

AGENDA
Augusta Charter Township
Regular Planning Commission Meeting

Township Hall
February 16, 2022
6:30 PM

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call and Recognition of Visitors** –Yurk, Buxton, Woolf, Hall, Spence, Hurd, Rawlins
4. **Approval of Agenda**
5. **Approval of Minutes**
 - a. Planning Commission Meeting Minutes from January 19, 2022 Regular Meeting
6. **Public Hearings**
 - a. None.
7. **Business Items**
 - a. **Closed Session** – Receipt of written attorney-client privilege communication from township attorney which is exempt from disclosure under Section 13(1)(g) of the Freedom of Information Act.

Move that the PC meet in closed session with the Township Attorney and Planner under Section 8(h) of the Open Meetings Act, to consider the written attorney-client privilege which is exempt from discussion or disclosure under Section 13(1)(g) of the Freedom of Information Act.
 - b. **SLU 21-01, Railsplitter #2, Special Land Use**, Large-Scale Solar Facility, north of Arkona, south of Talladay, east of Sanford, west of Gooding. T-20-19-400-001; T-20-19-400-002; 5655 Willow Road (T-20-30-100-002); 5760 Willow Road (T-20-30-100-003); T-20-30-100-004; 12439 McCrone Road (T-20-30-100-005); T-20-30-200-004; T-20-30-200-008; T-20-30-200-012; T-20-30-400-006; T-20-19-300-003; T-20-30-200-009; 12182 McCrone Road (T-20-30-200-010).
 - c. **SP 21-03, Railsplitter #2, Preliminary Site Plan** – Large-Scale Solar Facility
 - d. **Master Plan Update**
8. **Public Comment**
9. **Communications**
10. **Adjournment**

Meeting Minutes
Augusta Charter Township
Regular Planning Commission Meeting
Township Hall

Wednesday, January 19, 2022

6:30 PM

1. Call to Order

The meeting was called to order by Chair Yurk at 6:30PM

2. Pledge of Allegiance

Chair Yurk led Pledge.

3. Roll Call and Recognition of Visitors.

In Attendance: Robert Yurk, David Hall, Shelly Hurd, Linda Spence, Dan Woolf, Paul Rawlins. Absent: Janet Buxton. Also attending were Engineering Consultant Nicholas Bayley, Counsel Victor Lillich, representatives of Ranger Power, representatives of KB Nursery & Landscape Supplies, representative for Dollar General, representative for Lombardo Homes, and numerous members of the public.

4. Approval of Agenda

Spence made the motion to approve the Agenda, support by Hall. Motion carried unanimously.

5. Approval of Minutes

Woolf made the motion to approve minutes from November 17, 2021 Planning Commission Meeting, support by Hurd.

Roll Call: Ayes; Woolf, Spence, Hurd, Rawlins, Hall. Abstain; Yurk
Motion carried.

6. Public Hearings

**SLU 21-04, KB Nursery & Landscape Supplies, 11757 Whittaker (T-20-22-300-010),
Special Land Use – Nursery / Landscape Contractor Yard**

Attorney Mr. Paul Sugameli representing the Kahala brothers presented information as to the proposed Special Land Use. Stressed the operation of business was wholesale not retail.

Mr. Kahala was also present to answer questions and provided additional information.

The Planning commission received 2 letters in reference to KB Nursery & Landscape Supplies that were read (attached).

Motion to open Public Hearing made by Hall , Hurd 2nd. Motion carried unanimously.

Public hearing opened 6:46 PM

Residents voiced concern of noise/traffic and opposition to KB Landscaping. Vanessa Fulkner-Whittaker Rd., Corrine Falzon-Willow Rd., Dale-Lin Mallonen-Judd Rd.. Bruce Rayburn-Whittaker Rd. was not opposed.

Spence motioned to close Public hearing supported by Hall. Motion carried unanimously
Public Hearing closed 7:03 pm

7. Business Items

a. SLU 21-04, KB Nursery & Landscape Supplies, 11757 Whittaker (T-20-22-300-010), Special Land Use – Nursery / Landscape Contractor Yard.

Motion to deny Special Land Use was made by Woolf and supported by Hall. Motion carried unanimously.

b. SLU 21-01, Railsplitter #2, Special Land Use, Large-Scale Solar Facility, north of Arkona, south of Talladay, east of Sanford, west of Gooding. T-20-19-400-001; T-20-19-400-002; 5655 Willow Road (T-20-30-100-002); 5760 Willow Road (T-20-30-100-003); T-20-30-100-004; 12439 McCrone Road (T-20-30-100-005); T-20-30-200-004; T-20-30-200-008; T-20-30-200-012; T-20-30-400-006; T-20-19-300-003; T-20-30-200-009; 12182 McCrone Road (T-20-30-200-010).

Mr. Drew Vielbig representing Ranger Power spoke briefly giving a recap of the Railsplitter #2 project.

Motion to approve Special Land Use was made by Chair Yurk with support from Hall. Chair Yurk read the Findings of Required Standards and Resolution of Approval (attached).

Roll Call: Ayes; Yurk, Woolf, Hall, Nays; Spence, Hurd, Rawlins.

Ayes:3 Nays: 3

Motion did not pass. Tie vote.

c. SP 21-03, Railsplitter #2, Preliminary Site Plan – Large-Scale Solar Facility.

It was determined that the commission could not review the Preliminary Site Plan as a Special Land Use permit is required.

At 8:19PM a 5 minute break was taken.

Meeting came back to order at 8:25PM

d. SP 21-01, Dollar General, T-20-01-395-005, Final Site Plan – General Retail Store.

Mr. Jacob Stouffer representing Dollar General was present to answer questions.

Mary Lula (Willis Rd.) requested some discussion on the Sewer/ water utilities. Chair Yurk entertained that discussion. She stated that Dollar General requested an easement on her

property. The easement was not a requirement of the site plan. She asked if she would be required to connect to the new city water and sewerage lines either when constructed or when she sold the property. Though discussion the request would require her person agreement and further investigation by her.

Motion to approve final site plan for Dollar General by Hall, Hurd 2nd. Motion carried unanimously.

Additionally the Planning Commission voted on the exterior color of the Dollar General building. A red or gray option was presented.

Hurd motioned to approve the gray exterior and Rawlins supported. Motion carried unanimously.

e. SP 20-02, Whittaker Road Wetland Conservation Site, Final Site Plan (T-20-10-200-017) – Private wetland mitigation area.

Mr. Lyle Winn of Lombardo Homes spoke briefly and answered questions. He reported that all the required permits have been obtained.

Motion by Chair Yurk to approve with support from Woolf.

Roll Call : Ayes; Yurk, Woolf, Spence, Hurd, Rawlins, Nay; Hall.

Ayes:5

Nayes: 1

Motion Passed 5:1

f. Master Plan Update

The Master Plan Subcommittee will meet later this month to review the outcome of the survey. To date, 133 responses to the master plan survey have been received.

8. Public Comment

Public Comment Opened at 9:05 PM

Residents Jesse Carpenter - McCrone Rd. & Richard Hamill – McCrone Rd., commented on the Railsplitter Solar #2 project and placing a moratorium on the Large Scale Solar Facility ordinance.

Mike King – Willis Rd. voiced his concern of representation and that we should have public hearings when commercial sites are being developed such in the case of Dollar General.

Closed public comments at 9:14 PM

9. Communications

David Hall reported no new communication. Chair Yurk mentioned he had received a Michigan Association of Planning brochure for more training sessions and planned to share it with commissioners.

10. Adjournment

Chair Yurk motioned to close the meeting and Hall supported. Motion carried unanimously. Meeting was closed at 9:16 PM. Motion carried unanimously.

KB Nursery LLC
11757 Whittaker Rd
Milan, MI 48160

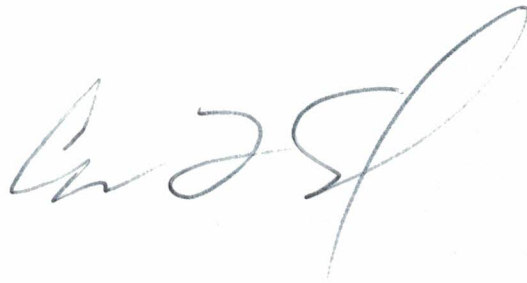
19 January 2022

To whomever it may concern:

My name is Conrad L. Samonek I live at 11667 Whittaker

I am a neighbor of KB Nursery. As a neighbor of KB, I would like to make the following known. Firstly, KB Nursery has made many improvements to the property that have positively impacted the immediate vicinity and the Township appeal as a whole. Secondly, that they have not added excessive traffic to our roadway nor are they a disturbance to us, the area or the township. With that I firmly believe KB Nursery is a positive addition to our community.

With kind regards,



Print: Conrad L. Samonek

Date: 1-19-22

January 18, 2022

Augusta Township Planning Commission
8021 Talladay Rd
Whittaker, MI 48191

To: Augusta Township Planning Commission
CC: Laura Wortman, Carlisle Wortman

Re: SLU 21-04, KB Nursery & Landscape Supplies, Special Land Use, 11757 Whittaker (T-20-22-300-010)

We are writing to express our concern over the proposed SLU 21-04 as owners of the property located 8163 Willow Rd. Based upon the SLU outline prepared by Carlisle Wortman, dated December 28, 2021, our concerns over the proposed land use by KB Landscaping are as follows:

- Noise related to the operation of a nursery/landscaping business, including material loading/unloading via construction equipment, truck traffic, employee traffic, and general operation of the commercial business on land zoned AR. Specific measures would be address noise abatement concerns.
- Storage of landscaping and related materials near the property line abutting our property. Any structures outside of currently zoned, low density single-family residential housing structures would be in violation of the current AR zoning.
- Chemical & Fertilizer storage. We have specific concerns relating to the current and future storage of hazardous materials and if the existing use is compliant with The Michigan Department of Environmental Quality (DEQ) & The Michigan Department of Labor and Economic Growth (DLEG) Occupational Safety and Health Administration (MIOSHA) standards. Specifically, The Michigan Hazardous Materials Transportation Act, *MCL 324.20101*, the Hazardous substance releases: *MCL 324.20101*, Hazardous storage tank requirements: Michigan Administrative Code (MAC) r. 299.9615, Underground storage tanks (USTs): MAC r. 29.2123, Hazardous substance remediation: MAC r. 299.5907, & Tanks and vaults: MAC r. 325.52121.

We ask that these concerns be addressed by the Augusta Township board.

Regards,

Melissa Palmquist
Kent Palmquist, Dec

**FINDINGS OF REQUIRED STANDARDS
AND RESOLUTION OF APPROVAL
RAILSPLITTER #2 – LARGE-SCALE SOLAR ENERGY SYSTEM
SLU 21-01
January 19, 2022**

WHEREAS an application for a Special Land Use Permit for a commercial large scale solar energy system as provided for and identified as a large solar energy system (LSES) under Section 6.25 of the Township Zoning Ordinance on land located north of Arkona Road, east of Sanford Road, south of Talladay Road and west of Hitchingham Road encompassing approximately 493 acres on the following 13 parcels in Sections 19 and 20, Augusta Charter Township, Washtenaw County, Michigan (LSES Property): (T-20-19-400-001; T-20-19-400-002; 5655 Willow Road (T-20-30-100-002); 5760 Willow Road (T-20-30-100-003); T-20-30-100-004; 12439 McCrone Road (T-20-30-100-005); T-20-30-200-004; T-20-30-200-008; T-20-30-200-012; T-20-30-400-006; T-20-19-300-003; T-20-30-200-009; 12182 McCrone Road (T-20-30-200-010)); and

WHEREAS in accordance with Article 14.12 of the Township Zoning Ordinance, the Augusta Township Planning Commission held a public hearing on this matter on September 15, 2021, and public comments were received and considered; and

WHEREAS the applicant submitted a revised special land use application and supplemental materials for Planning Commission review dated August 23, 2021; and

WHEREAS the Augusta Charter Township Planning Commission reviewed the Special Land Use Permit application for this use and per the requirements of Article 4.4 of the Township Zoning Ordinance finds the following:

A. Will be harmonious and in accordance with the general objectives or any specific objectives of the Augusta Charter Township Master Plan.

The Master Plan sets forth the primary goal for rural areas in the Township as the preservation of “...the rural character of Augusta Township through the management of growth and preservation of natural resources and active farming.” And one of the primary objectives is to “Protect and encourage active farming in Augusta Township.” Several of the members have serious concerns that this primary objective is not satisfied by the introduction of a LSES on 355 acres of prime agricultural land. However, the zoning ordinance was amended in February of 2020 to allow a LSES on land zoned agriculture residential in the Township even though the use may not be consistent with goals and objectives set forth in the master plan. Since this Commission is bound by terms in the zoning ordinance for review of the solar use, it is attempting to reconcile the proposed solar use with the objectives of the master plan as required.

Accordingly, the Commission observes that the Properties along the north, east, and west of the site are primarily agricultural / environmentally sensitive properties with some single-family residential neighbors. In general a solar use is of extremely low intensity in relation to other uses. By comparison, a residential development in this area would increase traffic, require additional Township services, and could remove portions of this area from farming production. The proposed LSES will not generate traffic after the construction period, nor will it require any additional Township services. The use can also be removed, and farming operations restored after the life of the LSES has ended.

Further, the applicant has provided for 500-foot setbacks from the project to adjacent, non-participating residences as requested by the Planning Commission, and noted areas where additional landscape screening will be installed. These landscape areas are primarily along both sides of Willow Road; behind the two (2) non-participating parties along Willow Road; across from the non-participating residence across Gooding Road, and at the Arkona and McCrone Roads intersection screening non-participating residences at this location.

The Planning Commission determines that the proposed LSES can be approved and developed in a manner that is generally harmonious with the Master Plan if certain conditions listed below are fully satisfied.

B. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.

Members of this Commission have observed that the intended character of the general vicinity as provided for in the Master Plan and Zoning Ordinance is rural farming in nature with scattered low density rural residential uses. To the extent that a commercial solar use is visible, this Commission believes that the use will likely change the essential character of the area.

The applicant has provided a preliminary site plan demonstrating locations of where proposed solar arrays will be erected as well as areas to remain in a natural state, and buffer/screening areas where the solar arrays will be located adjacent to neighboring single-family residences. The applicant has provided for 500-foot setbacks from the project to adjacent, non-participating residences as requested by the Planning Commission. There are proposals for screening the use from adjacent residences and other uses. The applicant notes in their application the solar farm use will be a low intensity use once constructed and will be operated, maintained, and managed without interference to other uses.

The Planning Commission determines that it is possible for the LSES to be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area if the conditions listed below are met.

C. Will not be hazardous or disturbing to existing or future nearby uses.

The Planning Commission determines the LSES will not be hazardous or disturbing to existing or future nearby uses if the conditions listed below are met.

D. Will be an improvement in relation to property in the immediate vicinity and to the Township as a whole.

The Planning Commission determines the LSES can be an improvement in relation to the property in the immediate vicinity and to the Township as a whole if the conditions listed below are met.

E. Will be served adequately by essential public services and facilities or that the persons responsible for the establishment of the proposed use will provide adequately for any such service or facility.

No water or sewer facilities are required due to the nature of the project. The Developer will work with the local emergency service providers for any additional training necessary to serve the LSES at the Developer's cost. The Developer will also construct the necessary infrastructure to connect the proposed LSES to the power grid as shown in the final site plan.

The Planning Commission determines the LSES will be served adequately by essential public services and facilities or that the persons responsible for the establishment of the proposed use will provide adequately for any such service or facility if the conditions listed below are met.

F. Will not create excessive additional public costs and will not be detrimental to the economic welfare of the Township.

The Planning Commission determines the LSES will not create excessive additional public costs and will not be detrimental to the economic welfare of the Township if the conditions below are met.

G. Will be consistent with the intent, purposes, and specifications of this Ordinance.

As part of this special land use review, and future corresponding site plan review submittals, Carlisle Wortman Associates will ensure compliance with the large solar energy system standards as outlined in Section 6.25 and the conditions for approval listed below.

NOW THEREFORE BE IT RESOLVED, that the Augusta Charter Township Planning Commission hereby approves SLU 21-01 Railsplitter #2 with the following conditions:

1. Five hundred (500)-foot setbacks and landscape screening are provided from solar panels to all non-participating residential structures.
2. One hundred fifty (150)-foot setbacks are provided from solar panels, equipment or deer fencing from all participating residential structures.
3. One hundred (100)-foot setback shall be provided from all road rights-of-ways (which roads are these).
4. No landscaping shall be placed within 50 feet of any right-of-way.
5. Landscape screening shall be installed to reasonably obscure the LSES from adjacent uses and from passersby along Willow, McCrone, and Gooding Roads as provided and consistent with the attached color rendering which was also provided to the Planning Commission at the October 20, 2021 meeting. The objective of all screening along roads and adjacent uses shall be to, as much as is reasonably possible, make the solar use not visible to residents and others who may be traveling through the Township. The details of screening must be included and approved as part of the final site plan.

6. Landscape screening shall consist of one (1) row of evergreen trees spaced at a distance of eight (8) feet apart on center and two (2) rows of shrubs spaced at distance of six (6) feet on center. The evergreen trees shall be planted at a height of between four (4) and six (6) feet and the shrubs shall be planted at a height at least two (2) feet. As required by Section 6.25.J of the Augusta Township Zoning Ordinance, the vegetative buffer shall be continuously maintained and the applicant shall replace all unhealthy (sixty (60) percent dead or greater) and dead material within one (1) year or the next appropriate planting period, whichever occurs first. The applicant will replace dead material with trees between four (4) and six (6) feet in height and shrubs at least two (2) feet in height, but may plant a different species than that originally planted if the originally planted species does not thrive in this location.
7. Maintenance of existing trees around the periphery of the development
8. No chemicals shall be used for weed or mosquito control that might have a detrimental impact on groundwater.
9. A weed and mosquito control plan as approved by the PC shall be provided as part of final site plan approval.
10. The applicant will adhere to the Township's Property Maintenance Code (Section 302.4) with regard to weed/grass control.
11. No additional wetlands are allowed to be created or developed by the project.
12. An inspection and survey of existing drain tiles on the LSES Property shall be provided prior to any construction and a plan as approved by the PC for maintenance and preservation of the drain tiles shall be submitted with final site plan. Existing drain tiles as surveyed must be functionally maintained at all times during construction and use of the property.
13. Drain tiles on the LSES Property rendered nonfunctioning directly as a result of construction or operation of the LSES will be replaced or repaired so as not to create any drainage issues on the LSES Property or on adjacent and surrounding properties.
14. 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 LSES, and shall be listed as an additional insured on applicable insurance policies during the life of the LSES.
15. Any LSES debris originating from damaged solar panels shall be removed from the LSES Property within thirty (30) days of damage occurring or as soon as practicable after thirty (30) days.
16. The operator of the project or its assigns shall initially respond within ten (10) business days to complaints from residential property owners arising from and related to the operation of the LSES (Residential Claim). Any resolution shall include lawful and reasonable solutions consistent with the Zoning Ordinance, which shall also be provided to the Township Zoning Administrator. The operator of the LSES or its assigns reserve the right to adjudicate any claims, including Residential Claims, in a court of proper jurisdiction.
17. The decommissioning plan shall be rewritten to provide security to the Township for 100% of the cost to remove and dispose of all panels, wiring, and restoration of the land to its original condition. The value of decommissioning shall be determined by a 3rd party financial consultant or engineer selected by the Township and paid for by Developer. Once value of

decommissioning is determined, it shall be updated on a periodic basis of not less than every 3 years.

18. The Applicant shall abide by all County requirements regarding the use, maintenance and/or repair of County roads, and shall enter into an agreement with the Washtenaw County Road Commission (WCRC) as approved by the Township providing for repair of damage to Township roads in the event LSES activities cause damage to any roads.
19. Developer shall enter into a development/SUP agreement with the Township prior to any construction on the project which provides for enforcement of all applicable requirements in the Township Zoning Ordinance, other ordinances of the Township, this approval, the approved final site plan and other relevant regulations and law.

ROLL CALL VOTE:

AYES:

NAYES:

ABSENT:

ABSTAIN:

RESOLUTION DECLARED ADOPTED

Robert Yurk, Chairperson
Augusta Charter Township Planning Commission

Dated: _____

CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Planning Commission of Augusta Charter Township, County of Washtenaw, State of Michigan at a regular meeting held on the ____ day of _____, 2022, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the open meetings act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Dated: _____

Secretary Planning Commission
Augusta Charter Township

**FINDINGS OF REQUIRED STANDARDS
AND RESOLUTION OF DENIAL
RAILSPLITTER #2 – LARGE-SCALE SOLAR ENERGY SYSTEM
SLU 21-01
January 19, 2022**

WHEREAS an application for a Special Land Use Permit for large scale solar facility on the premises located north of Arkona Road, east of Sanford Road, south of Talladay Road and west of Hitchingham Road encompassing approximately 493 acres or 13 properties (T-20-19-400-001; T-20-19-400-002; 5655 Willow Road (T-20-30-100-002); 5760 Willow Road (T-20-30-100-003); T-20-30-100-004; 12439 McCrone Road (T-20-30-100-005); T-20-30-200-004; T-20-30-200-008; T-20-30-200-012; T-20-30-400-006; T-20-19-300-003; T-20-30-200-009; 12182 McCrone Road (T-20-30-200-010)). in Sections 19 and 20, Augusta Charter Township, Washtenaw County, Michigan; and

WHEREAS in accordance with Article 14.12 of the Township Zoning Ordinance, the Augusta Township Planning Commission held a public hearing on this matter on September 15, 2021, and public comments were received and considered; and

WHEREAS the applicant submitted a revised special land use application and supplemental materials for Planning Commission review dated August 23, 2021; and

WHEREAS PC members have carefully considered the presentations of Ranger Power and the comments and concerns from members of the public and have generally struggled with the proposed project since it was first presented at a different location in the Township and then moved to its current location because of opposition by the many more residents who would be affected by the project; and

WHEREAS the current proposed project is in a better location, and a consensus of current members of this PC have worked with Ranger Power in an attempt to fit the proposed project into the area consistent with the stated purposes of an Agricultural Residential district in the Zoning Ordinance and the stated goals and objectives in the current Master Plan; and

WHEREAS in February 2020, an amendment to the Zoning Ordinance was adopted by the Township Board that allowed for large scale solar projects to be considered and potentially approved as a special use in zoned Agricultural Residential districts when such uses were only permitted in zoned industrial districts prior to the 2020 zoning amendment; and

WHEREAS upon reviewing the Township Master Plan and Zoning Ordinance for uses permitted in a zoned Agricultural Residential district in the context of the proposed project, this PC considers that the 2020 amendment that permits large scale solar projects to be considered as a special use in zoning Agricultural Residential districts was not based upon the goals and objectives stated in the Township Master Plan as required by law; and

WHEREAS this PC reviewed the Special Land Use Permit application for and the proposed large scale solar project as it is required to do in accordance with the requirements of Article 4.4 of the Township Zoning Ordinance, and now finds the following:

- A. Will be harmonious and in accordance with the general objectives or any specific objectives of the Augusta Charter Township Master Plan.**

The Master Plan sets forth the primary goal for rural areas in the Township as the preservation of "...the rural character of Augusta Township through the management of growth and

preservation of natural resources and active farming.” And one of the primary objectives is to “Protect and encourage active farming in Augusta Township.” Several of the members have serious concerns that this primary objective is not satisfied by the introduction of a large scale commercial solar project on 355 acres of prime agricultural land. However, the zoning ordinance, as amended in February of 2020, allows a large scale commercial solar use on land zoned Agriculture Residential in the Township and this Commission is bound by terms in the zoning ordinance for review of the solar use. This PC has been unable to reconcile the goals and objectives outlined in the Master Plan with the proposed large scale solar energy project. Specifically, the following goals and objectives:

- Preserve the rural character of Augusta Charter Township through management of growth and preservation of natural resources and active farming. To the extent that the project can be seen by passersby on the roads and by residents on the perimeter of the project, the rural character of the area is not preserved. Nor does the use preserve and promote active farming or preserve natural resources.
- Protect the integrity of the existing and future residential areas. To the extent that the project can be seen by passersby on the roads and by the existing and future potential residents in the area, the integrity of existing and future residential uses will likely be compromised.
- Protect and encourage active farming in Augusta Charter Township. The proposed use does not protect or encourage active farming. It diminishes active farming in the Township.
- Promote limited development of commercial / industrial uses in appropriate locations of the Township. Utilization of 493 acres of farmland for a commercial/industrial solar use does not limit such uses to an appropriate location in the Township.

The Planning Commission determines that the proposed large scale solar facility cannot be approved and developed in a manner that is generally harmonious with the Master Plan.

B. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.

Members of this Commission have observed that the intended character of the general vicinity as provided for in the Master Plan and Zoning Ordinance is rural farming in nature with scattered low density rural residential uses. To the extent that a commercial solar use is visible, this Commission believes that the use will likely change the essential character of the area and will not be harmonious and appropriate in appearance with the general vicinity.

The Planning Commission determines that the proposed large scale solar facility as proposed in the preliminary site plan would not be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will change the essential character of the area.

C. Will not be hazardous or disturbing to existing or future nearby uses.

The Planning Commission determines the large solar facility will be hazardous or disturbing to existing or future nearby uses based on the scale and visibility of the project to immediate and nearby residents and uses.

D. Will be an improvement in relation to property in the immediate vicinity and to the Township as a whole.

The Planning Commission determines the large solar facility is not an improvement in relation to the property in the immediate vicinity and to the Township as a whole based on inconsistencies noted in the goals and objectives outlined in the Master Plan.

E. Will be served adequately by essential public services and facilities or that the persons responsible for the establishment of the proposed use will provide adequately for any such service or facility.

No water or sewer facilities are required or proposed due to the nature of the project. If permitted, the developer has agreed in the proposal to work with the local emergency service providers for any additional training necessary to serve the proposed facility at the developer's cost.

The Planning Commission determines the large solar facility if permitted would be served adequately by essential public services.

F. Will not create excessive additional public costs and will not be detrimental to the economic welfare of the Township.

The Planning Commission determines the large solar facility if approved would not create excessive additional public costs. However, the full effect of economic impacts and welfare of the Township is unclear to this PC and without such clarity it is difficult for this PC to determine whether the project might create any additional public cost due to loss of tax revenues or for other reasons because of any other cost to the Township caused by the project development and maintenance over a 20 year period.

G. Will be consistent with the intent, purposes, and specifications of this Ordinance.

Ranger Power and the project as proposed generally meets the specifications for a large-scale solar project as outlined in the Ordinance. However, this PC believes that the proposed use is generally not consistent with the intent, purpose and objectives of other uses allowed in a zoned Agricultural Residential zoning district. To the extent that the Ordinance was amended in 2020 to list large scale solar projects as a special use in zoning Agricultural Residential districts, this PC believes that the amendment was not well thought out because it was not made or guided by the Master Plan policies and goals.

NOW THEREFORE BE IT RESOLVED, that the Augusta Charter Township Planning Commission hereby DENIES SLU 21-01 Railsplitter #2 based on the findings stated above. This PC also considers that the proposed use might be approved if it was proposed, constructed and

maintained in a manner which removes it from sight from passersby on perimeter roads and adjacent properties with existing and potential future residential uses.

ROLL CALL VOTE:

AYES:

NAYES:

ABSENT:

ABSTAIN:

RESOLUTION DECLARED ADOPTED

Robert Yurk, Chairperson
Augusta Charter Township Planning Commission

Dated: _____

CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Planning Commission of Augusta Charter Township, County of Washtenaw, State of Michigan at a regular meeting held on the ____ day of _____, 2022, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the open meetings act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Dated: _____

Secretary Planning Commission
Augusta Charter Township