120-day review period would begin (**Exhibit A**); and

WHEREAS, Headland Solar responded to the May 30, 2025 letter on June 25, 2025, representing that the 120-day period began on April 30, 2025 (**Exhibit B**); and

WHEREAS, Public Act 233 requires the Township to “approve or deny the application within 120 days after receiving the application[.]” but “[t]he applicant and local unit of government may jointly agree to extend this deadline by up to 120 days; and

WHEREAS, Headland Solar and the Township later agreed to a 21-day extension (**Exhibit C**), making the Township’s “deadline” to approve or deny the application September 18, 2025, to mark 120-days after the escrow was paid; and

WHEREAS, in its June 25 letter, Headland Solar advised that many of the “incomplete or missing” items identified in the Township’s May 30, 2025 letter are “either not required under the

Zoning Ordinance, or go beyond requirements of PA 233. . . , and thus will not be provided by Headland Solar” (**Exhibit B**); and

WHEREAS, despite the incompleteness of the Application, the Township continued its review of the limited materials in its possession; and

WHEREAS, the Planning Commission held a duly-noticed public hearing on the Application on July 16, 2025, pursuant to the Zoning Ordinance, the Michigan Zoning Enabling Act, Public Act 110 of 2006 (the “MZEA”), MCL 125.3101 *et seq.*, as amended, and Public Act 233 of 2023 (“PA 233”), MCL 460.1221 *et seq.*; and

WHEREAS, the Planning Commission discussed the Application at regular meetings on July 29, August 19 and September 4, 2025, at special meetings on August 19, 2025, and a joint meeting with the Conway Township Planning Commission on September 9, 2025, called for that purpose; and

WHEREAS, the Planning Commission reviewed the Application together with public comment received and input from expert advisors and consultants in accordance with the Zoning Ordinance, the MZEA, and PA 233; and

WHEREAS, the Planning Commission received the Township Planner’s report, prepared by Carisle Wortman & Associates, attached as **Exhibit D**; and

WHEREAS, the Planning Commission received a civil engineering report prepared by Spicer Group, Inc., attached as **Exhibit E**; and

WHEREAS, the Planning Commission received a noise impact analysis of the proposed project, prepared by Darren J. Brown, P.E., of K & S Engineers, LLC, attached as **Exhibit F**; and

WHEREAS, the Planning Commission reviewed the research note, “Potential for leaching of heavy metals and metalloids from crystalline silicon photovoltaic systems,” by Seth A.

Robinson and George A. Meindl, published May 28, 2019, in the Journal of Natural Resources and Development, attached as **Exhibit G**; and

WHEREAS, the Planning Commission reviewed Ranger Power's application to the Michigan Public Service Commission ("PSC") for the Acceleration Solar project, proposed to be located in Ingham County; and

WHEREAS, Acceleration Solar's application to the PSC is also prepared by Atwell, LLC;

WHEREAS, the Planning Commission found that the Acceleration Solar application is nearly verbatim, minus specific site details, to the application Headland Solar submitted to Conway Township and Cohoctah Township; and

WHEREAS, in a letter dated August 1, 2025, attached as **Exhibit H**, the PSC informed Acceleration Solar that its application did not comply with the requirements of Section 225(1) of PA 233 and was incomplete; and

WHEREAS, to date, Ranger Power, Atwell, and Acceleration Solar have not submitted additional materials to the PSC requested by that agency; and

WHEREAS, on August 27, 2025, the Planning Commission requested additional written information and answers to written questions from Headland Solar; and

WHEREAS, in a September 3, 2025 response attached as **Exhibit I**, Headland Solar provided some but not all requested additional information, answered multiple questions by stating "This exceeds the requirements of PA 233"; and

WHEREAS, Cohoctah and Conway Townships invited Desri to a joint meeting of the Township Planning Commissions on September 9, 2025; and

WHEREAS, a representative from Desri attended that meeting and afterward submitted written answers to questions posed, attached as **Exhibit J**; and

WHEREAS, pursuant to the authority and responsibility vested in the Planning Commission pursuant to the Zoning Ordinance, the MZEA, and PA 233, the Planning Commission must timely approve, deny, or approve with conditions the application for special use permit; and

WHEREAS, the Planning Commission does not believe that 120 days is sufficient to properly review an application for a utility-scale renewable energy facility, but the Applicant refused an additional request for extension under PA 233; and

WHEREAS, the Planning Commission determines that the conditions and safeguards set forth in this Resolution are necessary for the protection of the health, safety, and welfare of Cohoctah Township residents and to ensure that the intent and objectives of the Zoning Ordinance will be observed; and

WHEREAS, pursuant to Section 13.06 of the Zoning Ordinance and PA 233 upon the fulfillment of the conditions provided below, the Planning Commission finds and concludes that the special land use will:

1. be harmonious with, and in accordance with, the general objectives of the Cohoctah Township Zoning Ordinance; and
2. Will be designed, constructed, operated, maintained and managed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity; and
3. Will be served adequately by essential public facilities and services such as highways, roads, police and fire protection, drainage structures, and refuse disposal, or that the persons or agencies responsible for the establishment of the proposed special use shall be able to provide adequately any such service; and
4. Will not be hazardous or disturbing to existing or future neighboring uses; and

5. Will not create excessive additional requirements at public cost for public facilities, utilities and services; and

WHEREAS, the Planning Commission finds that the conditions provided below endeavor to ensure that the site plan conforms to the requirements of the Zoning Ordinance and PA 233 and simultaneously protects the public health, safety, and welfare.

NOW THEREFORE, the Planning Commission **APPROVES THE APPLICATION WITH CONDITIONS** and directs the Zoning Administrator to approve the site plan and issue a special land use permit, provided the site plan complies with the following conditions. All relevant conditions must be met before any construction or operation may begin and a land use permit shall not issue until such conditions are met. All subsequent owners and/or operators of the project must comply with all conditions imposed on the Applicant.

1. The Applicant must submit an amended Exhibit A-1.1 (Planned Facilities/Project Site Plan) that provides the following information:
 - a. drawings clearly delineating the limits of clearing and disturbance for construction of the facility and ancillary features on the Site Plans.
 - b. clear depictions of the planned locations of the proposed vegetative buffer, including e.g., labeling individual pollinator seed mixes.
 - c. plans demonstrating that the proposed vegetation buffer is equivalent to a greenbelt, as defined by the Zoning Ordinance. The species, caliper/height, spacing of the vegetative screening is required. The buffer must have a minimum width of 15 feet. Screening must be provided along all residential edges.

- d. whether setbacks for public roads are measured from the edge of the right-of-way; if not, provide the correct setbacks for public roads from the edge of the right-of-way
- e. versions of site plan figures and maps showing boundaries of participating and neighboring non-participating parcels
- f. the zoning district in which each participating and abutting non-participating property are located.
- g. the total number of structures, units, square feet, gross and usable floor area, carports or garages, employees by shift, the total area involved, the percent of area being developed, the percent of area used for structures, the percent of area left undeveloped and the amount and type of recreational and open space.
- h. The name of the public school district(s) serving the project area.
- i. Plans for site grading, surface drainage, water supply, and sewage disposal.
- j. Location and dimensions of all existing and proposed drives, sidewalks, curb-openings, signs, exterior lighting, curbing, parking areas, parking spaces, unloading areas, easements, and open space recreation areas.
- k. an exterior lighting plan, including fixture specification and a photometric layout that complies with Township Dark Sky Standards, including without limitation, lighting that is directed downward, is shielded, and does not cross into adjacent nonparticipating properties.
- l. existing landscaping of the project area.
- m. topography maps, showing 2-foot contours.

- n. a study analyzing the long-term effects of project screening on wildlife in the project area.
- o. connections to public utilities by the proposed operations and maintenance building.
- p. location of existing overhead lines.
- q. pavement width and right-of-way widths of all abutting roads, streets, and easements.
- r. underground collection line design details, including without limitation, materials, conduit type, burial method, and protective measures. All collection lines must be installed at a minimum depth of four (4) feet below grade, unless otherwise approved by the Livingston County Road Commission or Drain Commissioner.
- s. details regarding utility crossings of county roads, county drains, watercourses, and regulated wetlands. These crossings must be completed using trenchless horizontal methods (e.g., horizontal directional drilling, boring), unless otherwise approved by Livingston County Road Commission, Drain Commissioner, or EGLE.
- t. percentage of impervious surface within the project area.
- u. size of existing surface water drainage features.
- v. size of proposed water quality basins or their outlet specifications.
- w. a determination of the increase in runoff due to development in the project area and plans for mitigating the effects of the increased runoff.

- x. finished floor and grade elevations for the proposed operations and maintenance building.
- y. size and height of all existing and proposed structures.
- z. locations of temporary and permanent waste receptacles within the project area.
- aa. location and design of any parking areas.
- bb. soil characteristics of all participating and adjacent non-participating parcels.
- cc. a baseline soil test, including Cation Exchange Capacity.
- dd. elevations of existing drainage courses.
- ee. an acreage count of total woodlands to be removed
- ff. maps depicting 2-foot contour lines.
- gg. the location of all temporary laydown yards.
- hh. Location of existing and proposed fire hydrants or other water sources for fire suppression and all other fire suppression materials.
- ii. Street address numbers, or parcel numbers if a street address is not available, for each sound receptor listed in the sound report.
- jj. all existing and proposed easements
- kk. an individual and legible final site plan detailing all setbacks, property lines, fences, signs, greenbelts, screening, drain tiles, easements, flood plains, bodies of water, proposed access waters, road routes, where the system will be connected to the power grid.
- ll. plans demonstrating that the proposed vegetation buffer is equivalent to a greenbelt, as defined by the ZO. The species, caliper/height, and spacing of the

vegetative screening is required. The buffer must have a minimum width of 15 feet. Screening must be provided along all residential edges.

mm. additional visual simulations that provide a comprehensive depiction of the project from all directions around the project area.

2. The Applicant must submit an amended Exhibit A.1-3 (Explanatory Information) that provides the following information:

- a. a description of the socioeconomic and demographic profiles of the project area and the portion of the community where the project will be sited.
- b. description of the major industries in the project area and the portion of the community where the project will be sited.
- c. justification for how the proposed project location, layout, construction methods, planned screening, etc. minimize visual impacts of the project on adjacent landowners and the broader communities containing the project.
- d. plan to provide exceptional pollinator habitat as determined by the Pollinator Habitat Planning Scorecard by achieving a score of 90 or higher by providing the filled-out version of the Scorecard for the project and associated explanation. As part of the description for achieving a score of 90 throughout the lifetime of the proposed facility, provide the maintenance plan for the vegetation and note if it is compatible with the identified seed mix(es) to be installed. If the final score will not meet the criteria for “exceptional” on the scorecard, provide the reasons why an “exceptional” score is not feasible. In the event an “exceptional” score is not feasible, provide a plan to meet or exceed a score of 76.

- e. electrical design details describing how metal fences surrounding substations or other energized equipment will be grounded and bonded in compliance with the National Electric Code (e.g., NEC 2023 Article 250.190). This description must be supported by illustrations of typical grounding details (e.g., grounding rods, bonding jumpers, conductor sizes).
 - f. assurance that no nonparticipating residences will experience TV or radio interference, and that if such interference occurs, Applicant will correct immediately or as soon as practicable.
3. The Applicant must provide an amended Exhibit A-1.4 (Construction Information) that provides the following information:
- a. the project's soil surveying and testing plans, pursuant to the Natural Resources and Environmental Protection Act ("NREPA"). This may include, but is not limited to:
 - i. soil surveying and testing required for permitting, such as Soil Erosion and Sedimentation Control permitting under Part 91 of NREPA.
 - ii. soil surveying and testing conducted during environmental site assessments to verify compliance with applicable provisions of NREPA, such as a baseline environmental assessment.
 - iii. soil surveying and testing used to inform the project's proposed construction and installation methods.
 - b. the project's proposed methods for grading and excavation.
 - c. a written description of how the Applicant will address dust control during construction. Such plan, at a minimum, must consist of water applications at

least three times per day unless it has rained in the preceding three hours of the planned application, and chloride application as needed, acceptable to the Livingston County Road Commission

- d. Written assurances that the improvements will only occur in the approved areas and that natural resources will not be detrimentally affected or destroyed.
 - e. Land surveys of participating parcels, to prevent encroachment on adjacent non-participating properties.
 - f. Detailed project timeline that identifies scope of work and all critical milestones with a successful launch.
 - g. A traffic study, detailing anticipated traffic counts, peak hours of transport, and types of vehicles anticipated.
4. The Application must provide an amended Exhibit A-1.5 (Alternatives) that provides a map and description of each alternative site location, proposed site layout, or other alternative that was considered for the proposed project but was not ultimately selected for development and provide rationale for why each such alternative was not selected.
 5. The Applicant must submit an amended Exhibit A-1.6 that provides the following:
 - a. a map and description of each potential modification or variation to the proposed site plan being considered at the time of filing and that will be finalized prior to construction. A description may include conditions that would trigger the change and when those conditions would be known, and the ultimate decision made.
 6. The Applicant must submit an amended Exhibit A-1.9 (Emergency Response Plan, or “ERP”) that provides the following information:

- a. the entirety of the ERP. As submitted, multiple required items are contained elsewhere in the application but not within the ERP itself. In particular, provide an ERP which includes the following omitted items:
 - i. evidence of consultation, or a good-faith effort to consult with, local first responders and county emergency managers. Evidence of a good-faith effort to consult with local first responders could include a description of the efforts that were made to initiate consultation. Evidence of consultation includes meeting dates, attendees, and any noteworthy outcomes or revisions to the ERP as a result of such consultation.
 - ii. a full list of contingencies (excluding fire) that would constitute a safety or security emergency, including but not limited to, the following items which are discussed elsewhere in the application:
 - 1. specific types of severe weather events.
 - 2. personnel (or visitor) health emergencies or injuries
 - 3. cybersecurity emergencies.
 - 4. any additional specific contingencies currently not within the ERP.
 - iii. specific emergency response measures by contingency, which may include a more complete description of “robust emergency response protocols” (as described in the ERP) for each contingency.
 - iv. evacuation control measures for each contingency.
 - v. community notification procedures for each contingency.

- vi. clear identification on a basic map of the primary approach and departure routes for emergency vehicles, entrance locations, and primary access roads for the project. The ERP notes that access roads will be 12-foot wide, while other application materials note 14-foot access roads; this discrepancy should be clarified.
 - b. Plans for long-term monitoring and continued mitigation efforts following an emergency.
- 7. The Applicant must submit an amended Exhibit A-1.10- Fire Response Plan that provides the following information:
 - a. the location of fire hydrants.
 - b. the normal routes of fire department vehicle access.
 - c. for the proposed operations and maintenance building,
 - i. exits.
 - ii. primary evacuation routes.
 - iii. secondary evacuation routes.
 - iv. accessible egress routes.
 - v. areas of refuge.
 - vi. exterior areas for assisted rescue.
 - vii. refuge areas associated with smoke barriers and horizontal exits.
 - viii. manual fire alarm boxes.
 - ix. portable fire extinguishers.
 - x. occupant-use hose stations.
 - xi. fire alarm annunciators and controls.

- d. a list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures.
 - e. identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires.
 - f. identification and assignment of personnel responsible for maintenance, housekeeping, and controlling fuel hazard sources.
 - g. written confirmation of Fowlerville and Howell Fire Departments approval of final access road and gate design prior to construction.
 - h. written confirmation of Fowlerville and Howell Fire Departments approval that Applicant has agreed to supply all necessary equipment, training, and resources, if local capacity is inadequate.
 - i. to the extent not covered by the items above, detail regarding the on-site equipment and systems to be provided or to prevent or handle fire emergencies. This description should include equipment and systems in the O&M building, and any other equipment or systems that will be utilized in on-site project areas other than the O&M building.
8. The Applicant must submit an amended Exhibit A-1.14 (Unanticipated Discoveries Plan) that provides anticipated impacts and plans to mitigate impacts to the environment and natural resources, including evidence of all environmental impact assessments referred to in other Application exhibits.
9. The Applicant must submit an amended Exhibit A-6.2 (Environmental Compliance Report) that provides:

a. copies of all permits required for the project, including the permits listed below:

- i. Part 301, Inland Lakes and Streams Permit: Department of Environment, Great Lakes and Energy.
- ii. Part 303, Wetlands Protection Permit: Department of Environment, Great Lakes and Energy.
- iii. Field/Temporary Driveway Permit: Livingston County Road Commission.
- iv. Utility Permit: Livingston County Road Commission.
- v. Stormwater Management Plan Approval: Livingston County Drain Commission.
- vi. Drain Crossing Permit: Livingston County Drain Commission.
- vii. Soil Erosion & Sedimentation Control Permit: Livingston County Drain Commission.
- viii. Utility Crossing Agreement: Michigan Bell Telephone Company.
- ix. Utility Crossing Agreement: DTE.
- x. Utility Crossing Agreement: Consumers Energy Company.

b. the following information:

- i. the expected direct impacts of the facility.
- ii. a complete and exhaustive environmental assessment titled “Environmental Compliance Report” to include all expected direct impacts to the environment and natural resources, with comprehensive supporting evidence specific to the proposed project area. To the extent

alternative project areas were also assessed based on expected direct impacts to environmental and natural resources, that information could also be presented in a similar report.

- iii. specific avoidance and/or mitigation strategies proposed based on the expected direct impacts of the project. Further, provide reasonable evidence to demonstrate that the proposed facility will comply with all applicable laws prior to commercial operation date. Such evidence may include identifying applicable laws and permits, and providing a plan for required avoidance and/or mitigation strategies.
- iv. describe how the proposed project complies with MCL 324.1705(2). This description should address the following items, and may also include identification of environmental impacts that also involve separate permitting decisions under the purview of other regulatory agencies.
 1. the alleged pollution, impairment, or destruction of natural resources or the public trust in these resources, with supporting evidence; and,
 2. feasible and prudent alternatives consistent with the reasonable requirements of the public health, safety, and welfare.
- v. the expected direct impacts of the proposed energy facility on wetlands and waterways (including waterbodies and watercourses); a plan describing how these impacts are proposed to be addressed and/or mitigated; and a statement and reasonable evidence that the proposed

- facility will not begin commercial operation until it complies with applicable state and federal law. Include detailed maps and reports of wetlands, waterbodies, and watercourse assessments, and delineation methodology utilized for proposed project area and 1000-ft perimeter.
- vi. Describe expected direct impacts to the Blanding's Turtle and a plan describing how these impacts are proposed to be addressed and/or mitigated, with reasonable evidence to support compliance with law.
 - vii. Bald eagles have been identified in or near the project area. Describe expected direct impacts to this species and a plan describing how these impacts are proposed to be addressed and/or mitigated, with reasonable evidence to support compliance with law.
 - viii. details regarding seasonal clearing restrictions for bat protection in coordination with USFWS.
 - ix. the expected direct impacts of the proposed energy facility on cultural and historical resources, including sites; a plan describing how these impacts are proposed to be addressed and/or mitigated; and reasonable evidence that the proposed facility will not begin commercial operation until it complies with applicable state and federal law. A description of the expected direct impacts could include a desktop survey of cultural and historical resources within the project area and an appropriate buffer; and the plan to address and mitigate impacts/reasonable evidence for compliance with law may include a description of the applicant's plan and timeline for completing required field surveying.

Each should be conducted in consultation with the State Historic Preservation Office, or provide a justification for any consultation the applicant deemed not necessary.

- x. plans for wildlife corridors within the proposed project area and within 1000ft of the project area. For areas identified, indicate the expected direct impacts of the proposed project and impact mitigation strategies.
- xi. a wildlife study analyzing the impact on properties within one mile of the project.
- xii. a stray voltage study, compiled following a test conducted on all MDARD registered livestock facilities located within one (1) mile of the participating parcels.
- xiii. Documentation of the completed Habitat Scorecard.

10. The Applicant must provide an amended Exhibit A-1.16 (Complaint Resolution Process) that provides:

- a. plans for how complaints related to noise, glare, drainage, and maintenance will be resolved.
- b. procedures for regular reporting of each complaint, and how *each* complaint was resolved.
- c. that signage will include operating manager's contact information.
- d. Form of a written report that will be provided to the Planning Commission and Township Board.

11. The Applicant must provide an amended Exhibit A-2 (Project Description) that provides the estimated percentage of land within Conway and Cohoctah Townships

and Livingston County dedicated to energy generation based on publicly-available data and any other data available to the Applicant. Publicly-available data sources may include the PSC GIS hub to find current solar and wind facilities located within each township and within Livingston County.

12. The Applicant must submit an amended Exhibit A-6.4 (Stormwater Mitigation Plan) that contains

a. the final design plan and subsequent report detailing:

- i. design of basins.
- ii. Outlet structures.
- iii. Pre-construction inventory/map of existing drain tile.
- iv. Documentation of the first post-construction inspection, prior to commencement and operation.
- v. Best management practices to be used within the project.
- vi. Final approval of all requirements of the project made by the Livingston County Drain Commissioner.

b. The following information:

- i. include agency consultation details, including date and time the consultation took place, who participated in the consultation, and copies of correspondence listing necessary permits, next steps, and associated timeline for each consultation.
- ii. necessary permits, next steps, and associated timeline to complete those steps for each consultation.

13. The Applicant must provide an amended Exhibit A-13.1 through 13.3

(Decommissioning) that:

- a. provides a description of events that would trigger Applicant-initiated decommissioning.
- b. requires decommissioning after six (6) month abandonment.
- c. confirms the requirement of a demolition permit.
- d. confirms that decommissioning will be performed when soil is dry.
- e. provides physical and chemical analysis of the soil which can be used to ensure soil is returned its original and useful condition for agricultural purposes after decommissioning after decommissioning.
- f. provides that the ground must be restored to its original topography within three hundred sixty-five (365) days of abandonment or decommissioning, and that an extension may be granted if a good faith effort has been demonstrated and any delay is not the result of actions or inactions of the owner/operator.
- g. Provides a decommissioning schedule.
- h. provides commitments with property owners to ensure final reclamation.
- i. An agreement with the Township regarding a decommissioning bond.

14. The Applicant must enter into a community host agreement with Cohoctah Township.

15. The Applicant must provide an amended Exhibit A-1.15 (Participating Parcel List) to include

- a. proof of terminated contracts for PA 116 enrolled properties within the project area.

- b. proof that participating parcels have withdrawn any agricultural exemptions to the land.
 - c. copies of all leases and decommissioning agreements with participating property owners.
16. The Applicant must submit a security plan detailing measures to prevent unauthorized trespass and access during construction, operation, removal, maintenance, or repair of the project.
 17. The Applicant must submit a complete operations agreement.
 18. The Applicant must submit a complete power purchase agreement.
 19. The Applicant must provide a FEIN number.
 20. Construction is only permitted between the hours of 7:00 a.m. and 5:00 p.m. with no construction on Saturday, Sunday, or any Michigan or federally recognized holiday.
 21. Access roads must be maintained year-round, including winter maintenance, to remain accessible for emergency vehicles.
 22. Effective upon the date of this approval, the Applicant must give bi-weekly updates on the project's progress to the Township Board, Planning Commissioners, and Zoning Administrator.
 23. Inverters must be installed in a manner that allows for generated sound to be oriented away from nonparticipating residences.
 24. The Applicant may consider increasing setbacks where panels and/or inverters will be placed on two or more sides of a nonparticipating parcel. If the setbacks are not increased, the Applicant must provide a written explanation as to why an increase is not possible.

25. Following installation but before operation begins, disturbed areas must be restored to preconstruction grade and construction, with stabilization to prevent erosion, consistent with Part 91 requirements.
26. All removed topsoil must remain on site and be reused in restoration, redistributed consistent with topography maps submitted with the final site plan.
27. After installation, the Applicant must provide as-built drawings showing:
 - a. location of all panels and invertors
 - b. location, depth, and alignment of all underground collection lines for Township records and emergency response use.
 - c. all preserved or relocated drain tiles and drainage improvements.
 - d. final grading changes.
 - e. dimensions of inverters and other above-ground infrastructure relative to property lines.
28. The Applicant must inspect all drain tiles by means of robotic camera at least once every two (2) calendar years, with the first inspection occurring post-construction but before the project is in operation. Proof of the inspection must be timely submitted to the Township. The Applicant must provide to the Township by November 1 a report of any inspection and repairs performed in that calendar year.
29. The Applicant must remedy any flooding issues caused by the project on nonparticipating parcels.
30. The owner/operator must repair any damage or failure of drain tile within 60 days after notification (weather permitting, but not longer than 120 days) and submit proof of the repair to the Township within 90 days of notification.

31. The Township is entitled, but not required, to conduct an independent inspection of the project with 24 hours' notice, and may be present at inspections caused to be performed by the Applicant.
32. The Applicant must provide an annual report showing continuation of operation.
33. At least annually, the Applicant must conduct a fire drill or training session with the Howell and Fowlerville Fire Departments and obtain approval from each fire department that adequate fire response resources exist.
34. The Applicant must notify the Zoning Administrator if the land use ceases.
35. The Applicant must provide annually to the Zoning Administrator and Township Board a report detailing:
 - a. the amount of electric generation.
 - b. current proof of insurance, with the Township and participating property owners as named insured. The insurance must be property/casualty insurance and general commercial liability insurance in an amount of at \$10 million per occurrence.
 - c. verification of financial security.
 - d. summaries of complaints.
 - e. summaries of extraordinary events.
36. The Applicant must annually appear before the Planning Commission to report on the facility and address questions and concerns.
37. The Applicant must provide complaint logs upon request, that detail all complaints received, the status of complaint resolution, and actions taken in response to complaints.

38. The Applicant must provide full manufacturer documentation prior to construction, for all equipment used in development, including owner's manuals.
39. Mowing must occur in the project area at least three times a year, at least during the spring, summer, and fall.
40. The facility must be kept in good repair, free of waste and hazards.
41. Damaged panels must be replaced within seven (7) days.
42. Maintenance logs must be kept and made available to the Township within forty-eight (48) hours upon request.
43. A performance bond equal to one hundred twenty-five (125%) percent of the highest contractor bid for fencing, landscaping, and drainage improvements shall be provided to the Township.
44. The Township must be notified as soon as possible but no later than within eight (8) hours of any failure, fire, hazardous material release, personal injury, or catastrophic event.
45. The special land use permit is transferable to a new owner only if the new owner registers information with the Township thirty (30) days prior to transfer and maintains all financial security without alteration, consistent with Zoning Ordinance requirements.
46. Any changes to the approved site plan must be submitted to Township staff for review.
47. The Applicant must enter into an agreement to indemnify and hold harmless the Township and any officials, employees, or agents from any costs and liabilities associated with the project.

48. All participating parcels must be in the Renewable Energy Overlay District. The Applicant must successfully petition to rezone all participating parcels to the REO District.
49. All documents submitted in fulfillment of the conditions contained herein must be submitted to the Zoning Administrator, unless otherwise specified, and the Zoning Administrator, with assistance from advisors and consultants as reasonably appropriate, is authorized to administratively confirm that the relevant condition is fulfilled without substantial detrimental impact on the subject matter of the condition.
50. The breach of any condition, safeguard, or requirement shall automatically invalidate the granting of the special approval use.
51. This permit shall be recorded against the subject parcels in the Livingston County Register of Deeds.
52. The Township reserves all rights to enforce the permit and its ordinances to the maximum extent permitted by law.

ACCORDINGLY,

1. A copy of this Resolution shall be available for examination at the office of the Township Clerk, and copies may be provided for a reasonable charge.
2. Any resolutions that conflict with this Resolution are repealed to the extent necessary to give this Resolution full force and effect.

A vote on the above Resolution was taken and was as follows:

ADOPTED:

YEAS: 6

NAYS: 0

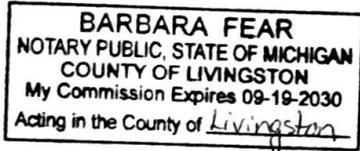
STATE OF MICHIGAN)
) ss.
COUNTY OF LIVINGSTON)

I, the undersigned, the duly qualified and acting Secretary of the Planning Commission for Township of Cohoctah, Livingston County, Michigan, CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Planning Commission of said Township at a meeting held on the 15th day of September, 2025.


Clint Beach, Planning Commission Secretary

STATE OF MICHIGAN)
) ss.
COUNTY OF LIVINGSTON)

Subscribed and sworn to before me this 16 day of September, 2025 by
Clint Beach.




Notary Public
County of Livingston, Michigan
Acting In Livingston County, Michigan
My Commission Expires: 9-19-2030

Drafted by and when recorded return to:
Michael D. Homier (P60318)
Foster, Swift, Collins & Smith, P.C.
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Grand Rapids, Michigan 49525
(616)726-2204

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