

AGENDA
Augusta Charter Township
Regular Planning Commission Meeting

NEW LOCATION

Lincoln Senior Center
8970 Whittaker Road
(West entrance of Brick Elementary)
Ypsilanti, MI 48197
September 21, 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 August 17, 2022 Regular Meeting
- 6. Public Hearings**
 - a. **Large Scale Solar Text Amendments**
- 7. Business Items**
 - a. **Large Scale Solar Ordinance Text Amendment Discussion.**
 - b. **PA 22-01 - J. Briggs – 13208 Tuttlehill Road – T-20-34-100-007 –**
Recommendation on allowing applicant a 15-year abatement through the Michigan Department of Natural Resources Farmland and Open Space Preservation Program.
 - c. **Roof-pitch Text Amendment Discussion – Section 3.7.A.6.a.**
 - d. **Master Plan Update**
- 8. Public Comment**
- 9. Communications**
- 10. Adjournment**

Draft
Meeting Minutes
Augusta Charter Township
Regular Planning Commission Meeting
New Location - Lincoln Senior Center
8970 Whittaker Road
Ypsilanti, MI 48197
Wednesday, August 17, 2022
6:30 PM

1. Call to Order

The meeting was called to order by Chair Yurk at 6:40 PM.

2. Pledge of Allegiance

Chair Yurk led Pledge.

3. Roll Call and Recognition of Visitors.

In Attendance: Robert Yurk, David Hall, Linda Spence, Dan Woolf, Janet Buxton.

Absent: Shelly Hurd and Paul Rawlins. Also attending, Planner Laura Kreps, Engineering consultant Nicholas Bayley, Counsel Victor Lillich, members of the public, and a representative of Ranger Power.

4. Approval of Agenda

Chair Yurk made the motion to approve agenda but requested Business Item 7a. Closed Session follow other business items on Agenda, support by Hall. Motion carried unanimously.

5. Approval of Minutes

Spence made the motion to approve minutes from June 15, 2022 Planning Commission Meeting, support by Woolf. Motion carried unanimously.

6. Public Hearings

a. None

7. Business Items

a. Large Scale Solar Ordinance Text Amendment Discussion

The commissioners reviewed and discussed the changes for ordinance 6.25 Large Solar Energy Systems. Buxton made the motion to send the draft to the board supported by Spence. Motion carried unanimously.

b. Master Plan Update

The Subcommittee met on July 14th and is scheduled to meet again September 8th. There is a working draft. When the draft is complete a public hearing will be scheduled.

- c. **Closed Session** – Consultation with the township attorney regarding trial or settlement strategy in connection with pending litigation 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, Planner, and Engineer under Section 8(h) of the Open Meetings Act, to consult regarding trial or settlement strategy in connection with pending litigation.

Yurk motioned to go into closed session supported by Hall. Motion carried unanimously. Closed session started at 7:27.

Spence made the motion to end the closed session and return to regular meeting. Hall supported. Motion carried unanimously. Closed session ended at 8:17.

8. Public Comment
None

9. Communications
None

10. Adjournment

Yurk motioned to adjourn the meeting Hall supported. Motion carried unanimously. Meeting was closed at 8:18 PM.

6.25 Large Solar Energy Systems. The following requirements shall apply to all Large Solar Energy Systems.

- A. Purpose and Intent: The purpose and intent of this Section is to establish standards for the siting, installation, operation, repair, decommissioning and removal of Large Solar Energy Systems within the Light Industrial and General Industrial Districts as a Special Land Use.
- B. Site Plan Drawing and Supporting Materials: All applications for a Large Solar Energy Systems use must be accompanied by detailed site plans, drawn to scale and dimensioned and certified by a registered engineer licensed in the State of Michigan, displaying the following information:
 - 1. All requirements for a site plan contained in Article 11 of the Augusta Charter Township Zoning Ordinance.
 - 2. All lot lines and dimensions, including a legal description of each lot or parcel comprising the Large Solar Energy System.
 - 3. Names of owners of each lot or parcel within Augusta Charter Township that is proposed to be within the Large Solar Energy System.
 - 4. Vicinity map showing the location of all surrounding land uses.
 - 5. Location and height of all proposed Solar Array(s), buildings, structures, electrical tie lines and transmission lines, security fencing, and all above-ground structures and utilities associated with a Large Solar Energy System.
 - 6. Horizontal and vertical (elevation) to scale drawings with dimensions that show the location of the proposed Solar Array(s), buildings, structures, electrical tie lines and transmission lines, security fencing and all above ground structures and utilities on the property.
 - 7. Location of all existing and proposed overhead and underground electrical transmission or distribution lines within the Large Solar Energy System and within 100 feet of all exterior property lines of the Large Solar Energy System.
 - 8. Proposed setbacks from the Solar Array(s) to all existing and proposed structures within the Large Solar Energy System.
 - 9. Land elevations for the Solar Array(s) location and the relationship to the land elevations of all existing and proposed structures within

the Large Solar Energy System at a minimum of 5' contours.

10. Access driveways within and to the Large Solar Energy System, together with a detailed narrative regarding dimensions, composition, and maintenance of each proposed driveway. All access drives shall be subject to Washtenaw County Road Commission approval and shall be planned so as to minimize the use of lands for that purpose.
 11. Planned security measures to prevent unauthorized trespass and access during the construction, operation, removal, maintenance or repair of the Large Solar Energy System.
 12. A written description of the maintenance program to be used for the Solar Array and other components of the Large Solar Energy System, including decommissioning and removal. The description shall include maintenance schedules, types of maintenance to be performed, and decommissioning and removal procedures and schedules if the Large Solar Energy System is decommissioned.
 13. Planned lightening protection measures.
 14. A weed control and mosquito control plan shall be provided. No chemicals shall be used for weed or mosquito control that might have a detrimental impact on groundwater.
 15. Additional detail(s) and information as required by the Special Land Use requirements of the Augusta Charter Township Zoning Ordinance, or as required by the Planning Commission.
- C. Application Escrow Account: An escrow account shall be deposited with the Township by the Applicant when the Applicant applies for a Special Land Use Permit for a Large Solar Energy System. The monetary amount deposited by the Applicant in escrow with the Township shall be the amount estimated by the Township, to cover all reasonable costs and expenses associated with the Special Land Use Permit review and approval process, which costs shall include, but are not limited to, reasonable fees of the Township Attorney, Township Planner and Township Engineer, as well as costs for any reports or studies that are reasonably related to the zoning review process for the application. The Applicant shall have thirty (30) days to refuse or approve of the amount estimated by the Township. Such escrow amount shall be in addition to any filing or application fees established by resolution. At any point during the Special Land Use Permit review process, the Township may require that the Applicant place additional funds into escrow with the Township if the existing escrow amount deposited by the Applicant is deemed insufficient by the Township. If the escrow account

needs replenishing and the Applicant refuses to do so within thirty (30) days, the Special Land Use Permit process shall cease unless and until the Applicant makes the required additional escrow deposit. Any applicable zoning escrow Resolutions or other Ordinances adopted by the Township must also be complied with by the Applicant. The Township shall provide a summary of all account activity to the Applicant within a timely manner upon request. Any funds remaining within the escrow after approval of the Special Land Use Permit shall be returned in a timely manner to the Applicant.

- D. Compliance with the County Building Code and the National Electric Safety Code: Construction of a Large Solar Energy System shall comply with the National Electric Safety Code and the County Building Code (as shown by approval by the County) as a condition of any Special Land Use Permit under this section. In the event of a conflict between the County Building Code and National Electric Safety Code (NESC), the NESC shall prevail.
- E. Certified Solar Array Components: Components of a Solar Array shall be approved by the Institute of Electrical and Electronics Engineers ("IEEE"), Solar Rating and Certification Corporation ("SRCC"), Electronic Testing Laboratories ("ETL"), or other similar certification organization if the similar certification organization is approved by the Township, which approval shall not be unreasonably withheld.
- F. Height: Maximum height of a Solar Array, other collection device, components or buildings of the Large Solar Energy System, excluding substation and electrical transmission equipment, shall not exceed fifteen (15) feet (at full-tilt) (as measured from the natural grade at the base of improvements) at any time or location on the property. Substation and electrical transmission equipment shall not exceed one hundred (100) feet in height.
- G. Lot Size: A Large Solar Energy System shall be located on one or more parcels with an aggregate area of ten (10) acres or greater.
- H. Setbacks: A minimum setback distance of one hundred (100) feet from all exterior property lines of the Large Solar Energy System and existing public roads and railroad rights-of-way shall be required for all buildings and Solar Arrays. Additionally, a minimum setback distance of one hundred fifty (150) feet shall be provided from solar arrays, equipment, and fencing from all participating residential property lines. A five hundred (500)-foot setback with landscape screening is a required where non-participating residential property adjoins the proposed solar use.
- I. Lot Coverage: A Large Solar Energy System is exempt from maximum lot coverage limitations.

J. Screening/Security: A Large Solar Energy System shall be completely enclosed by perimeter security fencing to restrict unauthorized access. Such fencing shall be six (6) feet in height consisting of galvanized mesh wire with wood posts (also known as deer fence or agricultural fence). The Planning Commission may consider an alternative fence-type as part of the special land use approval. Electric fencing is not permitted. 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, subject to the following requirements:

1. The Large Solar Energy Systems shall be exempt from the landscape requirements of Article 5.7.
2. No landscaping shall be placed within fifty (50) feet of any right-of-way.
3. Landscape screening shall be installed to obscure the Large Solar Energy System from adjacent uses and from passersby. The evergreen and shrub vegetative buffer shall either be composed of one (1) row of evergreen trees and two (2) offset rows of shrubs that at planting shall be a minimum of six (6) feet in height (evergreen trees) and shrubs two (2) feet in height. Or two (2) rows of evergreen trees. One (1) row having a minimum height of 4 feet and the other a minimum height of 6 feet. The vegetative buffer shall be continuously maintained and the applicant shall replace all unhealthy (sixty (60) percent dead or greater) and dead material shall be replaced by the Applicant within one (1) year, or the next appropriate planting period, whichever occurs first. The applicant may plant a different species than originally planted upon approval from the Planning Commission and if the originally planted species does not thrive in this location.
3. All plant materials shall be installed between March 15 and November 15. If the Applicant requests a Final Certificate of Occupancy from the Township and the Applicant is unable to plant during the installation period, the Applicant will provide the Township with a letter of credit, surety or corporate guarantee for an amount equal to one and one-half (1.5) times the cost of any planting deficiencies that the Township shall hold until the next planting season. After all plantings have occurred, the Township shall return the financial guarantee.
4. Failure to install or continuously maintain the required vegetative buffer shall constitute a violation of this Ordinance and any Special Use Permit may be subject to revocation.

- K. Signage: No advertising or non-project related graphics shall be on any part of the Solar Arrays or other components of the Large Solar Energy System. This exclusion does not apply to entrance gate signage or notifications containing points of contact or any and all other information that may be required by authorities having jurisdiction for electrical operations and the safety and welfare of the public.
- L. Noise: No component of any Large Solar Energy System shall emit noise exceeding fifty-five (55) dBA as measured at the exterior property boundary or the existing ROW line.
- M. Lighting: All lighting for parking lots, driveways, external illumination of buildings, the illumination of signs, and any additional lighting used during construction and decommissioning of the solar use shall be directed away from and be shielded from adjacent properties and shall be so arranged as to not adversely affect driver visibility on adjacent public roads in accordance with Section 9.13.
- N. Wetlands: No additional wetlands shall be created or developed by the project.
- O. Drain Tiles: Drain tiles on the Large Solar Energy System site shall be protected during the life of the project and are subject to professional review. If non-functioning drain tiles are discovered during the survey, they must be repaired and made functional. Any drain tiles rendered non-functioning directly as a result of construction, operation, maintenance or decommissioning of the Large Solar Energy System will be replaced or repaired so as not to create any drainage issues on the Large Solar Energy System site or on adjacent and surrounding properties.
- P. Distribution, Transmission and Interconnection: All collection lines and interconnections from the Solar Array(s) to any electrical substations shall be located and maintained underground inside the Large Solar Energy System, except in areas where technical or physical constraints make it preferable to install equipment above ground. This requirement excludes transmission equipment meant to connect the project substation to the local transmission system.
- Q. Abandonment and Decommissioning: Following the operational life of the project, the Applicant shall perform decommissioning and removal of the Large Solar Energy System and all its components. The Applicant shall prepare a Decommissioning Plan and submit it to the Planning Commission for review and approval prior to issuance of the Special Land User Permit. The decommissioning plan shall be written to provide security to the Township for one hundred percent (100%) of the cost to remove and dispose of all panels, wiring, and restoration of the land to its original

conditions. The value of decommissioning shall be determined by a third-party financial consultant or engineer selected by the Township and paid for by the developer. Once value of decommissioning is determined, it shall be updated on a periodic basis of not less than every three (3) years. Any Solar Array or combination of Photovoltaic Devices that is not operated for a continuous period of twelve (12) months shall be considered abandoned and shall be removed under the Decommissioning Plan. The ground must be restored to its original topography within three hundred sixty-five (365) days of abandonment or decommissioning.

- R. **Complaints:** The operator of the project shall respond to complaints from neighboring property owners arising from and related to the operation of the Large Solar Energy System within ten (1) business days and shall attempt to resolve complaints consistent with Township Ordinances and the law. Complaints and any resolution must be reported to Zoning Administrator.
- S. **Indemnity/Insurance:** Public liability and property damage insurance must be continuously maintained during the life of the project and the Township shall be listed as an additional insured and indemnified from all claims arising from the construction, use, maintenance and decommissioning of the Large Solar Energy System.
- T. A development agreement and/or special land use permit agreement as provided for in Section 4.3(E) must be entered into the Township Board before construction commences on a Large Solar Energy System.
- U. **General Standards:** The Planning Commission shall not approve any Large Solar Energy System Special Land Use Permit unless it finds that all of the general standards for Special Land Uses contained in Article 4 of this Ordinance are met.
- V. **Approval Time Limit and Extension:** Special Use and Site Plan approvals or permits under this Section shall be valid for one year but, if requested by the Applicant prior to that expiration date, shall automatically be extended for an additional one-year period.
- W. **Conditions and Modifications:** Any conditions and modifications approved by the Planning Commission shall be recorded in the Planning Commissions' meeting minutes. The Planning Commission may, in addition to other reasonable conditions, require landscaping, walls, fences and other improvements that are reasonable in relation to and consistent with the nature of the applicable or adjacent zoning districts.

After approval, at least two (2) copies of the final approved Site Plan shall be signed and dated by the Chairman of the Planning Commission and authorized representative of the Applicant. One copy shall be kept on file

by the Township Clerk, and one copy shall be returned to the Applicant's authorized representative.

- X. Inspection: The Township shall have the right at any reasonable time, to provide same-day notice to the Applicant to inspect the premises on which any Large Solar Energy System is located. The Township may hire one or more consultants, with approval from the Applicant (which shall not be unreasonably withheld), to assist with inspections at the Applicant's or project owner's expense. Inspections must be coordinated with, and escorted by, the Applicant's operations staff at the Large Solar Energy Facility to ensure compliance with the Occupational Safety and Health Administration (OSHA), NESC and all other applicable safety guidelines.
- Y. Maintenance and Repair: Each Large Solar Energy System must be kept and maintained in good repair and condition at all times. If the Township Zoning Administrator determines that a Large Solar Energy System fails to meet the requirements of this Ordinance and the Special Land Use Permit, or that it poses a safety hazard, the Zoning Administrator, or his or her designee, shall provide notice to the Applicant of the violation or safety hazard. If, after a reasonable cure period (not to exceed 7 days), the violations or safety hazards are not corrected, the Applicant is entitled to a hearing before the Township Board. If the Township Board determines that the violation or safety hazard requires that the Large Solar Energy System must be shut down, Applicant shall immediately shut down the Large Solar Energy System and not operate, start or restart the Large Solar Energy System until the issues have been resolved. Applicant shall keep a maintenance log on the Solar Array(s), which shall be available for the Township's review within 48 hours of such request. Applicant shall keep all sites within the Large Solar Energy System neat, clean and free of refuse, waste or unsightly, hazardous or unsanitary conditions.
- Z. Roads: Any material damages to a public road located within the Township resulting from the construction, maintenance or operation of a Large Solar Energy System shall be repaired at the Applicant's expense. In addition, the Applicant shall submit to the appropriate County agency a description of the routes to be used by construction and delivery vehicles and shall make road improvements determined to be necessary or appropriate by the County Road Commission to accommodate construction vehicles, equipment or other deliveries. The Applicant shall abide by all County and Township requirements regarding the use and/or repair of roads in the Township.
- AA. Continuing Security: If any Large Solar Energy System is approved for construction under this Section, Applicant shall post decommissioning security prior to the start of construction (in a mutually agreed upon form) for an amount necessary to accomplish the work specified in the

decommissioning plan as agreed upon by the Township and Applicant. The amount shall be reasonably sufficient to restore the property to its previous condition prior to construction and operation of the Large Solar Energy System. Such financial security shall be kept in full force and effect during the entire time that the Large Solar Energy System exists or is in place, and such financial security shall be irrevocable and non-cancelable.

1. Continuing Obligations: Failure to keep any required financial security in full force and effect at all times while a Large Solar Energy System exists or is in place shall constitute a material and significant violation of the Special Land Use Permit and this Ordinance, and will subject the Large Solar Energy System Applicant, owner and operator to all remedies available to the Township, including any enforcement action, civil action, request for injunctive relief, and revocation of the Special Land Use Permit.

- BB. Other Requirements: Each Large Solar Energy System shall also comply with all applicable federal, state and county requirements, in addition to other applicable Township Ordinances.



**FARMLAND AND OPEN SPACE
PRESERVATION PROGRAM**

Application for Farmland Agreement

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

Please print or type. Attach additional sheets as needed. Please read the Eligibility and Instructions document before filling out this form.

OFFICIAL USE ONLY

RECEIVED

Local Governing Body: J.R.

AUG 29 2022

Date Received: J.R.

Application No: PA-22-01

State: _____

Date Received: _____

Application No: _____

Approved: _____

Rejected: _____

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR**

I. Personal Information:

1. Name(s) of Applicant: Briggs Jeffrey J for Jeff Briggs Farms LLC

Last

First

Initial

(If more than two see #15) _____

Last

First

Initial

Marital status of all individual men listed on application, if more than one, indicate status after each name:

☒ Married

☐ Single

2. Mailing Address: 9249 Torrey Rd Willis mi 48191

Street

City

State

Zip Code

3. Telephone Number: (Area Code) (734) 216 6100

4. Alternative Telephone Number (cell, work, etc.): (Area Code) (734) 439 7004 fax/office

5. E-mail address: j28300a@aol.com

II. Property Location (Can be taken from the Deed/Land Contract)

6. County: Washtenaw

7. Township, City or Village: Augusta

8. Section No. 34 & 35

Town No. T04S

Range No. R07E

III. Legal Information:

9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14) ☒

10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? ☐ Yes ☒ No

If "Yes", please explain circumstances: _____

12. Does the applicant own the mineral rights? ☒ Yes ☐ No

If owned by the applicant, are the mineral rights leased? ☐ Yes ☒ No

Indicate who owns or is leasing rights if other than the applicant: _____

Name the types of mineral(s) involved: _____

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes: ☐ Yes ☒ No If "Yes", indicate to whom, for what purpose and the number of acres involved: _____

14. Is land being purchased under land contract ☐ Yes ☒ No: If "Yes", indicate vendor (seller):

Name: _____

Address: _____

Street

City

State

Zip Code

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (seller) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

Date

Signature of Land Contract Vendor(s) (Seller)

15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

☐ 2 or more persons having a joint or common interest in the land
☐ Corporation ☒ Limited Liability Company ☐ Partnership
☐ Estate ☐ Trust ☐ Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: Jeffrey J Briggs Title: President

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)

This application is for:

- ☒ a. 40 acres or more → complete only Section 16 (a thru g);
☐ b. 5 acres or more but less than 40 acres → complete only Sections 16 and 17; or
☐ c. a specialty farm → complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc):

cash crop

- b. Total number of acres on this farm 80
 c. Total number of acres being applied for (if different than above): 80
 d. Acreage in cultivation: 53.02
 e. Acreage in cleared, fenced, improved pasture, or harvested grassland: 0
 f. All other acres (swamp, woods, etc.) 26.98
 g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings 1 Residence: 1 Barn: 2 Tool Shed: _____
 Silo: _____ Grain Storage Facility: _____ Grain Drying Facility: _____
 Poultry House: _____ Milking Parlor: _____ Milk House: _____
 Other: (Indicate) _____

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application from the sale of agricultural products (not from rental income):

\$ 21,208.00 : 53.02 = \$ 400.00 (per acre)
 total income total acres of tillable land

18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of \$2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: \$ _____

Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); 15

V. Signature(s):

20. The undersigned declare that this application, including any accompanying informational material, has been examined by them and to the best of their knowledge and belief is true and correct.

J. M. Brown
(Signature of Applicant)

(Corporate Name, If Applicable)

(Co-owner, If Applicable)

8.26.22

(Date)

J. M. Brown
(Signature of Corporate Officer)

President

(Title)

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.**

RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II

I. Date Application Received: _____ (Note: Local Governing Body has 45 days to take action)

Action by Local Governing Body: Jurisdiction: _____

☐ County ☐ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected

Date of approval or rejection: _____

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature: _____

Property Appraisal: \$ _____ is the current fair market value of the real property in this application.

II. Please verify the following:

____ Upon filing an application, clerk issues receipt to the landowner indicating date received.

____ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

____ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

____ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters of review/comment from reviewing agencies (if provided) are sent to:

MDARD-Farmland and Open Space Program, PO Box 30449, Lansing 48909

***Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation office.**

Please verify the following regarding Reviewing Agencies (Sending a copy to reviewing agencies is required):

COPY SENT TO:

____ County or Regional Planning Commission

____ Conservation District

____ Township (if county has zoning authority)

**Before forwarding to State Agency,
FINAL APPLICATION SHOULD INCLUDE:**

____ Copy of Deed or Land Contract (most recent showing current ownership)

____ Copy of most recent Tax Bill (must include tax description of property)

____ Map of Farm

____ Copy of most recent appraisal record

____ Copy of letters from review agencies (if available)

____ Any other applicable documents

Questions? Please call Farmland Preservation at 517-284-5663

WARRANTY DEED

202258595

KNOW ALL MEN BY THESE PRESENTS: That , Ronald Prieskorn, Janice A. Stark, Jerry Cramer and Louis E. Prieskorn whose address is 16233 Juniper Street, Overland Park, KS 66085 convey(s) and warrant(s) to Jeff Briggs Farms, LLC whose address is 9249 Torrey Road, Willis, MI 48191 the following described premises:

SEE EXHIBIT "A" ATTACHED HERETO

More commonly known as 13208 Tuttle Hill Road, Willis, MI 48191

The grantor grants to the grantee the right to make division(s) under section 108 of the land division act, Act No. 288 of the Public Acts of 1967. (If no number is inserted, the right to make divisions stays with the portion of the parent tract retained by the grantor; If all of the parent tract is conveyed, then all division rights are granted.)

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

Tax Parcel No. T-20-34-100-007

For the sum of Three Hundred Eight Thousand Dollars and No Cents (\$308,000.00), subject to the existing building and use restrictions, easements, and zoning ordinances of record, if any.

Dated 8/19/22

Janice Stark
POA for Ronald Prieskorn
Ronald Prieskorn
By Janice A. Stark, Power of Attorney

Janice A Stark
Janice Stark
Janice A. Stark
Janice Stark
POA for Jerry Cramer
Jerry Cramer
By Janice A. Stark, Power of Attorney

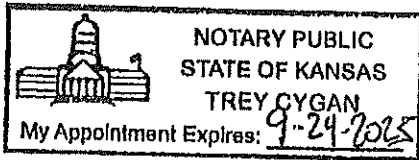
Janice Stark
POA for Louis Prieskorn
Louis E. Prieskorn
By Janice A. Stark, Power of Attorney

State of Kansas

County of Johnson

SS:

On this 19 day of August, 2022 before me personally appeared Ronald Prieskorn, by Janice A. Stark, Power of Attorney, Janice Stark, Jerry Cramer, by Janice Stark, Power of Attorney and Louis E. Prieskorn, by Janice Stark, Power of Attorney, to me known to be the person(s) described herein and who executed the foregoing instrument and acknowledged that they/he/she executed the same as his/her/their free act and deed.



Trey Cygan
Notary Public of Johnson County, Kansas
My Commission Expires: 9-24-2025
JOHNSON COUNTY

Drafted by: William J. Hassett P-14729
33 E. Front Street, Monroe, MI 48161

When recorded return to: Jeff Briggs Farms, LLC. 9249 Torrey Hill Road, Willis, MI 48191

Recording Fee	<u>\$30.00</u>	State Transfer Tax	<u>\$2,310.00</u>	County Transfer Tax	<u>\$338.30</u>
County Treasurer's Certificate		City Treasurer's Certificate			

EXHIBIT "A"
LEGAL DESCRIPTION

Land Situated In the Township of Augusta, Washtenaw County, Michigan, described as:

The Southeast 1/4 of the Northeast 1/4 of Section 34, Town 4 South, Range 7 East and the Southwest 1/4 of the Northwest 1/4 of Section 35, Town 4 South, Range 7 East.

Tax ID No. T-20-34-100-007.

Hassett Title Company, Inc.
33 E. Front Street
Monroe, MI 48161
Phone: (734) 242-9393 Fax: (734) 242-2775

AFFIDAVIT

State of Michigan
County of Monroe

File Number: 202258595

The undersigned, being first duly sworn severally depose and say:

1. That they are the true and lawful owners in fee of the following:

SEE EXHIBIT "A" ATTACHED HERETO

2. That no other persons have any interests and title, in equity or otherwise, in and to said premises unless hereinafter stated, and that deponents are not holding title for another in fulfillment of any trust or agreement or for the benefit of any other person, firm or corporation.
3. That no improvements or alterations have been made to the said premises within the past four (4) months and that no claims of laborers or materialmen remain unpaid and that no material incorporated into the premises is subject to any security interest.
4. That said premises are in the possession of Ronald Prieskorn, Janice A. Stark, Jerry Cramer, and Louis E. Prieskorn and to the best of deponents' knowledge, no claims have been asserted by other parties as to said premises, and that no dispute exists between deponents and others concerning the title to said premises or the boundary lines of the same nor as to the location of the improvements upon the said premises or the adjoining premises, and that applicable building and use restrictions are not being violated.
5. That deponents are over the age of eighteen (18) years.
6. That no proceedings in bankruptcy or receivership have been instituted by or against deponents, which are now pending, nor have deponents made any assignment for the benefit of creditors which is in effect as to the said premises.
7. That deponents know of no lien for taxes, federal or state, of any kind or nature which now constitutes a charge on the said premises.
8. That this Affidavit is made for the purpose of inducing HASSETT TITLE COMPANY, INC. to issue its title policy covering the said premises.

FURTHER, DEONENTS SAY, NOT.

Janice Stark
POA for Ronald Prieskorn

Ronald Prieskorn
By Janice A. Stark, Power of Attorney

Janice Stark
POA for Jerry Cramer

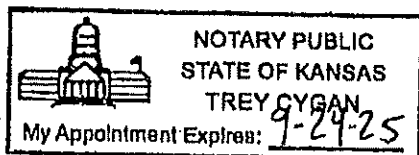
Jerry Cramer
By Janice A. Stark, Power of Attorney

Janice Stark
Janice A. Stark

Janice Stark
POA for Louis Prieskorn

Louis E. Prieskorn
By Janice A. Stark, Power of Attorney

Subscribed and sworn to before me on this 19 day of August, 2022.



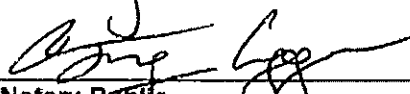

Notary Public
Acting in ~~Monroe County~~ Johnson County, KS
My Commission Expires: 9-24-2025

EXHIBIT "A"
LEGAL DESCRIPTION

Land Situated in the Township of Augusta, Washtenaw County, Michigan, described as:

The Southeast 1/4 of the Northeast 1/4 of Section 34, Town 4 South, Range 7 East and the Southwest 1/4 of the Northwest 1/4 of Section 35, Town 4 South, Range 7 East.

Tax ID No. T-20-34-100-007.

Map of Farm with Structures and Natural Features:

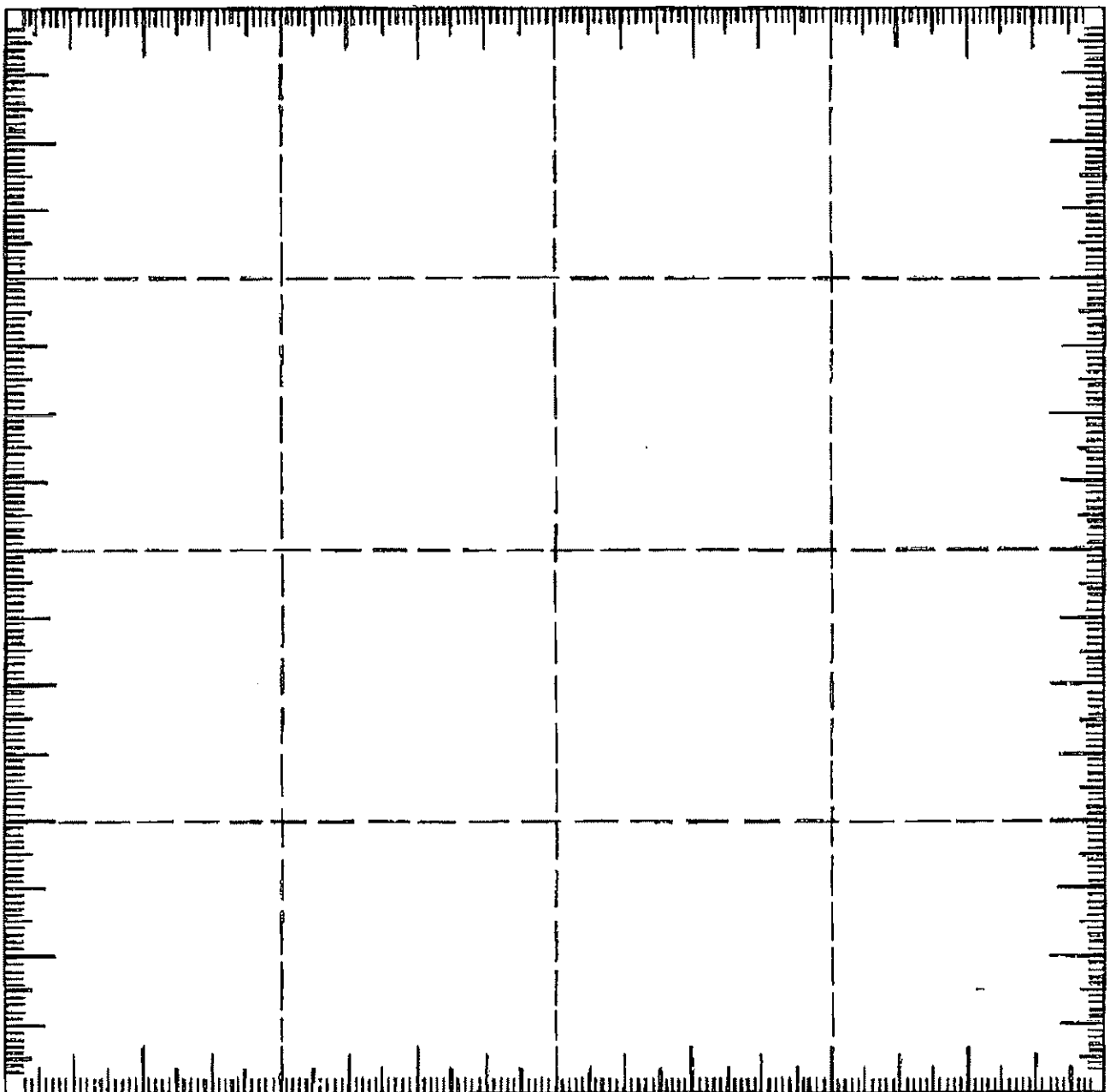
- A. Show boundary of land cited in application. (Grid below is designed to represent a 5280 ft² (1 mile²) Section) ✓
B. Show all buildings (house(s), barn(s), etc.); also label roads and other avenues of travel (i.e. utility access, etc.). ✓
C. Outline and designate the current uses of the property (crops, pasture, forest, swamp, etc.).
D. Clear copies of map(s) provided by USDA Farm Service Agency are acceptable, but please label any roads visible on map, structures and their use, etc.

Note: Any residential structures housing persons not directly associated with the farm operation must be excluded from the application. Please indicate if a building falls in this category and provide the appropriate property description for its exclusion. Unless the appropriate description is included, your application cannot be processed.

County Washington
Township Aug 45th
T 04S R 07E Section 34/35

see
attached map

↑ North





United States
Department of
Agriculture

Washtenaw County, Michigan

Name: _____ Share: _____

Name: _____ Share: _____

Name: _____ Share: _____



- Common Land Unit**
- Common Land Unit*
 - Non-Cropland
 - Tract Boundary
 - Section Lines
 - vs Noncropland
- Wetland Determination Identifiers**
- Restricted Use
 - Limited Restrictions
 - Exempt from Conservation Compliance Provisions
 - Areas of Concern as of 3/14/22

This box is applicable **ONLY** for certification maps.
Options only valid if checked.

- ☐ Shares - 100% OP
- | | |
|--|--|
| <input type="checkbox"/> Certified Organic | <input type="checkbox"/> All Crops - Non-Irrigated |
| <input type="checkbox"/> CORN - YEL/GR | <input type="checkbox"/> WHEAT - GR (SRW or SWW) |
| <input type="checkbox"/> SOYS - COM/GR | <input type="checkbox"/> ALFALFA - FG or GZ |
| <input type="checkbox"/> DRY BEANS - DE | <input type="checkbox"/> MIXFG - FG or GZ |

2022 Program Year

CLU Date: March 15, 2022
2020 NAIP Imagery

Farm 2609
Tract 3157

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) Imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland Identifiers do not represent the size, shape, or specific determination of the area. Areas of Concern represent potential wetland violations (CW, CW+Yr, CWNA, CWTE, MIW, MWM, WX) included in the NRCS Certified Wetland Determination dataset. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS). Alternate year NAIP imagery may be displayed for tracts located in other states or along state borders.



United States
Department of
Agriculture

Washtenaw County, Michigan

Name: _____ Share: _____
Name: _____ Share: _____
Name: _____ Share: _____



Common Land Unit

Common Land Unit*

Non-Cropland

Tract Boundary

Section Lines

and vs Noncropland

Wetland Determination Identifiers

● Restricted Use

▽ Limited Restrictions

□ Exempt from Conservation
Compliance Provisions

Areas of Concern
as of 3/14/22

This box is applicable ONLY for certification maps.

Options only valid if checked.

☐ Shares - 100% OP

☐ Certified Organic

☐ CORN - YEL/GR

☐ SOYS - COM/GR

☐ DRY BEANS - DE

☐ All Crops - Non-Irrigated

☐ WHEAT - GR (SRW or SWW)

☐ ALFALFA - FG or GZ

☐ MIXFG - FG or GZ

2022 Program Year

CLU Date: March 15, 2022

2020 NAIP Imagery

Farm 2609

Tract 3157

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08/31/2022

AUGUSTA CHARTER TOWNSHIP 2022

PROPERTY #:	T -20-34-100-007	SCHOOL:	81070
CLASS:	101	PRE/MBT %:	0.0000
TAXABLE VAL:	116,008	SEV:	204,800
TAXPAYER:	JEFF BRIGGS FARMS, LLC 9249 TORREY RD WILLIS MI 48191	MORTGAGE CODE:	

PROP ADDRESS: 13208 TUTTLE HILL RD

SUMMER TAX INFO

AD VALOREM TA	5,191.22
SP. ASSMENTS:	0.00
ADMIN FEE:	51.91
INTEREST:	0.00
TOTAL:	5,243.13

TOTAL PAID	5,243.13
DATE PAID	08/29/2022
BALANCE DUE	0.00

TOTAL BALANCE DUE

WINTER TAX INFO

AD VALOREM TAX:	765.76
SP. ASSMENTS:	0.00
ADMIN FEE:	7.65
INTEREST:	0.00
TOTAL:	773.41

TOTAL PAID	
DATE PAID	
BALANCE DUE	773.41

773.41

LEGAL DESCRIPTION

OWNER REQUEST **FROM 2034100006 01/17/95 **FROM 2035200005 01/17/95 AU 34-3 & 35-10
THE SE 1/4 OF NE 1/4 SEC 34, ALSO THE SW 1/4 OF NW 1/4 SEC 35. PT OF T4S-R7E. 80 AC



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

MEMORANDUM

TO: Augusta Township Planning Commission

FROM: Laura K. Kreps, AICP, Township Planner

DATE: March 13, 2013

RE: Farmland & Open Space Preservation Program (PA 116) – Background & Approval Procedures

The Farmland and Open Space Preservation Program is designed to preserve farmland and open space through agreements that restrict development and provide tax incentives for program participation. The act enables a farm owner to enter into a Development Rights Agreement with the state. The agreement ensures that the land remains in agricultural use for a minimum of ten (10) years and is not developed for any non-agricultural use. In return for maintaining the land in agricultural use, the landowner may be entitled to certain income tax benefits, and the land is not subject to special assessments for sanitary sewer, water, lights or non-farm drain projects.

Farmland eligibility is determined by the size of the farm, and in some instances, by the farm's income. A parcel meets qualification requirements for enrollment if one (1) of the following is true:

- Parcel is forty (40) acres or larger, and a minimum of fifty-one (51%) percent of the land is agriculturally active.
- Parcel has at least five (5) acres but less than forty (40) in size, more than fifty-one (51%) of the land is agriculturally active, and the agricultural land produces a gross annual income in excess of \$200 per tillable acre.
- Parcel has been designated as a specialty farm by the Michigan Department of Agriculture, is a minimum of fifteen (15) acres, and has a gross annual income exceeding \$2,000 per year.

The original farmland agreement is contracted for a minimum of ten (10) years, and a maximum of ninety (90) years. The agreement may be extended for a minimum of seven (7) years or longer, after the initial term.


After an application form is completed by the applicant, it must be submitted to the local governing body. The Township then has forty-five (45) days to approve or reject the application. Within the forty-five (45) day review period, the township must seek comments from the county planning commission; the soil conservation district; a city, if the land is within three (3) miles of the city; or a village, if the land is within one (1) mile of the village. These agencies are allowed thirty (30) days from the day of notification to

forward their comments to the Township Clerk. If approved, the application is forwarded to the Michigan Department of Agriculture Farmland Preservation Office.

If no action is taken by the local governing body, or the application is rejected, the applicant may appeal directly to the Michigan Department of Agriculture within thirty (30) days.

We look forward to discussing these procedures, as they relate to the pending application, with you at the next available Planning Commission meeting.

Sincerely,



CARLISLE/WORTMAN ASSOC., INC.
Laura K. Kreps, AICP
Associate

From: [clerk](#)
To: [Trustee Linda Adams](#); [Laura Kreps](#)
Subject: RE: Zoning Ordinance Amendment Article 3 6. a.
Date: Tuesday, September 6, 2022 3:34:53 PM
Attachments: [image001.png](#)

Thanks!

Kim Gonczy
Augusta Charter Township Clerk
(734) 461-6117 X201

From: Trustee Linda Adams <ladams@augustatownship.org>
Sent: Tuesday, September 6, 2022 12:45 PM
To: Laura Kreps <lkreps@cwaplan.com>; clerk <clerk@augustatownship.org>
Subject: Re: Zoning Ordinance Amendment Article 3 6. a.

Seems like there would be a way that a single family home could built with no roof restrictions and It be wrote up that would still restrict mobile homes. We are the only township with this Ordinance. Even the county does not a roof pitch requirement. So I would like to see if there is some way that we can make this work without allowing the issues to worry about.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Laura Kreps <lkreps@cwaplan.com>
Sent: Friday, September 2, 2022 11:11:28 AM
To: clerk <clerk@augustatownship.org>
Cc: Trustee Linda Adams <ladams@augustatownship.org>
Subject: RE: Zoning Ordinance Amendment Article 3 6. a.

Hi Kim,

I will discuss it with them. This standard is in place so a standard mobile home cannot be placed on a residentially zoned property outside of a manufactured home community. Unless the Township wants to allow mobile homes through out the Township, I would recommend against it. I'll let you know what they would like to do.



Laura K. Kreps, AICP
Senior Associate
PH: 734.662.2200

Fax: 734.662.1935

From: clerk <clerk@augustatownship.org>
Sent: Thursday, September 1, 2022 5:40 PM
To: Laura Kreps <lkreps@cwaplan.com>
Cc: Trustee Linda Adams <ladams@augustatownship.org>
Subject: Zoning Ordinance Amendment Article 3 6. a.

Hello Laura

Can you please add a discussion about Article 3 #6. Roof a. to the Planning Commission Meeting for this month.

6. Roof. a. Roofs on single-family dwelling units shall be double pitched, having a slope of no less than six (6) feet of rise for each twelve (12) feet of run over the majority of the dwelling unit. Additions or repairs to existing dwelling units may involve roof pitches compatible with existing roof pitches.

The ZBA discussed having this deleted? Changed?

Thank you!

Kim Gonczy
Augusta Charter Township Clerk
(734) 461-6117 X201