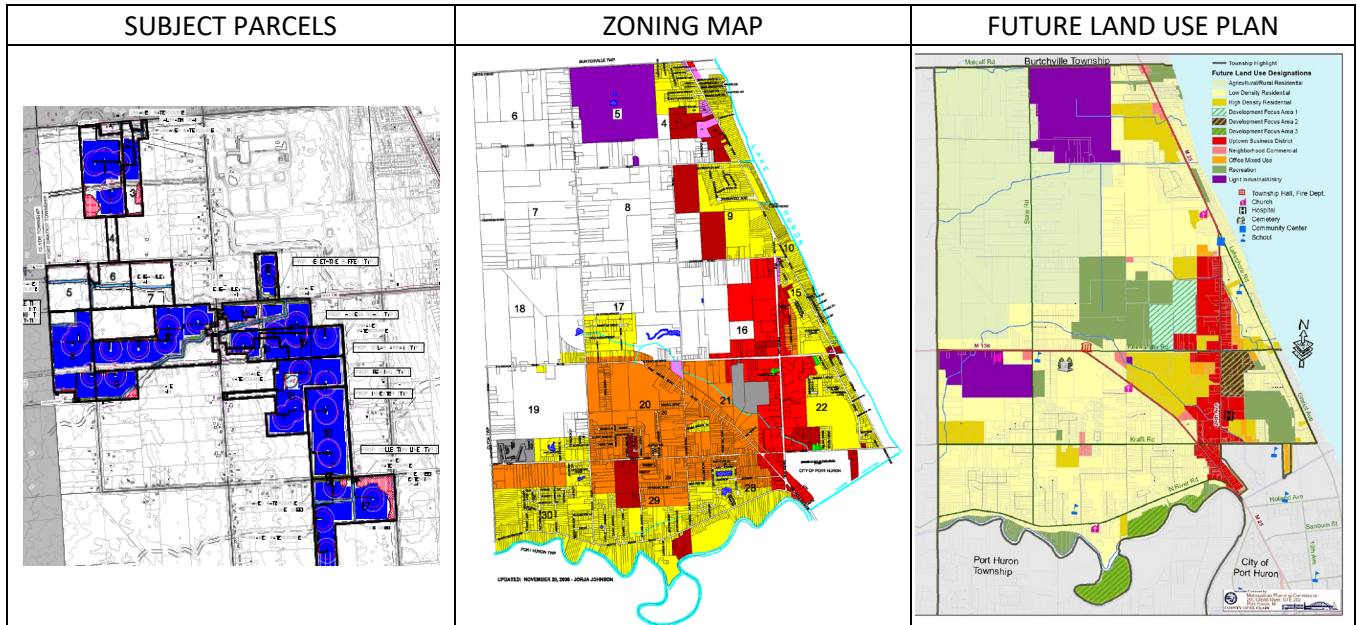


## FORT GRATIOT PLANNING COMMISSION SITE PLAN REVIEW

Project Name: Portside Solar, LLC	Parcel ID: Multiple-See Attached
File Number: 23-003	Meeting Date: 11/08/2023
Location: Parts of Sections 5, 6, 7, 8, & 17	

### 1. PROJECT SUMMARY

PROPERTY OWNER(S)	APPLICANT:	
Multiple – See Attached	Paul Harris, Portside Solar LLC	
	226 N. Morgan St, Ste 200, Chicago, IL 60607	
	P: (734) 474-1623	E: toby@rangerpower.com



The applicant, Portside Solar, LLC is requesting special land use approval to build a Large Principal-Use Solar Energy System, as defined in Ordinance 226, which was effective February 8, 2023. Portside Solar, LLC is part of Ranger Power, headquartered in Chicago, Illinois. The application was submitted by Ranger Power co-founder and president, Paul Harris, and Toby Valentino, Ranger Power Development Manager, has been the point of contact for the project. If special land use is approved or approved with condition, the applicant is also seeking site plan approval.

The project is located on parts of 17 parcels in Fort Gratiot and six parcels in Clyde Township. Four of the Fort Gratiot participating parcels in Fort Gratiot will contain no panels (identified as 4, 5, 6, and 7 on the site plans,) and the substation is existing and on a property in Clyde Township. The remainder of the Fort Gratiot participating parcels are proposed to consist of solar panels and inverters arranged in photovoltaic (PV) arrays, overhead transmission line to point-of-interconnection, underground electrical cables to collect the generated power and transmit it to the project substation, perimeter wildlife friendly fencing, landscaping, and screening, and gravel access roads to each PV array. Fencing surrounds the array sections and will be behind the required screening and landscaping. There are areas of existing wetlands which cannot be disturbed, and there is minimal lot clearing proposed or permitted for these sites. The project will include up to 100 MW (megawatts) of photovoltaic solar panels that will be sited within fenced areas. Of the 100 MW capacity generated by the project, approximately 75 MW on approximately 527 acres is proposed within Fort Gratiot. Land use within the Project Area is agriculture and undeveloped woodlots. According to the applicant, the participating parcels were selected based on land use, interest from landowners, and proximity to existing electrical grid infrastructure.

Portside Solar submitted an updated site plan which is included in Packet Attachment #4.

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LARGE PRINCIPAL-USE SES. A large principal-use SES is a special land use in the AG, O-1, O-2, C-1, C-2, M-1, and M-2 zoning districts and shall meet the following requirements:

<p>(1) Height: Total height for a large principal-use SES shall not exceed the maximum allowed height in the district in which the system is located. <b>Met. Proposed height will not exceed 16' at maximum tilt.</b></p>
<p>(2) Setbacks: Setback distance shall be measured from the property line or road right-of-way to the closest point of the solar array at minimum tilt or any SES components and as follows:</p> <ul style="list-style-type: none"> <li>a. In accordance with the setbacks for principal buildings or structures for the zoning district of the project site.</li> <li>b. 100 feet from any existing dwelling unit on a non-participating lot.</li> <li>c. A Ground-Mounted SES is not subject to property line setbacks for common property lines of two or more participating lots, except road right-of-way setbacks shall apply.</li> </ul> <p align="right"><b>Met, also see Special Land Use Approval conditions.</b></p>
<p>(3) Fencing: A large principal-use SES may be secured with perimeter fencing to restrict unauthorized access. If installed, perimeter fencing shall be a maximum of (six) 6' feet in height. Fencing is not subject to setbacks.</p> <p align="center"><b>The National Electrical Code requires 7', and all fencing is proposed to be outside of setbacks. Met</b></p>
<p>(4) Screening/Landscaping: A large principal-use SES shall follow the screening and/or landscaping standards for the zoning district of the project site. Any required screening and landscaping shall be placed outside the perimeter fencing.</p> <ul style="list-style-type: none"> <li>a. In districts that call for screening or landscaping along rear or side property lines, these shall only be required where an adjoining non-participating lot has an existing residential or public use.</li> <li>b. When current zoning district screening and landscaping standards are determined to be inadequate based on a legitimate community purpose consistent with local government planning documents, the Planning Commission may require substitute screening consisting of native deciduous trees planted 30 feet on center, and native evergreen trees planted 15 feet on center along existing non-participating residential uses.</li> <li>c. The Planning Commission may reduce or waive screening requirements provided that any such adjustment is in keeping with the intent of the Ordinance.</li> <li>d. Screening and landscaping detail shall be submitted as part of the site plan that identifies the type and extent of screening for a large principal-use SES, which may include plantings, strategic use of berms, and/or fencing.</li> </ul> <p align="center"><b>Landscape Maintenance Plan not submitted. Proposed areas can be preliminarily approved; Needs final administrative approval and maintenance bond.</b></p>
<p>(5) Ground Cover: A large principal-use SES shall include the installation of ground cover vegetation maintained for the duration of operation until the site is decommissioned. The applicant shall include a ground cover vegetation establishment and management plan as part of the site plan. Vegetation establishment must include invasive plant species and noxious weed control. The following standards apply:</p> <ul style="list-style-type: none"> <li>a. Sites bound by a Farmland Development Rights (PA 116) Agreement must follow the Michigan Department of Agriculture and Rural Development's Policy for Allowing Commercial Solar Panel Development on PA 116 Lands.</li> <li>b. Ground cover at sites not enrolled in PA 116 must meet one or more of the four types of Dual Use as defined in section 38-636 (a) <i>Definitions</i>.</li> <li>c. Project sites that are included in a brownfield plan adopted under the Brownfield Redevelopment Financing Act, PA 381 of 1996, as amended, that contain impervious surface at the time of construction or soils that cannot be disturbed, are exempt from ground cover requirements.</li> </ul> <p align="right"><b>Proposed areas can be preliminarily approved; See (4)</b></p>

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(6) Lot Coverage: A large principal-use SES shall not count towards the maximum lot coverage or impervious surface standards for the district. <b>Met</b>
(7) Land Clearing: Land disturbance or clearing shall be limited to what is minimally necessary for the installation and operation of the system and to ensure sufficient all-season access to the solar resource given the topography of the land. Topsoil distributed during site preparation (grading) on the property shall be retained on site. <b>SCC Soil Erosion Approval required.</b>
(8) Access Drives: New access drives within the SES shall be designed to minimize the extent of soil disturbance, water runoff, and soil compaction on the premises. The use of geotextile fabrics and gravel placed on the surface of the existing soil for the construction of temporary drives during the construction of the SES is permitted, provided that the geotextile fabrics and gravel are removed once the SES is in operation. <b>Preliminary approval recommended with final engineering approval prior to permit issuance.</b>
(9) Wiring: SES wiring (including communication lines) may be buried underground. Any above-ground wiring within the footprint of the SES shall not exceed the height of the solar array at maximum tilt. <b>Preliminary approval recommended subject to final electrical approval.</b>
(10) Lighting: Large principal-use SES lighting shall be limited to inverter and/or substation locations only. Light fixtures shall have downlit shielding and be placed to keep light on-site and glare away from adjacent properties, bodies of water, and adjacent roadways. Flashing or intermittent lights are prohibited. <b>Met</b>
(11) Signage: Signage may be at the project site, with the maximum area signage allowed per the requirements of 38-626 Signs. Any signage shall meet the setback, illumination, materials, and construction requirements of the zoning district for the project site. <b>Administrative approval only. Met</b>
(12) Sound: The sound pressure level of a large principal-use SES and all ancillary solar equipment shall not exceed 45 dBA (Leq (1-hour)) at the property line of an adjoining non-participating lot. The site plan shall include modeled sound isolines extending from the sound source to the property lines to demonstrate compliance with this standard. <b>Met</b>
(13) Repowering: In addition to repairing or replacing SES components to maintain the system, a large principal-use SES may at any time be repowered, without the need to apply for a new special land-use permit, by reconfiguring, renovating, or replacing the SES to increase the power rating within the existing project footprint. A proposal to change the project footprint of an existing SES shall be considered a new application, subject to the ordinance standards at the time of the request. Expenses for legal services and other studies resulting from an application to modify an SES will be reimbursed to Fort Gratiot Charter Township by the SES owner in compliance with established escrow policy. <b>Met</b>
(14) Decommissioning: A decommissioning plan is required at the time of application, with periodic administrative review. <b>Condition: Salvage value not to be considered.</b>

Sound, signage, landscaping, general nuisances: Throughout the life of the project, the applicant must not only comply with any site plan and special land use provisions and conditions, but to all ordinances, including section 38-634 – Performance Standards. This section defines nuisances and gives Fort Gratiot enforcement authority.

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**CONSIDERATIONS:**

The Planning Commission may impose such reasonable conditions of use as is determined necessary to protect the best interest of the township and the surrounding property. Any decision **MUST** be accompanied by findings of fact and reasons for any decision.

The PC may choose to allow the applicant to work with individual adjacent property owners and local arborists to design the type of vegetation within the screening areas, including utilizing native species, grasses, berms, and other means of screening as agreed upon between the parties, and included within the Landscape Maintenance Plan required to be filed prior to permit issuance.

**ACTIONS: Regardless of the action taken, the decision MUST be accompanied by reasons for such action.**

1. Postpone the decision until a specific date, or until additional information is presented; or
2. Deny the request; or
2. Approve the request as presented; or
3. Approve the request with specific conditions.

*\* Or any other action as determined by the Planning Commission. Action should include the reasons and basis for the decision clearly and accurately.*

*Reasons:* Demonstrated compliance/non-compliance/other with the provisions in Ordinance 226, specifically: \_\_\_\_\_

As presented, and if special land use approval was granted, a preliminary site plan approval could be granted, as it generally meets the requirements set forth in Ordinance 226. Conditions can be approved administratively or with final Planning Commission approval.

*Potential Conditions, include, but are not limited to:*

1. Approval expires two years from Planning Commission decision. Any extension will require Planning Commission approval.
2. Prior to building permit issuance, pursuant to section 38-47 Performance Guarantees, the following items must be reviewed to determine an appropriate bond amount:
  - a) Screening and landscaping: A landscape maintenance plan submitted for final administrative approval, and bond to ensure any vegetation is maintained throughout the life of the project.
  - b) Coordination with the St. Clair County Road Commission to protect road conditions from construction traffic, bond with SCCRC if required.
3. Final Decommissioning Plan and bond approved by the Fort Gratiot Board of Trustees, needs to be increased to reflect inflation during the first five years, remove salvage option, and be reviewed by legal counsel.
4. Proof of compliance with all special land use conditions, if applicable.
5. Proof of approval, permits issued by, proven compliance with, bonds issued to, all local, state, and federal agencies, including, but not limited to, final stormwater engineering review and approval, the St. Clair County (SCC) Health Department Soil Erosion and Sedimentation Control, the SCC Drain Office, the SCC Road Commission, all Michigan construction codes, EGLE, the Michigan Public Service Commission, Michigan Department of Agriculture and Rural Development, MDNR, and any other authorizing agencies with jurisdiction of the installation of solar arrays and all associated equipment.