

The installation and construction of a *commercial solar energy system* (solar farm) will require a special land use permit and be subject to the following standards.

1. A commercial solar energy system may be established as principal or accessory uses in the AG Agriculture and AR Agriculture Residential Districts on parcels 40 or more acres. The requirements below apply.
2. Commercial solar energy systems are not permitted on any properties enrolled in the PA 116 Farmland and Open Space Preservation Program, or on farmland classified as prime or unique by the Soil Conservation Service, as indicated in the township's master plan.
3. The Project Area of a Commercial Solar Energy System shall not exceed 500 acres in total. For the purposes of this section, "Project Area" means the surface area of all land covered by Solar Arrays, including spacing between rows of panels, but not including setbacks required by this Ordinance, regardless of whether that land is located on one or multiple parcels within the Township.
4. The maximum number of commercial solar energy system projects allowed in the township is one (1).
5. A site plan must be included with the Special Use Application. Details on what must be included in the site plan are listed below.
6. Proof of approval by the Ionia County Airport Zoning board of appeals (Otisco)
7. All Solar Energy Systems must conform to all applicable federal, state and county requirements, in addition to other applicable Township Ordinances, as well as any applicable industry standards
8. A Solar Farm shall be required to obtain all necessary permits from the Michigan Department of Environmental Quality and any applicable municipal/county or Federal permits. A commercial solar energy system shall not be constructed until these permits, along with a zoning and building permit has been approved and issued along with the following requirements.
9. No Solar Energy System shall be installed in such a way as to pose an Unreasonable Safety Hazard to the occupants of any surrounding properties or area wildlife. (Oneida)
 - a. UNREASONABLE SAFETY HAZARD DEFINITION (Oneida): Any condition which could reasonably be expected to create, cause, or compound the substantial likelihood that death, illness or personal injury may occur to any member of the general public, including but not limited to trespassers or emergency services personnel. Adherence by the property owner or occupants to industry standards for safeguarding against such risks will be taken into consideration in determining whether a condition poses an unreasonable safety hazard.
10. 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 acceptable to the Township.

11. The Industrial Solar Energy Facility shall not have any on-site battery storage (Otisco)

SPECIAL USE APPLICATION

The Special Use application for the Solar Farm shall identify the Solar Farm buildings and accessory structures, the time period to construct the Solar Farm, the phasing of construction, if any, and the anticipated useful life of the Solar Farm.

An application for special use permit to establish a large solar energy facility (Solar Farm) shall include a complete description of the project and documentation to sufficiently demonstrate that the requirements set forth in this Ordinance will be met. Supporting documentation for addressing the review criteria (required standards and findings for making a special use determination) is also to be provided. The Planning Commission and/or Township Board may require any information reasonably necessary to determine compliance with this ordinance.

It is preferred that any related special use permit applications for substations or new transmission lines be considered in conjunction with the conditional use permit application for the commercial solar energy facility (Solar Farm); however, if the details of those improvements are not available at the time of application for the commercial solar energy facility (Solar Farm), they may be considered later, through subsequent special use permit review.

SITE PLANS

The site plan shall include maps showing the physical features and land uses of the project area, both before and after construction of the proposed project. The site plan shall be drawn to scale and dimensioned and certified by a registered engineer licensed in the State of Michigan, and shall include the following: (merged parts from Otisco & Sidney)

Site plans shall identify (1) all lots in the Solar Farm, and as to each lot, existing and proposed (a) buildings, (b) accessory structures, (c) utilities, (d) transmission lines, (e) solar panels, (f) Water bodies, waterways, wetlands, and drainage channels, (g) grades, (h) topographical conditions, (i) vegetation, (j) regulated wetlands, (k) regulated floodplains, (l) regulated and endangered species, and (m) regulated lakes, streams or ponds; (2) required setbacks; (3) access routes to lots that are a part of the Solar Farm; (4) proposed road and driveway improvements including dimensions, composition, and maintenance required; (5) any lots within three hundred (300) feet of a commercial solar energy facility (Solar Farm); (6) proposed transmission lines to and from Power Switchyards and/or between lots; (7) proposed signage; (8) methods for dust and erosion control, and (9) Description of operations, including anticipated regular and unscheduled maintenance. All maps and visual representations need to be drawn at an appropriate scale.

Site plan shall include location of all existing and proposed overhead and underground electrical transmission or distribution lines within the Commercial Solar Energy System and within 1,000 feet of the outside perimeter of the Commercial Solar Energy System.

A description of any electromagnetic interference that may be generated by the Solar Farm must be provided in the site plan. (Sidney)

The site plan must include an operations agreement setting forth the operations parameters, the applicant's inspection protocol, and general safety documentation including the Manufacturers' Material Safety Data Sheet(s): Documentation shall include the type and quantity of all materials used in the operation of all equipment.

The site plan must include a security plan and procedures, including planned security measures to prevent unauthorized trespass and access and to warn of potential dangers during the construction, operation, removal, maintenance or repair of the Commercial Solar Energy System. The exterior fence and perimeter screening must be installed prior to commencement of interior excavation and installation of any components of the commercial solar farm.

The site plan must include a written description of measures to be taken to support the flow of rainwater throughout the Commercial Solar Energy System, including any measures to promote the growth of vegetation beneath the arrays and/or otherwise limit the impacts of storm water runoff. The measures shall be subject to the approval of the Ionia County Drain Commissioner.

The site plan must include current photographs of the subject property. (Sidney)

The site plan must include a graphical demonstration (preferably computer-generated) of the Solar Farm as completed. (Sidney)

The site plan must include a copy of the applicant's power purchase agreement or other written agreement with an electric utility showing approval of an interconnection with the proposed Solar Farm. (Sidney)

The site plan must include a written plan and schedule for maintaining the subject property, including a plan for maintaining and inspecting drain tiles and addressing stormwater management. (Sidney)

All medium voltage cable within the project boundary shall be installed underground at a depth in accordance with current National Electrical Code standards and except for Power Switchyards or the area within a substation. All electrical interconnections and distribution components must comply with all applicable codes and public utility requirements.

Some type of metering system approved by the Planning Commission must be part of the project showing that the system is operational. (Otisco)

Any additional detail(s) and information as required by the Special Land Use requirements of the Zoning Ordinance, or as required by the Planning Commission must be provided.

Completion of Construction: the construction of any Commercial Solar Energy System must commence within a period of one (1) year from the date a Special Land Use Permit is granted, and must be completed within a period of three (3) consecutive years from the date a Special Land Use Permit is granted. The Planning Commission may grant an extension not to exceed one (1) year, provided the applicant requests the extension prior to the date of the expiration of the Special Land Use approval. Failure to complete construction within

the permitted time period shall result in the approved Special Land Use Permit being rendered null and void.

Setbacks

Commercial solar energy system solar panels and other structures shall be set back 500 ft from public road rights-of-way and 2,500 ft from unleased property lines that can be waived by the developer acquiring an easement from the neighboring landowners. In addition, commercial solar energy system solar panels and other structures shall not be located within a 250 ft drain easement. When a commercial solar energy system comprises of lots of more than one owner, the internal setback shall not apply. As a condition of approval, the Township may require increased setbacks if it determined that greater separation would better protect adjacent residents and landowners.

A commercial solar energy system must be setback one-half mile from any wetlands.

A commercial solar energy system may only border one side of any properties which are not leased or owned as part of the commercial solar energy system project.

Panel & Structure Height

The maximum height allowed for a solar panel shall be eight (8) feet (Sidney) measured from the natural grade below the unit to the highest point at full tilt. The maximum height of a Power Switchyard shall not exceed the minimum height needed to tie into electric transmission lines. The height of all other buildings and accessory structures shall comply with the maximum building height requirements of the applicable zoning district in which the Solar Farm is located. The height of required lightning rods attached to the Power Switchyard or Solar Farm related equipment shall not be subject to the foregoing height limitations. The height of lightning rods shall be limited to that height necessary to protect the Power Switchyard and Solar Farm equipment from lightning.

Lighting of Commercial Solar Energy Facility

Lighting of the commercial solar energy system and the property containing it shall be limited to the minimum necessary, supplied with down lighting, and in no case shall any illumination from such lighting extend beyond the perimeter of the commercial solar energy system. The Township may require use of a photometric study to make this determination, at the expense of the applicant or leaseholder.

Perimeter Screening, Fencing, and Signage

Views of collectors and equipment from residential properties, residentially zoned properties, and public right-of- way are required to be screened.

Oneida) A Commercial Solar Energy System shall be completely enclosed by perimeter security fencing to restrict unauthorized access. Such fencing shall be 8 (eight) feet in height as measured from the natural grade of the fencing perimeter. Electric fencing is not permitted. Security fencing shall be installed around all electrical equipment related to the Solar Farm including, but not limited to, transformers and transfer stations.

The perimeter of Commercial Solar Energy Systems shall also be screened and buffered by installed evergreen vegetative plantings whenever existing natural forest vegetation does not otherwise continuously obscure the Commercial Solar Energy System's entire perimeter from adjacent parcels. The screen shall consist of native evergreen trees planted in three offset rows to assist in obscuring views. Rows shall be at least 10 feet apart. The trees shall not be less than six (6) feet tall at the time of planting and each tree in the row shall be spaced no more than fifteen (15) feet apart on center (from the central trunk of one plant to the central trunk of the next plant). All unhealthy (sixty (60) percent dead or greater) and dead material shall be replaced by the applicant within six (6) months, or the next appropriate planting period, whichever occurs first, but under no circumstances should the applicant allow unhealthy or dead material to remain in place for more than six (6) consecutive months. Failure to maintain the required evergreen vegetative buffer as required by this section shall constitute a violation of this Ordinance and sufficient grounds for revocation of any Special Land Use Permit previously granted.

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.

Earthen berms are also acceptable as a screening method provided they fully restrict view of all equipment from residences.

Nothing contained herein shall be construed to prevent reasonable access for staff and contractors to any Commercial Solar Energy System as approved by the Special Land Use Permit.

Developer shall install and maintain pollinator habitat in accordance with the MSU Pollinators Scorecard as published in 2018.

Appropriate warning signage shall be placed at safe intervals at the entrance and perimeter of the commercial solar energy facility. A small sign with emergency contact information shall be installed on or near the solar energy equipment. **(Keene)**

Maintenance and Repair

Each Commercial Solar Energy System must be kept and maintained in good repair and condition at all times. If the Township Zoning Administrator determines that a Commercial Solar Energy System fails at any time to meet the requirements of this Ordinance and the Special Land Use Permit, or that it poses a potential Unreasonable Safety Hazard (defined in this ordinance), the applicant shall shut down the Commercial Solar Energy System within

48 hours after notice by the Zoning Administrator and not operate, start or restart the Commercial Solar Energy System until the condition has been corrected. Applicant shall keep a maintenance log on the Solar Array(s), which shall be available for the Township's review on a monthly basis. Such system shall also maintain a report indicating the amount of time any Solar Array was offline or otherwise not producing its ordinary allotment of electrical power. Applicant shall keep all sites within the Commercial Solar Energy System neat, clean and free of refuse, waste or unsightly, hazardous or unsanitary conditions.

Glare

No commercial solar energy system shall produce glare that would constitute a nuisance to occupants of neighboring properties or to persons traveling neighboring roads. Upon written notice from the Township Building Inspector, or such other person designated by the Township Board, to the owners of the commercial solar energy facility that glare from the facility is causing a nuisance to occupants of neighboring property or to persons traveling neighboring roads, the owner of the commercial solar energy system shall have a reasonable time (not to exceed six (6) months) from the date of such notice to remediate such glare.

Noise Limits

No operating commercial solar energy system shall produce noise that exceeds any of the following limitations.

- a. Forty (40) Dba Lmax, as measured at any neighboring residence in existence at the time the commercial solar energy system is granted conditional use approval, between the hours of nine (9) p.m. and seven (7) a.m.
- b. Forty (40) Dba Lmax, as measured at the lot lines of the project boundary.

In addition to the above limitations, invertors shall be placed either in an above ground invertor enclosure with a sound barrier of a solid decorative masonry wall or evergreen tree berm, with trees spaced not less than 10 feet apart to reduce noise levels, no more than ten (10) feet from all invertors, no less than the height of all invertors at time of planting and no more than three (3) feet above the height of all invertors, or invertors shall be buried (**Lowell Charter Township proposed**).

TRANSPORTATION PLAN FOR CONSTRUCTION AND OPERATION PHASES.

Any material damages to a public road located within the Township resulting from the construction, maintenance or operation of a Commercial Solar Energy System shall be repaired at the applicant's expense. In addition, the applicant shall submit to either the Ionia County Road Commission or Michigan Department of Transportation (as appropriate) a description of the routes to be used by construction and delivery vehicles; any road improvements that will be necessary to accommodate construction vehicles, equipment or other deliveries; and a performance guarantee acceptable to the appropriate agency in an amount necessary to assure repair of any damage to the public roads caused by construction of the Commercial Solar Energy System or any of its elements. Proof of an agreement with

the County Road Commission, and the Michigan Department of Transportation (if applicable) regarding any construction phase of the project, is required.

The Applicant must also obtain a permit from the Ionia County Road Commission and/or Michigan Department of Transportation (MDOT) for permission to connect access roads to existing County roads.

Drainage, Erosion, and Flooding

Prior to construction of a commercial solar energy system, all existing drainage tile must be inspected by means of robotic camera and the imagery submitted to the Township to establish baseline condition of tile. Supports shall be constructed to preserve any drainage field tile and/or drainage system. Any damaged or inoperable tile shall be repaired prior to construction and such repairs shall be documented and a report submitted to the landowner and township indicating the location, nature and satisfactory completion of such repairs. During the first two years of the commercial solar energy system being in operation, quarterly tile inspections must be performed with robotic camera. The remainder of the time that the commercial solar energy system is in operation, all drain tile shall be inspected every one (1) years in the fashion noted above and all video footage and a report of any damage or failure shall be submitted to the Township. Any tile failure shall be corrected within 60 days of discovery and such repairs shall be documented and a report submitted to the landowner and township indicating the location, nature and satisfactory completion of such repairs. The Township reserves the right to have the Drain Commissioner, Building Inspector or other agent present at the time of repair. All above testing and repairs will be paid for by the applicant or leaseholder.

In addition to the above inspection and repair of drainage tile, the commercial solar energy system project plan is subject to the approval and modifications of the county drain commissioner, their designee, or an engineer or consultant enlisted by the drain commissioner, with expenses paid by the applicant or leaseholder. The Applicant must obtain a permit from the Ionia County Drain Commission for any culverts or other drainage facilities. (Otisco)

Any erosion or flooding of property as a result of the construction of Industrial Solar Energy Facility structures or access roads is the responsibility of the developer/owner of the structures. (Otisco):

Fire Department

The local fire department shall be trained on and provided with all proper equipment to handle a DC fire, at the expense of the applicant or any future owner of the easement or lease agreement should the original be sold. This includes ongoing training, regular equipment inspections and equipment updates. A safety plan describing the fire suppression process and procedure shall be in place and updated yearly with the local fire department having jurisdiction over the Solar Farm. The operator of the solar facility must provide a yearly, on-site review for the local fire department's staff. (modified from Otisco)

Evacuation and Displacement due to fire or extreme weather:

Inspection of equipment following a severe weather event: Owner of the facility must inspect for damage within 24 hours of a severe weather incident and repairs to damaged equipment must be completed within 7 days. Any hazardous materials must be cleaned up immediately and by following Hazmat procedures. A formal notice outlining the damage and repairs must be submitted to township within 7 days of severe weather incident for documentation purposes.

Residents and livestock displaced and/or properties damaged as a result of a fire at the commercial solar energy facility will have all costs covered by the owner or leaseholder of the commercial solar energy facility. A bond shall be set up prior to construction of the solar facility that will cover \$5 million per family in case of displacement or extensive damage.

Property Value Guarantee

Developer shall offer a property value guarantee acceptable to the Township that will make solar array neighbors whole financially in the event that proximity to utility scale solar development is harmful to residential property values. This shall be made available to all property owners within 1 mile of the project boundary.

ENVIRONMENTAL SITING CONSIDERATIONS.

The applicant shall provide evidence of compliance with applicable State of Michigan statutes including, but not limited to: Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act; (MCL 324.3101 et. Seq.; Part 91, Soil Erosion and Sedimentation Control (MCL 324.9101 et. Seq.) and any corresponding County ordinances; Part 301, Inland Lakes and Streams, (MCL 324.30101 et. Seq.); Part 303, Wetlands (MCL 324.30301 et. Seq.); Part 365, Endangered Species Protection (MCL324.36501 et. Seq.); and such other applicable laws and rules in force at the time the application is considered by the Township Board.

Environmental Impact Study (Otisco)

The applicant shall provide funding to the township in an escrow account in the amount of \$500,00 initially to cover a third party qualified professional analysis to identify and assess any potential impacts on the natural environment including, but not limited to, wetlands and other fragile ecosystems, and antiquities. The study shall also include impact on water resources, air quality, wildlife, floodplains, wetlands, unique farmlands or soils, areas of aesthetic or historical importance, archeological or cultural concerns, neighboring properties, utilities and infrastructure, noise, and any other relevant factors. The environmental impact study will also include any additional information or documentation requested by the Planning Commission, Township Board, or other Township representative. (Sidney) The applicant shall take appropriate measures to minimize, eliminate or mitigate adverse impacts identified in the analysis. The township board will choose two third party companies to obtain quotes from and will review the quotes at a public meeting. The study will be chosen by the Township Board but subject to public approval. Studies will be paid for by the township with funds from the escrow account.

The applicant shall identify and evaluate the significance of any net effects or concerns that will remain after mitigation efforts.

Avian Analysis and Wildlife Study (Otisco)

The applicant shall provide funding to the township in the amount of \$500,000 to cover a third party qualified professional analysis to identify and assess any potential impacts on wildlife and endangered species. The applicant shall take appropriate measures to minimize, eliminate or mitigate adverse impacts identified in the analysis. The applicant shall identify and evaluate the significance of any net effects or concerns that will remain after mitigation efforts. The township board will choose two third party companies to obtain quotes from and will review the quotes at a public meeting. The study will be chosen by the Township Board but subject to public approval.

Sites requiring special scrutiny include wildlife refuges, other areas where birds are highly concentrated, bat hibernacula, wooded ridge tops that attract wildlife, sites that are frequented by federally and/or state listed endangered species of birds and bats, significant bird migration pathways, and areas that have landscape features known to attract large numbers of raptors.

At a minimum, the analysis shall include a thorough review of existing information regarding species and potential habitats in the vicinity of the project area. Where appropriate, surveys for bats, raptors, and general avian use should be conducted. The analysis shall include the potential effects on species listed under the federal Endangered Species Act and Michigan's Endangered Species Protection Law. The applicant shall follow all pre- construction and post-construction recommendations of the United States Fish and Wildlife Service.

- 1) The analysis shall indicate whether a post construction wildlife mortality study will be conducted and, if not, the reasons why such a study does not need to be conducted. Power lines should be placed underground to prevent avian collisions and electrocutions. All above-ground lines, transformers, or conductors should follow any Avian Power Line Interaction Committee (APLIC, <http://www.aplic.org/>) guidelines to prevent avian mortality.

Economic Impacts

The applicant shall provide funding to the township in the amount of \$200,000 to cover a third party qualified professional analysis to identify and assess any potential impacts on the local economy due to the installation of a commercial solar energy system. The report shall include any recommendations for reducing unfavorable impacts and those shall be considered by the planning commission and township board when determining whether or not to approve the special use application. The township board will choose two third party companies to obtain quotes from and will review the quotes at a public meeting. The study will be chosen by the Township Board but subject to public approval.

Transferability

A special land use permit for a Solar Farm is transferable to a new owner. The new owner must register its name and business address with the Township and must comply with this Ordinance and all approvals and conditions issued by the Township. (Sidney)

Any agreements that protect the Township shall be passed on in the sale agreement or any agreement procured by a new owner or leaseholder.

If the Lot on which the project is proposed is to be leased, rather than owned, by the owner of the Solar Farm, all property within the project boundary must be included in a recorded easement(s), lease(s), or consent agreement(s) specifying the applicable uses for the duration of the project. All necessary leases, easements, or other agreements between the owner of the Solar Farm and property owners must be in place prior to commencing construction, unless specified otherwise by the conditional use permit.

The owner(s) and/or operator of the Solar Farm shall post a security bond or escrow or irrevocable letter of credit in a form acceptable to the Township equal to one-hundred fifty (150) percent of the total estimated decommissioning, code enforcement and reclamation costs. The cost of decommissioning shall be reviewed between the operator and the Township Board every two (2) years to ensure adequate funds are allocated for decommissioning; the security bond or escrow or irrevocable letter of credit, defined herein, shall be appropriately adjusted to reflect the current decommissioning estimate. This security bond or escrow or irrevocable letter of credit shall be issued by a 3rd party and paid by the operator.

The security bond or escrow or irrevocable letter of credit shall be posted and maintained with a company licensed to do business in the State of Michigan or a Federal- or State-chartered lending institution acceptable to the Township.

Any bonding company or lending institution shall provide the Township with 90 days' notice of the expiration of the security bond or escrow or irrevocable letter of credit. Lapse of a valid security bond or escrow or letter of irrevocable credit is grounds for the actions defined below.

- a. In the event of sale or transfer of ownership and/or operation of the Solar Farm, the security bond or escrow or irrevocable letter of credit shall be maintained throughout the entirety of the process and the new owner shall be required to provide a new security bond or escrow or irrevocable letter of credit.
- b. If at any time during the operation of the Solar Farm or prior to, during, or after the sale or transfer of ownership and/or operation of the Solar Farm the security bond or escrow or irrevocable letter of credit is not maintained, the Township may take any action permitted by law, revoke the special land use, order a cessation of operations, and order removal of the structure and reclamation of the site.

Insurance. The applicant or operator must maintain property/casualty insurance and general commercial liability insurance in an amount of at least \$10 million per occurrence and provide proof of insurance to the Township before approval of any special land use permit and after approval on a quarterly basis (Sidney)

Extraordinary Events. If the Solar Farm experiences a failure, fire, leakage of hazardous materials, personal injury, or other extraordinary or catastrophic event, the applicant or operator must notify the Township within 24 hours. (Sidney)

Quarterly Report. The applicant or operator must submit a report on or before January 1, April 1, July 1, and October 1 of each year that includes all of the following: (Sidney)

- a. Current proof of insurance;
- b. Verification of financial security; and
- c. A summary of all complaints, complaint resolutions, and extraordinary events.

Inspections. The Township may inspect a Solar Farm at any time by providing 24 hours advance notice to the applicant or operator. (Sidney)

Quarterly Reports

The owner or operator of a Commercial Solar Energy System shall provide the Zoning Administrator with quarterly reports on trends and usage of that System as set by the Township Board. This includes a written report of all power supplied to the electrical grid by the Commercial Solar Energy System. If this information is considered a confidential trade secret, the Township, upon written request from an energy provider, will keep such information confidential to the extent and through the means authorized by Public Act 442 of 1976.

Complaint Resolution (Riga)

The Industrial Solar Energy Facility applicant shall submit a detailed, written complaint resolution process developed by the Industrial Solar Energy Facility applicant to resolve complaints from the Township board or the property owners or residents concerning the construction or operation of the Industrial Solar Energy Facility. The complaint resolution process must be approved by the Planning Commission as a condition of approval of the special land use permit application.

The Township board shall appoint a 3-member complaint resolution committee to oversee and participate in all complaint resolution discussions or meetings between the Township property owner or resident and the Industrial Solar Energy Facility owner.

The complaint resolution committee shall consist of (1) Township board member, (1) Planning Commission member, and (1) qualified elector chosen by the Township Board from the community.

The Township board shall be kept apprised of all complaints and shall receive a report outlining the issues, the progress, and the resolution of each such complaint.

Abandonment of Commercial Solar Energy System

Any Commercial Solar Energy System that remains nonfunctional or inoperative to the

extent that it not used to generate electric energy for a continuous period of 180 days is considered abandoned. (Oneida). This includes a commercial solar energy system that was never operational if construction has been halted for a period of 180 days.

Application Escrow Deposit

An escrow deposit shall be paid to 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 Board 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. 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 Board 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 Board. If the escrow account needs replenishing and the applicant refuses to do so promptly, 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. (Oneida)

Decommissioning

DECOMMISSIONING PLAN. Describe the decommissioning and final land reclamation plan to be followed after the anticipated useful life, or abandonment, or termination of the large solar energy facility (Solar Farm), including evidence of proposed commitments with property owners to ensure proper final reclamation of the Solar Farm with seasonal grasses or to an agricultural ready condition, repairs to roads for damage caused by the Solar Farm, if any, and within twelve (12) months from the notice of abandonment issued by the Township to complete decommissioning and land reclamation. All roads, above grade and subsurface improvements must be removed at the end of project.

As a part of the decommissioning plan, the responsible party shall provide at least two (2) cost estimates from qualified contractors for full removal of the equipment, foundations, and structures associated with the facility. These amounts will assist the Township when setting the performance guarantee amount. The performance guarantee shall be valid throughout the lifetime of the facility. Bonds and letters of credit shall be extended on a regular basis with expiration dates never less than two (2) years from the annual anniversary of special land use approval. (Keene)

HAZARDOUS WASTE.

As applicable, the application must include plans for the spill prevention, clean-up, and disposal of fuels, oils, and hazardous wastes.

Developer shall furnish an assurance in a form acceptable to the Township that guarantees that 100% of the PV panels and attendant electrical apparatus, wiring, metal support structures, etc., shall not enter the waste stream.