

Milan Township Planning Commission

Thank you all for your time and dedication that you all already put into working on a fair ordinance.

I think the existing ordinance covers the Township and fits into the overall plan. Looking at other Township's ordinances I would like to suggest the following considerations.

A) Item I. Screening/Security: Remove:

Three strands of barbed wire placed above the fencing and slanting outward.

B) Item O. Abandonment and Decommissioning: Add:

Soil test for contaminants to be done before development, again two (2) and five (5) years after installation of Panels. Then every five (5) years for duration at the developer's expense.

2. Add: Engineer along with the Township

3. Add: with consideration of the rate of inflation to the time of decommissioning

C) Item U. Roads: Remove and Add:

Remove, appropriate County agency and replace with Monroe County Road Commission and/or MDOT. Add: Monroe County Road Commission and/or MDOT in place of County requirements.

Overall, these changes help clarify some of the wording. Now I would like to explain why.

I-1 and I-2 doesn't make sense in Milan Twp. Look at the location, our current industrial is mostly all farmland but is located along a class A road between two interstate exits. Dundee has sewer and water that adjoins our industrial. If you put Solar Panels in all of our current industrial, they do not require sewer or water or the main roads. Then where would you locate a Business if they wanted to come into our Township. Just doesn't make sense.

Reed 3/24/22

PA-116 doesn't matter. The people arguing this do NOT know anything about PA-116. It was meant to preserve farming. Not just farmland. MDARD said it has approved Solar being placed on the properties. Think about it, **it is preserving farmland and the farmer**. If the farmer has to sell in order to pay for the property it could be split into lots for development losing that land forever. PA-116 was designed to prevent that from happening. When the Township loses land to places like the new High school, further future growth, etc. In 25-30 years, this land can be reverted back to farming. There are extra provisions that help control and protect the properties. The vegetation that is required is the same as the CRP program that we the American Tax payers are paying farmers not to plant crops.

Setbacks: The further you have a setback the more property you need to have for the Solar project. These houses originally were part of the farm or the farm was split into lots most likely to help make a farm payment. I can build a barn from fencerow to fencerow and that is ok. Dairy or pig farm with a sewage pond. A greenhouse right next door. Or a feed storage built with concrete walls, etc. All these are acceptable. The State of Michigan says that Solar can be placed on farmland.

The State of Michigan also says that we can drive at the age of 16 if you meet all their requirements. The Township doesn't decide. Why is that any different If they meet all the requirements?

These residents moved to an AG district. (Most likely they purchased their lot from a farmer that needed the money.) We are not talking about a Residential district. These residents shouldn't dictate what the setbacks are. Of course, you should be reasonable but they moved to an AG area. I think there can be a reasonable compromise.

There are residents that have purchased farmland and let it grow up no longer farming it. I know of one that is all forest now. No one argued taking that property out of farmland. And, I agree it is their right. Another is getting paid by the Government to have it CRP ground. It is growing trees and will never be farmed again. But he claims he shouldn't have to look at solar panels. We shouldn't have to look at his brush field but that is his right. He did what he wants but doesn't think anyone else should be able to do what they want with their farm. No one is complaining that they are taking that away from being farmed.

The Government pays farmers Not to plant crops as there is a surplus and some grains that go to waste. We can afford to take some farmland temporarily out of production. It's a fact that if DTE and Consumer powers meet their requirements for Solar it only equals less than 1% of Michigan's farmland.

Lot Coverage should not be an issue as it is considered farming. Nothing else on the Farm deals with the lot size. This also would just require more land for the Solar to be built. (See setbacks above)

They proposed planting larger trees. While I agree it would be nice to have trees put in taller than 4' there is more likelihood of taller trees dying. A specialist should be considered. If they have to replant dead trees every year it defeats the purpose.

Leasing land for Solar gives me an opportunity to make sure I can make my farm mortgage payment. While I am very Grateful to have inherited land, (I have NOT inherited everything as that rumor is being spread that I don't care because I Inherited it all.) I have purchased several acres myself. Since the age of 19, I do NOT want to hurt the ground or do anything that would. I have lived on the farm all my life. My ancestors have farmed this ground before us and I can only hope that my son or grandkids will have the opportunity to farm it also.

We have already seen an investment company purchase local properties who do Not care what happens. Besides the fact they have ties with foreign investors. They don't care what happens locally. They are only in it for the money. They also lease it out for hunting with no regard to adjoining properties. Hunters have come out and think its ok to hunt all the property near what they actually lease to hunt. Because it is leased out by a company no one cares.

People think that we won't benefit from the taxes the Solar company will pay. How many residents even know about the pipeline that went in a few years ago? They have paid over \$1,000,000.00 to the school systems annually. The school doesn't share that information. But it is a Fact!

Depreciation argument is a guess. Again, did the residents that live near the new Gas pipeline have their property values go down? What about next to the Railroad? There is absolutely no proof that values would go down. When a gentleman came to a meeting from Lapeer MI. who has had Solar, He said that values actually increased. Lapeer's Solar system has been in place and has been very successful. The economy also plays a factor.

Using a camera to check field tile before starting the project. People that don't Farm have no clue how field tile works. They just jump on the bandwagon to add restrictions to make it more difficult. First, the State regulates this. Farmers have diagrams of where the tile are located and they can use this to help know if they are even close to the tile. Plus, when a field tile gets cut off or you have a washout, you can tell rather quickly. This issue can be addressed in the contract with the Lessor and Lessee.

They like to say things that are not true and unless you do real research people believe their lies. Everything that these people who are against this has been de-bunked and proved false. The things they are asking for are to deliberately stop any Solar projects. The panels are being recycled. They still don't believe it. They lie and spread false information. They do not even understand the difference between an ordinance and accepting a project. If they wanted to know facts, they could have just asked but instead think they know more than the Truth. Some of their request like 100% made in the USA. They might need to live in a tent if that is how they think. Give up their car, phone, computer, etc. Totally unrealistic.

I have heard that we are only in it for the money. I inherited it all so I don't care about the land. Sell it for \$6,000.00/acre and be happy. One of the reasons I purchased farmland is for an investment. I can't tell others what to do with their stocks or other investments but they want to control what I do.

I am confident that you are reasonable enough to realize these outrageous requests and see through their intentional goals of stopping Solar.

Thank you,

Kevin Heath
Milan Township Property owner and lifelong resident

March 8, 2022

Dear Milan Planning Commission,

We would like to thank you all for your time, patience and dedication in reviewing the Solar Project, developing an Ordinance to protect our township, and now reviewing possible amendments to better insure our township is protected in the years to come.

Our farm has been in my family for over 154 years. My Husband and I take the responsibility of keeping this land in our family very serious. When the idea of Solar was presented to us we did not jump at the idea of additional income we both started researching. To truly learn and understand any new concept takes time and dedication but also it takes learning from credible sources. In today's world information is readily available through the use of the Internet but just because it is there does not make it factual. There are endless documents both for and against Solar however, the against solar articles are "opinions" of the authors without any mention of testing to back those claims. The Pro Solar documents come from Colleges and Universities documenting testing and studies to back the claims as to why Solar is a good fit for our world today.

I am an Alumni of Michigan State University and still maintain contact with various departments and professors at MSU. Having this resource available to me I contacted Dr. Merrill Gould who is an Extension Bioenergy Educator at MSU studying Solar Energy.

Dr. Gould is not employed by any Solar agency, and does not benefit financially by endorsing Solar. He has found in his research as well as other colleague's research that Solar is a viable resource to be used which proves to me it is the right decision to make.

Please review the attached letters and supporting documents from Dr. Gould.

Thank you.

Leonard and Clara Ostrander

Milan Township Landowners and Residents

Rec'd 3/24/22



Clara Ostrander

From: Gould, Merrill <gouldm@msu.edu>
Sent: Thursday, January 20, 2022 5:36 PM
To: Clara Ostrander
Subject: RE: Assistance needed for Solar Project in Milan Township
Attachments: Integrating solar energy with agriculture.pdf; Health-and-Safety-Impacts-of-Solar-Photovoltaics-2017_white-paper.pdf; Facts-about-solar-panels--PFAS-contamination-47485.pdf

Hi Clara,

How unfortunate for you. The issues you cite are not new. They are mentioned nearly everywhere solar projects are proposed. Below are my responses to your questions.

1. Solar Farms will cause Home values to decrease.

It is a common misconception that ground mounted solar farms decrease nearby property values. The following references provide information to support this statement.

- https://www.seia.org/sites/default/files/2019-09/Solar%20Property%20Value%20FactSheet%202019-PRINT_1.pdf
- [Study: Solar can hurt home values if it displaces scarce suburban greenspace - Energy News Network](#)
- [In Iowa, conservative group looks to counter local wind, solar opposition - Energy News Network](#)

2. Solar Farms will damage the Farm Land.

I am not aware of any studies that show solar farms damage cropland. I find this ironic since I am actively engaged right now in helping Consumers Energy design one of their solar projects specifically for grazing sheep. I am meeting on Monday morning with Consumers Energy engineers, grazing and small ruminant specialist from MSU, and the sheep producer to develop a grazing plan, and this is before the first post is put in the ground! Ground will be broken later this spring. Initially, when solar arrays are put in, if they are installed when the ground is wet, soil compaction can occur. That issue is resolved if ordinances require installation when the soil is dry. In a recently released publication titled [Planning & Zoning for Solar Energy Systems: A Guide for Michigan Local Governments](#), emphasis is placed on four types of dual use practices - agrivoltaics, grazing and forage production, pollinator habitat, and conservation. Each practice specifically preserves the agricultural purpose of the parcel. Over the life of a 25-year lease, soil organic matter will increase, and carbon will be stored. Ag and solar is not a zero-sum proposition. See also attached document "Integrating solar energy with agriculture".

3. No current method for Recycling Solar Panels therefore an Environmental Risk .

There is limited recycling of solar modules, but the solar industry acknowledges finding constructive uses for solar modules that have reached the end of their usefulness is a weak link in deploying solar modules. No one is trying to hide it. There is a strong effort underway to resolve that. I know there are researchers at MSU and other universities actively working on this issue. I've attached some articles that provide information on environmental risk.

4. Bill in Lansing to stop Solar Companies from paying any Taxes therefore no Revenue benefit for the Township.

I confess my first reaction when I read this was it must be a lie designed to foster fear in community residents because I have never heard that. Let me do some investigation and I'll let you know what I find.

From: Gould, Merrill <gouldm@msu.edu>
Sent: Tuesday, January 25, 2022 8:44 AM
To: Clara Ostrander <costrander@tramgroup.com>
Subject: RE: Assistance needed for Solar Project in Milan Township

Hi Clara,

It turns out the bill you are referring to has nothing to do with solar. I reached out to the Great Lakes Renewable Energy Association, and below is the response I received from John Freeman, the Association's executive director. He reached out to Andrew Richner, an attorney with Clark Hill, who knows about this legislation. Notice what Mr. Richner says about the bill's impact on wind. I've also attached the summaries Mr. Richner references in his email to John.

Hi, John! Good to hear from you. The bills are SB 441 (Daley) and HB 5326 (Outman). They are a double set. They only relate, however, to how wind turbines are assessed and taxed. We think they will help encourage further development of wind turbines, and renewable energy in general. I attach copies and summaries of the bills for your information. We have had a hearing on the Senate Bill and continue to press hard for further action on the bills. We are making some progress.

Please do not hesitate to let me know if you have further questions.

Best, Andrew

Andrew C. Richner

Attorney at Law

Clark Hill

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Clara, I think this is a good example of why it is important to get the facts first before reaching a conclusion.

All the best,

Charles

Hope this information is helpful.

Take care,

Charles



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HOUSE BILL NO. 4715

April 27, 2021, Introduced by Reps. Hood, Steckloff, Hope, LaGrand, Kuppa, Pohutsky, Rabhi, Aiyash, Hammoud, Hertel, Neeley, Cynthia Johnson, Young, Tyrone Carter, Ellison, Peterson, Stone, Cambensy, Wozniak, Outman, Bolden, Bezotte, Whitsett, Weiss, Markkanen, Steven Johnson, Sowerby, Meerman and Yancey and referred to the Committee on Energy.

A bill to amend 2008 PA 295, entitled
"Clean and renewable energy and energy waste reduction act,"
(MCL 460.1001 to 460.1211) by adding sections 235 and 237.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 235. (1) By 1 year after the effective date of the
- 2 amendatory act that added this section, the commission shall
- 3 promulgate rules to do all of the following:
- 4 (a) Allow for the creation and financing of community solar
- 5 facilities and for subscribers to receive bill credits.

1 (b) Ensure that all customer classes have opportunities to
2 participate as subscribers to a community solar facility.

3 (c) Include 1 or more mechanisms that ensure accessibility to
4 subscriptions to a community solar facility for low-income
5 households and low-income service organizations. Each mechanism
6 shall be designed to achieve tangible economic benefits for low-
7 income households. The commission shall make reasonable efforts to
8 integrate each mechanism with existing complementary programs,
9 including energy efficiency, energy conservation, energy
10 assistance, and workforce development programs. In determining
11 appropriate mechanisms under this subdivision, the commission, in
12 collaboration with electric providers and other stakeholders, shall
13 consider the development of financing options, financial
14 incentives, education and outreach programs, and appropriate
15 participation goals.

16 (d) Prohibit an electric provider from removing a customer
17 from the customer's applicable customer class because the customer
18 subscribes to a community solar facility.

19 (e) Provide for the transferability and portability of
20 subscriptions, including a subscriber's retention of a subscription
21 to a community solar facility if the subscriber moves within the
22 same electric provider's service territory.

23 (f) Provide for consumer protection in compliance with
24 existing laws.

25 (g) Allow an electric provider to recover costs of
26 administering bill credits.

27 (h) Modify existing interconnection standards, fees, and
28 processes as needed to do both of the following:

29 (i) Facilitate the efficient and cost-effective interconnection

1 of community solar facilities.

2 (ii) Allow an electric provider to recover reasonable
3 interconnection costs for each community solar facility.

4 (i) Require that electric providers efficiently connect
5 community solar facilities to the electrical distribution grid and
6 not discriminate against community solar facilities.

7 (j) Ensure that subscriber organizations have received
8 interconnection agreements, have legal control of their sites, and
9 have received all necessary nonministerial permits.

10 (k) Otherwise implement this part.

11 (2) By 1 year after the effective date of the amendatory act
12 that added this section, the commission shall establish an
13 applicable bill credit rate. The commission shall establish the
14 applicable bill credit rate at a level that results in both of the
15 following:

16 (a) Robust community solar facility development.

17 (b) Access for all customer classes to subscriptions.

18 Sec. 237. A subscriber organization is not considered to be an
19 electric provider as a result of its ownership or operation of a
20 community solar facility.

21 Enacting section 1. This amendatory act does not take effect
22 unless Senate Bill No. ____ or House Bill No. 4716 (request no.
23 01664'21) of the 101st Legislature is enacted into law.

HOUSE BILL NO. 4716

April 27, 2021, Introduced by Reps. Hoitenga, Hood, Hope, LaGrand, Kuppa, Pohutsky, Rabhi, Aiyash, Hammoud, Hertel, Neeley, Cynthia Johnson, Young, Steckloff, Tyrone Carter, Ellison, Peterson, Stone, Cambensy, Weiss, Wozniak, Outman, Bolden, Bezotte, Whitsett, Markkanen, Steven Johnson, Sowerby, Meerman and Yancey and referred to the Committee on Energy.

A bill to amend 2008 PA 295, entitled
"Clean and renewable energy and energy waste reduction act,"
by amending section 5 (MCL 460.1005), as amended by 2016 PA 342,
and by adding part 8.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 5. As used in this act:
- 2 (a) "Electric provider" means any of the following:
- 3 (i) Any person or entity that is regulated by the commission
- 4 for the purpose of selling electricity to retail customers in this

1 state.

2 (ii) A municipally owned electric utility in this state.

3 (iii) A cooperative electric utility in this state.

4 (iv) Except as used in subpart C of part 2 **and in part 8**, an
5 alternative electric supplier licensed under section 10a of 1939 PA
6 3, MCL 460.10a.

7 (b) "Eligible electric generator" means a methane digester or
8 renewable energy system with a generation capacity limited to the
9 customer's electric need and that does not exceed the following:

10 (i) For a renewable energy system, 150 kilowatts of aggregate
11 generation at a single site.

12 (ii) For a methane digester, 550 kilowatts of aggregate
13 generation at a single site.

14 (c) "Energy conservation" means the reduction of customer
15 energy use through the installation of measures or changes in
16 energy usage behavior.

17 (d) "Energy efficiency" means a decrease in customer
18 consumption of electricity or natural gas achieved through measures
19 or programs that target customer behavior, equipment, devices, or
20 materials without reducing the quality of energy services.

21 (e) "Energy star" means the voluntary partnership among the
22 United States Department of Energy, the United States Environmental
23 Protection Agency, product manufacturers, local utilities, and
24 retailers to help promote energy efficient products by labeling
25 with the energy star logo, **to** educate consumers about the benefits
26 of energy efficiency, and **to** help promote energy efficiency in
27 buildings by benchmarking and rating energy performance.

28 (f) "Energy waste reduction", subject to subdivision (g),
29 means all of the following:

1 (i) Energy efficiency.

2 (ii) Load management, to the extent that the load management
3 reduces provider costs.

4 (iii) Energy conservation, but only to the extent that the
5 decreases in the consumption of electricity produced by energy
6 conservation are objectively measurable and attributable to an
7 energy waste reduction plan.

8 (g) Energy waste reduction does not include electric provider
9 infrastructure projects that are approved for cost recovery by the
10 commission other than as provided in this act.

11 (h) "Energy waste reduction credit" means a credit certified
12 pursuant to section 87 that represents achieved energy waste
13 reduction.

14 (i) "Energy waste reduction plan" means a plan under section
15 71.

16 (j) "Energy waste reduction standard" means the minimum energy
17 savings required to be achieved under section 77 or 78(1), as
18 applicable.

19 (k) "Federal approval" means approval by the applicable
20 regional transmission organization or other Federal Energy
21 Regulatory Commission-approved transmission planning process of a
22 transmission project that includes the transmission line. Federal
23 approval may be evidenced in any of the following manners:

24 (i) The proposed transmission line is part of a transmission
25 project included in the applicable regional transmission
26 organization's board-approved transmission expansion plan.

27 (ii) The applicable regional transmission organization has
28 informed the electric utility, affiliated transmission company, or
29 independent transmission company that a transmission project

submitted for an out-of-cycle project review has been approved by the applicable regional transmission organization, and the approved transmission project includes the proposed transmission line.

(iii) If, after October 6, 2008, the applicable regional transmission organization utilizes another approval process for transmission projects proposed by an electric utility, affiliated transmission company, or independent transmission company, the proposed transmission line is included in a transmission project approved by the applicable regional transmission organization through the approval process developed after October 6, 2008.

(iv) Any other Federal Energy Regulatory Commission-approved transmission planning process for a transmission project.

PART 8.

COMMUNITY SOLAR FACILITIES

Sec. 231. (1) As used in this part:

(a) "Applicable bill credit rate" means the dollar-per-kilowatt-hour rate established by the commission under section 235(2) to calculate a subscriber's bill credit.

(b) "Bill credit" means the monetary value of the electricity in kilowatt-hours generated by the community solar facility allocated to a subscriber to offset that subscriber's electricity bill.

(c) "Community solar facility" means a facility, which may be located on 1 or more parcels of land, that meets all of the following requirements:

(i) Generates electricity by means of a solar photovoltaic device.

(ii) Produces for each subscriber a bill credit for the electricity generated in proportion to the size of the subscriber's

1 subscription.

2 (iii) Is connected to the electric distribution grid serving
3 this state.

4 (iv) Has at least 3 subscribers.

5 (v) For the purpose of initial program qualifications, does
6 not have a point of interconnection located within 1 mile of the
7 point of interconnection of a solar facility under the control of
8 the same entity.

9 (vi) Has no subscriber that holds more than a 40% proportional
10 interest in the output of the system.

11 (vii) Beginning 1 year after commencing operation, has not less
12 than 60% of its capacity subscribed by subscriptions of 40
13 kilowatts or less.

14 (viii) Has a capacity of not greater than 5 megawatts.

15 (d) "Control" means the possession, directly or indirectly, of
16 the power to direct the management and policies of an entity,
17 whether through the ownership of voting securities, by contract, or
18 otherwise. Control exists when affiliates have shared sales or
19 revenue-sharing arrangements or common debt and equity financing
20 arrangements, but control is not limited to such situations.

21 (e) "Low-income household" means a household with an income of
22 not more than 80% of the area median household income based on U.S.
23 Department of Housing and Urban Development guidelines.

24 (f) "Low-income service organization" means an organization
25 whose primary function is to provide services or assistance to
26 individuals in low income households.

27 (g) "Nonministerial permits" means governmental permits and
28 approvals to construct the project, other than ministerial permits
29 such as a building permit.

1 (h) "Subscriber" means a retail electric customer of an
2 electric provider that meets all of the following requirements:

3 (i) The subscriber owns 1 or more subscriptions to a community
4 solar facility interconnected with and located in the service
5 territory of the electric provider.

6 (ii) The subscriber's property to the electric bill of which
7 the bill credits are applied is located in the same service
8 territory described in subparagraph (i).

9 (i) "Subscriber organization" means a for-profit or nonprofit
10 entity that owns or operates 1 or more community solar facilities.

11 (j) "Subscription" means a contract between a subscriber and
12 the owner of a community solar facility under which the estimated
13 bill credits of the subscriber do not exceed the average annual
14 bill for the customer account to which the subscription is
15 attributed.

16 Sec. 233. (1) An electric provider shall apply a bill credit
17 to a subscriber's monthly electric bill for the output of a
18 community solar facility during the immediately preceding month
19 attributable to that subscriber. The value of the bill credit shall
20 be calculated by multiplying the subscriber's portion of the
21 kilowatt-hour electricity production from the community solar
22 facility by the applicable bill credit rate for the subscriber. Any
23 amount of the bill credit that exceeds the subscriber's monthly
24 bill shall be carried over and applied to the next monthly bill as
25 many times as necessary until the entire credit has been applied.

26 (2) An electric provider shall provide bill credits to each of
27 a community solar facility's subscribers for electricity generated
28 by the community solar facility for not less than 25 years from the
29 date the community solar facility begins commercial operation. When

1 an electric provider files tariffs with the commission, the
2 electric provider shall include options in the tariffs that allow a
3 subscriber to receive bill credits for the subscriber's electricity
4 bills.

5 (3) A subscriber organization shall provide a subscriber list
6 to the electric provider in whose service territory the subscriber
7 organization's community solar facility is located. The subscriber
8 list shall be in a standardized electronic format and specify the
9 percentage of the community solar facility's generation
10 attributable to each subscriber. The subscriber organization shall
11 update the subscriber list by removing subscribers that cancel
12 their subscriptions and adding new subscribers.

13 (4) An electric provider shall, on a monthly basis and in a
14 standardized electronic format, provide to a subscriber
15 organization that has a community solar facility within the
16 electric provider's service territory a report that specifies both
17 of the following:

18 (a) The total value of bill credits generated by the
19 subscriber organization's community solar facility in the prior
20 month.

21 (b) The amount of the bill credit applied under subsection (1)
22 to each subscriber.

23 (5) A subscriber organization may accumulate bill credits if
24 all of the electricity generated by a community solar facility is
25 not allocated to subscribers in a given month. On an annual basis,
26 the subscriber organization shall provide to the electric provider
27 whose service territory includes the location of the subscriber
28 organization's community solar facility instructions for
29 distributing excess bill credits to subscribers.

(6) Any renewable energy credits granted for electricity generated by a community solar facility are the property of the subscriber organization that owns or operates the community solar facility. The subscriber organization may sell, accumulate, retire, or distribute to subscribers the subscriber organization's renewable energy credits.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. _____ or House Bill No. 4715 (request no. 01665'21) of the 101st Legislature is enacted into law.