SPECIAL MEETING OF THE

JOINT PLANNING COMMISSION & MORATORIUM COMMITTEE MEETING

THURSDAY, AUGUST 28, 2025 at 4:00 PM

NOTICE AND AGENDA

5858 KING HIGHWAY
KALAMAZOO, MI 49048

1. **Call to Order**
2. **Pledge of Allegiance to the Flag of the United States of America**
3. **Approval of Agenda**
4. **Approval of Minutes**
   - August 7, 2025 Meeting Minutes - DRAFT
5. **New Business**
   - BESS School Report
   - CIP Email
6. **Old Business**
   - BESS Ordinance Workshop
7. **Citizen Comment**
   A citizen may state their name and address and may speak only one time, for no more than three (3) minutes. This time may not be given to another citizen to extend their time. The person speaking has the floor and no other citizen shall speak during someone else's time. During this time, you will be making statements to the Board, without discussion from the Board members, but you are welcome to make an appointment with Planning & Zoning staff to discuss your comments further. Please keep comments clean and respectful.
8. **Training Updates**
9. **Informational/Future Action Items**
10. **Planning Commissioner Comments**
11. **Adjournment**

MEMO

Joint Planning Commission & Moratorium Committee Meeting
August 28, 2025

From: **Khayci Bryant, Planner**

Re: **August 7, 2025 Meeting Minutes - DRAFT**

Attachments:
2025_08_07 Comstock PC Joint Meeting Minutes .docx

COMSTOCK CHARTER TOWNSHIP
JOINT PLANNING COMMISSION
With
MORATORIUM COMMITEE
MINUTES OF MEETING HELD AUGUST 7, 2025

A meeting of the Comstock Charter Township Planning Commission was held on Thursday, August 7, 2025 at the Comstock Township Hall beginning at 4:00 p.m.

Members Present:	Larry Nichols, Chair
	James Criteser, Secretary
	Sandy Bloomfield, Treasurer
	Amber Lawrence
	Joseph Weintraub
	Greg Nowak
	Jerry Amos (Moratorium Committee)
Members Absent:	Ben Martin
	Bub Sherwood
	Kristie Cherry

Also in attendance was Township Attorney Catherine Kaufman, Township Zoning Administrator Khayci Bryant, Planning Consultant Kyle Mucha, Deputy Supervisor Nate Doorlag and approximately 4 members of the general public.

Call to Order

Deputy Supervisor Doorlag called the Moratorium Committee Meeting to order at 4:00 pm.
Chair Nichols called the Planning Commission meeting to order at 4:00 p.m.

Pledge of Allegiance

Pledge of Allegiance was recited.

Approval of Agenda

Bloomfield motioned with support from Lawrence, to approve the agenda as submitted. Upon voice vote, motion passed 9-0..

Approval of Minutes

Mucha shared that he was not present at the previous meeting and would like the minutes updated to reflect this.

Weintraub motioned with support from Lawrence, to approve the agenda as submitted. Upon voice vote, motion passed 9-0..

New Business

None

Old Business

1. Bess Ordinance Workshop

Bryant provided a refresher of the previous meeting; pointing out the two edits made to the ordinance, replacing AGR with the LM zoning district & adjustments made to the financial surety notification requirements.

Bloomfield highlighted the importance of the financial surety and discussion ensued on who and how we should stay on top of it; calendar notifications, several employees monitoring the status and other ideas were mentioned.

Bryant provided an overview of the maps in the agenda and inquired as to whether the board would like to pick up where they left off last meeting and continue the discussion on setbacks

Lawrence shared that in her research there are municipalities that allow renewable energy systems by right instead of special land use and thought that this is something that we could look into.

Lawrence went on to say that it is not uncommon to have different setbacks around sensitive areas, so for LM and M, we could still place different setbacks if we have concerns.

Weintraub stated that he is open to either a proximity clause or adjusting the setbacks requirements to account for sensitive areas.

Deputy Doorlag mentioned that a setback of 25 feet per megawatt may be worth exploring due to the amount of stored energy and safety concerns

Bryant voiced concerns that requiring a setback of 25 feet per megawatt would make our ordinance too restrictive. Pointing out that potentially none of the parcels in the maps provided would meet this setback requirement. Going on to say that this could push us to the unworkable category and would like to hear from the commissioners on this topic.

The commissioners discussed with the overall consensus being that the majority are not in favor of such extreme setbacks as it may create an unworkable ordinance and requiring a lot that large would take up a lot of space in our community.

Mucha shared that there is another option for a zoning district and went on to inform the commissioners of the potential of an overlay district.

Weintraub voiced concerns that exploring the overlay would set us back a bit but could reveal alternative sites.

Mucha went on to explain the overlay option in greater detail sharing that it can include parcels zoned AGR, LM and M.

Lawrence motioned with support from Nowak to explore the zoning overlay district

Upon roll call vote: Lawrence- Yes; Weintraub- Yes; Nichols- No; Bloomfield- Yes; Criteser- Yes; Nowak- Yes; Amos- Yes. Motion passed 6-1.

Mucha provided an outline of what will happen now that the overlay option will be explored

Lawrence shared that she would like to have more stringent setbacks for the overlay district, especially near sensitive areas once those are defined

Kaufman provided an example of what the wording would look like, stating that we must list out these sensitive uses to make it as clear as possible.

Bryant asked Kaufman about the noticing requirements for the overlay

Kaufman explained that it would require the standard noticing procedures for a rezone

Lawrence asked about the proper order for the BESS amendments and the overlay rezoning

Kaufman explained that we must amend the ordinance first and then at the following meeting we will have the overlay rezoning on the agenda

Criteser shared that for setbacks he feels that for LM and M we should amend our ordinance to allow for 300 ft setbacks, the state minimum. Nowak, Lawrence, Weintraub and Nichols agreed with this.

Lawrence listed the land uses that should be viewed as sensitive areas; Schools, Daycares, Child Care Facilities, Hospitals, and Assisted Living Facilities

Any Other Business

None

Citizen Comment

Tamme K Celery Steet: Shared that this would be better suited in the industrial districts and that any daycare should be considered a sensitive area regardless of the number of children present.

Richard Hathaway: Voiced concerns about the sound standard in our existing ordinance, sharing that 55 decibels is loud and is likely to bother occupants of nearby buildings.

William Knight: Shared that he is not in favor of the overlay district, agrees with going to the state mandates now that AGR is no longer an option.

Informational/Future Action Items

Bryant asked the commissioners if they would like to continue having special meetings or if we are at the point where we can begin to discuss the ordinance at our regularly scheduled planning commission meetings

The general consensus was that we need a special meeting to keep things moving along and have dedicated time to work

Bryant confirmed the next meeting will be August 28, 2025 at 4pm.

Planning Commissioner Comments

Weintraub asked Kaufman if we need to read the citizen comment instructions every time

Kaufman replied that it is preferred to have it read at least once so that everyone is clear on the expectations, but the chair does not necessarily need to read it twice

Adjournment

There being no further business before the Planning Commission, Chair Nichols adjourned the meeting at 5:45p.m.

Prepared by: Khayci Bryant, Zoning Administrator
Minutes prepared: August 18, 2025
Minutes approved:

MEMO

Joint Planning Commission & Moratorium Committee Meeting
August 28, 2025

From: **Khayci Bryant, Planner**

Re: **BESS School Report**

Attachments:
Glenn Keates Meeting Minutes.pdf
28094_Final.pdf

COMSTOCK PUBLIC SCHOOLS

Dr. Jeffrey J. Thoenes, Superintendent
Jeff.Thoenes@ComstockPS.org

August 7, 2025

Minutes from Meeting with Glenn Keates of CTC Engineering

At 3:00 pm, on Thursday, August 7, 2025, I met with Glenn Keates of CTC Engineering located in Ann Arbor, Michigan. The purpose of our meeting was to review his firm's District-commissioned risk analysis report on the proposed 400 MegaWatt (MW) Battery Energy Storage System (BESS). The report is succinct, only five pages, and he provided it to me before the meeting, leading to a brief discussion. The proposed site for the BESS is located adjacent to the STEM Academy construction site at 7641 East Main Street, Kalamazoo, MI, 49048.

Mr. Keates noted that the proposed project was the best-designed BESS he'd ever seen. However, in his opinion, it is too close to the school currently under construction. Given the nature of the proposed project's design, if something were to go wrong, the incident should be contained. However, if the incident were not contained, it would become a big problem. Mr. Keates mentioned tornadoes, lightning, vandalism, and eco-terrorism as major concerns or threats to the BESS. He also stated that he supports BESS as a source of alternative energy. If the proposed site were "one mile down the road," he'd have no issue with the project.

The large amount of contained energy was the source of his concern. If there is an issue with the Jaguar substation, it can be addressed quickly by shutting down the power to the facility. However, there is no such option for a BESS.

Given Mr. Keates's clear and definitive report, I urge the Board to take the official position opposing the construction of the BESS project and notify local township officials of that decision.

"It's a great day to be a Colt!"

Dr. Jeffrey J. Thoenes
Superintendent

COMSTOCK PUBLIC SCHOOL DISTRICT
3010 GULL LAKE ROAD
KALAMAZOO, MICHIGAN 49048

PROPOSED 400MW BATTERY STORAGE PLANT REVIEW
7600 EAST MAIN STREET
KALAMAZOO, MICHIGAN 49048

COMSTOCK STEM ACADEMY BUILDING SITE
7641 EAST MAIN STREET
KALAMAZOO, MICHIGAN 49048

CTC ENGINEERING, LLC
PROJECT NO. 28094.00

August 2025

CTC Engineering

Disclosure:

In the preparation of this study and of the recommendations contained therein, CTC Engineering, LLC reports no financial/personal competing or conflicts of interest.

TABLE OF CONTENTS

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

CTC Engineering, LLC, was engaged by Comstock Public School District to offer a professional opinion as to the safety aspects of the proposed construction and operation of a 400MW Battery Energy Storage System (BESS) plant adjacent to the Comstock Elementary School and the proposed site of the Comstock STEM Academy. The purpose of this plant would be to absorb power during non-peak times and release it during peak electrical usage through the *JAGUAR* Substation.

The makeup of the energy storage system being proposed is by a series of lithium iron phosphate cells. It is the concentration of these cells and their possible failure that has been evaluated in this study. It should be noted that the BESS developers, in the design of this plant, have taken extensive measures to make it safe and reliable, using the best engineering practices available at this time.

However, it is the opinion of CTC Engineering, LLC, that the proximity of the two educational facilities is within a zone that contains a substantial amount of stored energy and, in the event of a failure of one or more of the battery containers, due to a natural force of nature (lightning, flood, tornado, etc.) or nefarious activity, could result in a significant event that would result in the immediate evacuation of the area.

Disclosure: In the preparation of this study and of the recommendations contained therein, CTC Engineering, LLC reports no conflict of interest.

PURPOSE AND INTRODUCTION

PURPOSE AND INTRODUCTION

CTC Engineering, LLC, was engaged by Comstock Public Schools to offer a professional opinion of the construction of a proposed 400MW battery storage facility, or as it is commonly referred to, a Battery Energy Storage System (BESS) plant in the vicinity of the proposed Comstock STEM (Science, Technology, Engineering, and Math) Academy Building site located at 7641 East Main Street, Kalamazoo, Michigan 49048. This investigation was requested in a preemptive effort with respect to the safety of the building's occupants, which can be characterized as elementary/middle school students and faculty. The area in question is currently owned by Swan Battery Energy Storage, LLC, and is located at 7600 East Main Street, Kalamazoo, Michigan 49048. The capacity of the proposed plant is scheduled to be 200MW (Swan) with a future 200MW addition (Cygnet) to a total of a 400MW capacity.

As an introduction to this study, this plant is being proposed by Copenhagen Infrastructure Partners, (CIP), a Danish firm whose American operation is based at 200 South Wacker Drive, Suite 1600, Chicago, Illinois 60606. This study will examine the type of technology being proposed in this plant, its safety and, more importantly, its failure modes. What is also critical to determine here is if such a plant can be safely built next to a school without danger to the facility or its occupants. The criteria that has been applied to this review is if we could confidently have our families living next to such a facility.

In this evaluation, the plans and specifications for the plant have been reviewed and then a independent, in-depth analysis of the technology that has been proposed has been completed. The use of lithium-metal battery technology has a history of failures, not only with automobiles, as many have been witnessed (for which this study does not address), but in battery storage and reclaiming facilities as well (i.e. 300MW Moss Landing Power Plant/California, 2.16MWh/Surprise, Arizona, France/Rouen, Bollore Logistics, to name a few)[1]. What is of interest is that lithium-metal fires are typically left to burn themselves out due to the high heat and lack of means of fire-fighting extinguishment methods.

Note that as part of this study, no attempt was made to discuss the plant's need, potential siting, zoning, cost, relative charging efficiency, esthetic features or other such factors, only the safety to the surrounding environment and its occupants. As noted above, the area in question can be defined as the property limits of the building site as shown in Appendix A. For reference, the plant's vicinity to the school is also shown on this site. For the purposes of this review, this facility would be considered a Large Off-Site BESS (≥50MW)[2].

---

[1] *BESS Battery Storage System Failure Incident Database*, Electric Power Research Institute, Inc., 3420 Hillview Avenue, Palo Alto, California 94304.

[2] *Planning & Zoning for Battery Energy Storage Systems-A Guide for Michigan Local Governments*, Center for Empowering Communities/University of Michigan, December, 2024.

APPROACH SUMMARY

APPROACH SUMMARY

As noted above, the purpose of this study is to determine the relative safety of building the BESS plant review in the vicinity of the schools. The amount of energy contained within a 400MW plant such as this can be compared to the nearby Palisades Power Plant (800MW) in Covert Township and the Donald C. Cook Nuclear Plant (2,213MW) in Lake Township, so it has a formidable capacity.

Knowing this, it is imperative that the plant be kept if not intrinsically safe, but in segregated sections so that one segment should fail, any adjacent section would be physically and electrically isolated from that section. What is also critical to know is that such a plant will at some time have an event that results in a failure of its equipment. To that evitability is the determinate purpose of this study.

Definitions

It is useful to understand certain terms that will be used in this study. These include the following for information only in reading this report:

- Battery: A battery is made up of cells and can be arranged in series (to get a higher voltage), in parallel (to increase its ampacity) or in a series/parallel combination to get the benefit of a higher capacity battery.
- Cell: A cell is a single unit consisting of an anode, cathode and electrolyte. The electrolyte can be a paste or liquid.
- Fault Tree Analysis (FTA) is a deductive, top-down approach used to determine the cause and probability of a specific undesired event within a complex system such as this. It involves breaking down the root cause of a failure into its contributing factors and representing it through a graphical model called a fault tree. This method helps in identifying potential failure modes and the probability of each failure mode, which is critical for safety analyses.
- Lithium Iron Phosphate Cell: This type of cell, commonly referred to as a "lithium-iron phosphate" cell, has a chemical formula of $LiFePO_4$, composed of the four elements, lithium, iron, phosphorus and then combined with oxygen (forming the "oxide"), which constitutes the cathode. The anode is typically made of graphite. The electrolyte is a lithium salt in an organic solvent. It's chemical reaction is as follows

$$LiFe^{II}PO_4 \rightleftharpoons Fe^{III}PO_4 + Li^+ + e^-$$

- Lithium-Metal Oxide Cell: This type of cell, commonly referred to as a "lithium-ion oxide" cell, has a chemical formula of $LiCoO_2$, composed of the three elements, lithium, cobalt and then combined with oxygen (again, forming the "oxide"), which creates the cathode. The anode is typically made of graphite. Its chemical reaction is as follows:

$$LiC_6 + CoO_2 \rightleftarrows C_6 + LiCoO_2$$

- Thermal Runaway: This phenomenon is common to all chemically based cells and is the process where the heat within the cell continues to build until it becomes a self-sustaining, chain reaction which typically results in a conflagration. It is this chemical reaction within the cell which is of special interest in this study.

With these terms being defined, the methodology of how the approach summary was developed can now be described as noted below.

Methodology

With the understanding that the safety of the plant to the surrounding area is the primary area of interest, the steps in this risk assessment are as follows:

1. Assume, for this exercise, that the construction of the plant has been completed and the inherit risks with such activities have ended, there are two significant hazards that have been identified with the plant's operation and they are:
   a) The **Electrical Substation**, given that it is scheduled to be a 400MW system, in the conductors, transformers, switching and protection, there are significant and inherent hazards, and:
   b) The **Storage Medium** itself, being of a "battery" type nature, and the number and volume of those cells, there are also significant and inherent hazards. When this level of energy storage is to be maintained, there is a considerable combination of factors that must be considered and are described below.
2. An in-depth evaluation of these identified risks must then be completed. Using quantitative and qualitive reasoning, values need to be assigned, where they can be assigned, to assess the likelihood of a catastrophic failure, resulting in the loss of the plant and impact to the surrounding area.
3. From this evaluation, a report with an engineering opinion and conclusion can be developed for presentation and discussion. It is from this report that it can be determined as to whether the plant can be considered safe.

As pointed out above, a 400MW plant is a not an insignificant plant and is a major financial investment. Therefore, it behooves its operators to keep its reliability index as high as possible and to limit any occurrence that could impair its safety.

Electrical Risks

A 138kV:13.8kV substation is associated with this plant in order to allow the plant to absorb power at night, during the non-peaks hours, and discharge it during the peak times during the day. With such a substation, there will be high voltage (>100kV) overhead conductors, switches

and transformers presumably connected to the adjacent ITC *JAGUAR* Switching Station. This facility would have lightning protection, integral to the building's structure to mitigate this natural anomaly.

Addressing the substation's equipment, it is projected that there will be two transformers of a capacity to accept the 400MW output of the battery storage that would feed into the adjacent *JAGUAR* Substation. Although the total capacity of this substation has not been established, they are of a "station" transformer type construction, with its inherent protection. As this asset is critical to the success of the plant, it is scheduled to contain protection such as differential, over-current, over/under-frequency, under/over-voltage, integral fire suppression and sudden-pressure relief elements. Many of these elements operate in an instantaneous fashion, not only preventing damage to these assets but preventing a conflagration that would extend outside the substation confines.

In addition to the electrical protection and that the substation is required to be physically secure against intrusion, the expectation that there would be a catastrophic failure that would affect the two schools and surrounding area can be evaluated as one with a similar risk associated with utility substation and in our opinion, does not constitute a major concern for the surrounding environment.

Battery Risks

Clearly, the storage battery issue is the one of major concern. With such a plant, there would be 168,480 cells in 540 separate enclosures scheduled to make up this initial 200MW facility. One important point to make with this plant is that the **"lithium-ion"** cells is not being utilized in this plant but **"lithium iron phosphate"** technology. These cells have different characteristics that of the lithium-ion units in that their tendency to go into a thermal runaway is reduced, noting that the word is "reduced", not eliminated. Factors, such as short-circuited cells, over-charging, ambient temperature changes, internal degradation, etc., can and do result in their failure, which will be discussed below.

Lithium-Ion Technology

However, it is useful to discuss the difference between the two technologies and what can lead to a thermal runaway. Such an event is typically caused by a high ambient temperature or failure within the cell, where its internal temperature develops its own heat in combination with the ambient heat, causes the temperature of the cell to cross its critical temperature or what is called the "temperature of no return" or "TNR". This results in a self-cascading, uncontrolled, exothermic reaction.

The critical temperature at which this occurs in a lithium-ion cell (~80°C (176°F)), is lower than that of a lithium iron phosphate cell (~120°C (248°F)), hence making the lithium-ion cell more prone to a thermal runaway. Coupled with that, if a fire were to be detected with a lithium-ion

battery, nitrogen gas is the general method of extinguishment as water, which would be used in the typical fire attack, would increase the hazard. The temperature of such a fire can also reach 1,100°F, which is the primary reason firefighters tend to let these situations burn themselves out instead of attacking them. Added to that are the toxic emissions such as hydrogen fluoride (HF), hydrogen chloride (HCl), hydrogen cyanide (HCN), carbon monoxide (CO), sulfur dioxide (SO_2), and methane (CH_4) that can be released during such an event.[3] To demonstrate these failures, reference is made to Figure #1 above as what can occur in a lithium metal battery system.

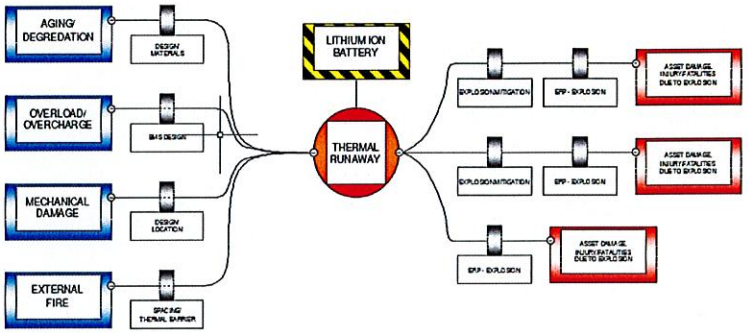


Figure 1 - Lithium Metal Failures

Clearly, if this was a "lithium-ion" based plant, given the history of these plants, their failure rates, their method of failures, and extinguishment method, the decision as to whether this plant should be in close proximity to the school's property can be logically rejected.

Lithium-Iron Phosphate Technology

That being said, it should be noted that the proposed plant has taken a very different approach to the storage battery issue and one that deserves discussion. In examining the layout of this plant, it is interesting to note that they are built up of modules versus a single structure. Each module is physically separated from its adjacent module in the event there is a failure in that module. A review of the modules indicate multiple layers of fire protection. Each module is built to 2-hour fire-rated steel construction that meets the NFPA standard design. There are thermal barriers separating each battery rack. The materials used in the battery enclosures have been UL 9540A[4] tested and are designed to keep the container structurally sound during a thermal runaway, so that any heat and flames will not spread to other modules or the rest of the plant.

Each module has a fire suppression system utilizing perfluorohexane (C_6F_{14}) as the extinguishment method of choice and is commonly sourced under its trade name *Novec 649/1230*. A review of this gas will show it is biologically inert (it is breathable), is chemically

---

[3] *Lithium-Ion Battery Fires and Emissions Characterization Report*, Texas A&M University, Engineering Extension Service, College Station, Texas, November 2024.

[4] UL 9540A, *Standard for Test Method for Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems*, Underwriters Laboratories, LLC, 155 North Wacker Drive, Suite 950, Chicago, Illinois.

stable, does not deplete ozone (ODP = 0) and has a global warming potential of 1 (over 100 years), making it environmentally safe.

With respect to the electrical aspects of the storage system, each battery has its own fuse which opens, removing power to the cell if it shorts out. One of the points with lithium iron phosphate cells is that once the power is removed, the cell will self-extinguish, which is not the tendency of the lithium metal technology. However, if a rack of batteries were to be involved, there are individual breakers that will isolate the rack from the remainder of the module. Should the module become involved, then there are manual main disconnects to separate the module from the plant's electrical system. There is also a plant-wide emergency shutdown that electrically shuts down the entire site.

With the apparent safety of the lithium iron phosphate technology, then the obvious question is why doesn't everyone use them? The major difference is that lithium-ion battery has a higher energy density than that of the iron phosphate technology, making for a smaller physical footprint for a plant. Lithium iron phosphate cells were developed circa 1996, whereas lithium-ion technology have been iron phosphate cells became available since the 1980's, making them the more prevalent installations.

Probability of Failure

Given the chemical makeup of the two battery systems, it is useful to investigate the difference in the two technologies, probability of their individual failures and their modes of failure. Statistically, the lithium metal battery has a much higher probability of failure and, in our opinion, could develop in a major conflagration that could involve the schools and the surrounding area.

The lithium iron phosphate battery however, is a safer battery in that they have built-in protection that prevents overcharging, over-discharging and short circuiting. They have a more stable chemistry than their lithium metal counterparts. They also have a lower operating temperature which reduces their risk of thermal runaway. With the research conducted on this unit and with the best engineering practices that are to be utilized in the construction of this facility, the lithium iron phosphate battery system is, in our opinion, the best technology for this application.

School Proximity

Under normal operation, the plant does not produce particulate matter or gases and is an excellent industrial "neighbor", noting that the exhaust fan noise component has not been considered in this review. As noted above, what has been proven by our research and proven by CIP in their design is that the proposed facility is much safer than that of the typical lithium metal battery storage plant.

However, there does exist the possibility of a failure that could release hydrogen (H_2), carbon monoxide (CO) and methane (CH_4) as well as other particulate and gaseous substances in the atmosphere. What is of greater concern is that this site will contain 400MW of potential power, which is a considerable amount energy.

From the information and research gathered in this report, the question remains, should this plant be built within zone shown for the two schools and the reader is directed to the Conclusion section below for that discussion.

CONCLUSION

CONCLUSION

With this study completed, we would like to acknowledge the cooperation of the Copenhagen Infrastructure Partners, the developers for the BESS. They have assisted us with the siting, makeup of the system and the safety parameters they are employing in its design and for that we thank them.

Getting to the question at hand, what has been demonstrated in this study is that the plant, under normal operation, poses little or no danger to the two schools or the surrounding community. It produces no gases, no runoff, has relatively low noise levels, and has no processes that would indicate any adverse effects to the ecosystem and in fact, is an environmentally clean operation.

However, in the event of a natural or man-made anomaly, the amount of potential energy stored on this site could result in a major event. So, what is the difference between that and the adjacent *JAGUAR* Substation? The difference here is that there is no "stored energy" in the *JAGUAR* Substation in that it is a switching station that can be separated quickly from the grid. The BESS, on the other hand, contains a potential of 400MW of "stored energy". If a portion of this energy is released in a conflagration it would be, in our opinion, given the proximity of the schools, an event that would result in their immediate sheltering and/or evacuation.

Should this plant ultimately be constructed and given that this type of plant is unique for Comstock, it is important to train the Comstock Township Department of Fire and Rescue personnel on how to handle an incident that involves the plant and, more importantly, on what not to do. This training would need to be an integral part of Copenhagen Infrastructure Partners deliverables.

Please do not hesitate to contact CTC Engineering, LLC, by calling 734/222-9951 should you have any questions relating to the information contained within this document.

REFERENCES

REFERENCES

BESS Incidents - Recent failures and risk management considerations, Baker Engineering and Risk Consultants, Inc.,

Fink, D.G., et. al. *Standard Handbook for Electrical Engineers*, 12 ed, McGraw-Hill Book company, New York, New York, 1987.

Hutton, G, et al., *Battery Energy Storage Systems (BESS)/Research Briefing*, House of Commons Library, June, 2025.

IEEE Recommended Practice for Industrial and Commercial Power Systems Analysis, Institute of Electrical and Electronic Engineers, Inc., New York, New York, IEEE Std. 399-1997, first ed.

Insights from EPRI's Battery Energy Storage Systems (BESS) Failure Incident Database/Analysis of Failure Root Cause EPRI 3240 Hillview Avenue, Palo Alto, CA 94304-1338 May 2024.

Mylenbusch IS, Claffey K, Chu BN. *Hazards of lithium-ion battery energy storage systems (BESS), mitigation strategies, minimum requirements, and best practices.* Process Saf Prog. 2023;1-10. doi:10.1002/prs.12491.

NFPA 855-2023, Standard for the Installation of Stationary Energy Storage Systems, National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169.

Planning & Zoning for Battery Energy Storage Systems-A Guide for Michigan Local Governments, Center for Empowering Communities/University of Michigan, December, 2024.

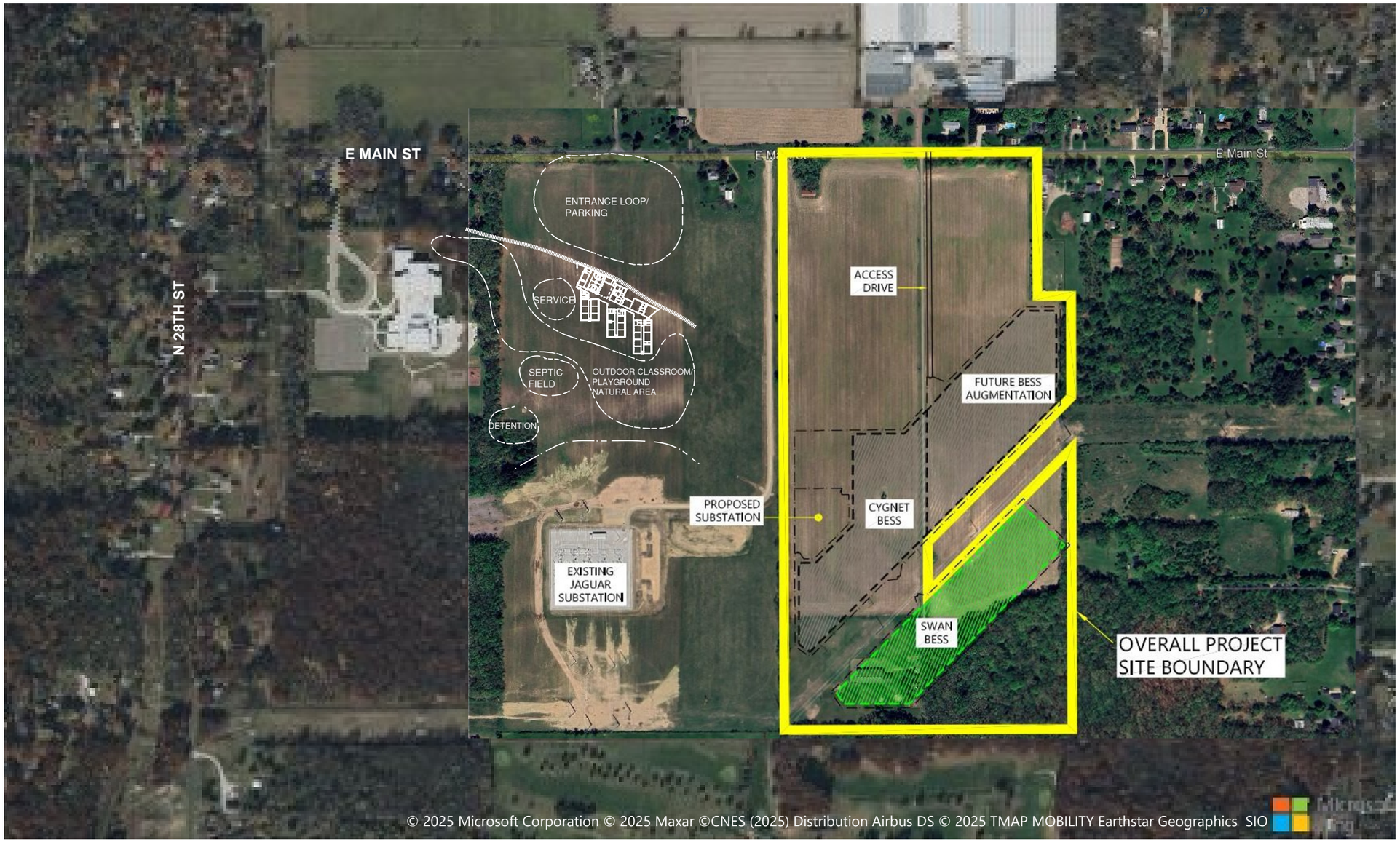
School Siting Guidelines, United Sates Environmental Protection Agency, office of Children's Health Protection, 1200 Pennsylvania Avenue, NW, Washington, DC 20460, October, 2011.

Thermal runaway and fire behaviors of lithium iron phosphate battery induced by overheating, Liu, Pengjie; et.al. Journal of Energy Systems, Volume 31, October 2020, 101714.

UL 9540A:2025, *Standard for Test Method for Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems, Storage Systems*, Underwriters Laboratories, LLC, 155 North Wacker Drive, Suite 950, Chicago, Illinois, March, 2025.

APPENDIX

APPENDIX A
Proposed Battery Energy Storage System Site Review/Site Plan



SITE PLAN

0 500' 1000'

1" = 500'

N

COMSTOCK STEM ACADEMY
7641 EAST MAIN ST
KALAMAZOO, MI 49048

PROPOSED BATTERY ENERGY STORAGE SYSTEM SITE REVIEW

CTC Engineering
4343 Concourse Dr., Ste. 270
Ann Arbor, MI 48108
Office (734) 222-9951 - Fax (734) 222-9957

SITE PLAN

DRAWN	GRS
CHECKED	----
APPROVED	
SCALE	1" = 500'
PLOT SIZE	ANSI B - 11" X 17"
PROJECT NUMBER	28094

REV.	DESCRIPTION	DATE
5		
4		
3		
2		
1		
0	FOR REVIEW	7/10/2025

REV. 0 7/10/2025

DRAWING NO. E-1

MEMO

Joint Planning Commission & Moratorium Committee Meeting
August 28, 2025

From: **Khayci Bryant, Planner**

Re: **CIP Email**

Attachments:
Update_Energy Storage work in Comstock.pdf

From: Heather Newport
To: Khayci Bryant
Subject: Update on Energy Storage work in Comstock
Date: Wednesday, August 6, 2025 11:19:46 AM

Hi Khayci –

I wanted to provide you with a brief update ahead of the PC/Moratorium meeting on Thursday.

CIP is actively evaluating alternative sites and configurations for the Comstock energy storage project—including those raised by Ben Martin—as part of a full feasibility review. The goal is to bring objective, data-backed input to support the community's decision-making.

We understand the school district has commissioned an independent engineering review focused on the currently proposed site. We welcome that perspective and see it as a valuable piece of the broader picture.

To avoid limiting viable options too early, we'd respectfully recommend holding off on ordinance or zoning changes until both the school's review and our full site analysis are complete. That way, decisions can be based on the full set of facts.

We're committed to being transparent and constructive throughout. Our team is ready to share technical findings, feasibility data, or expert input to support the Planning Commission and Moratorium Committee as needed.

Our strong preference is to work within the local framework, which tends to lead to the most balanced and collaborative outcomes.

We're confident that a thoughtful, informed process will lead to the best result for both the project and the broader Comstock community.

Let me know if you'd like to jump on a quick call tomorrow morning before the meeting, or have any questions. I believe Steve (our attorney) may convey this update to Catherine as well given that he's previously shared updates with her, too.

Thank you!

Heather Newport, Director of Community Relations
[redacted]

MEMO

Joint Planning Commission & Moratorium Committee Meeting
August 28, 2025

From: **Khayci Bryant, Planner**

Re: **BESS Ordinance Workshop**

Attachments:
Ordinance-543-Battery-storage revisions 8.20.25.docx
pa 233.pdf
CT_BESS_compared_to_PA233.docx
8.5x11 Sensitive Areas with BESS Overlay.pdf
8.5x11 Sensitive Areas.pdf
LMandM.pdf
LM Parcels 20 Plus.pdf
M Parcels 20 Plus Acres.pdf
AGR Map.pdf
AGR Parcels 20 Plus Acres.pdf

CHARTER TOWNSHIP OF COMSTOCK

ORDINANCE 543

ADOPTED: October 7, 2024

EFFECTIVE: EIGHT DAYS AFTER PUBLICATION AFTER ADOPTION

An Ordinance to amend the Township Zoning Ordinance to authorize battery energy storage systems (BESS); to provide regulations and standards for battery energy storage systems; to repeal all ordinances or parts of ordinances in conflict herewith, and to provide an effective date.

CHARTER TOWNSHIP OF COMSTOCK
KALAMAZOO COUNTY, MICHIGAN

ORDAINS:

BATTERY ENERGY STORAGE SYSTEM ORDINANCE
AMENDMENT TO TOWNSHIP ZONING ORDINANCE

SECTION I
AMENDMENT TO ARTICLE 21 SITE DESIGN CONDITIONS FOR SPECIFIC LAND USES

Article 21, Site Design Conditions for Specific Land Uses, is amended by adding a new Section 300.2129 entitled Battery Energy Storage Systems (BESS), which shall read as follows:

A. Purpose and Intent: The purpose of this Ordinance is to establish minimum requirements and regulations for the construction, erection, placement, location, maintenance, modification, operation, and decommissioning of Battery Energy Storage Systems in the Township in a manner that promotes economic development and ensures the protection of health, safety, and welfare while also avoiding adverse impacts to important areas such as agricultural lands, residential areas, endangered species habitats, conservation lands, and other sensitive lands.

B. Definitions:

I. *Battery Energy Storage System:* One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery, an electric motor vehicle, or small store-bought batteries designed and used purely for household electronic items.

2. *Battery Energy Storage System, On-Site:* a Battery Energy Storage System that is an accessory use that is intended to primarily serve the needs of the

consumer on-site.

3. *Battery Energy Storage System, Small Off-Site:* A Battery Energy Storage System that is a principal use (or co-located with a second principal use) and that is designed and built to connect into the distribution or transmission grid with a nameplate capacity less than 50 megawatts.

4. *Battery Energy Storage System, Large Off-Site:* A Battery Energy Storage System (BESS) that is a principal use (or co-located with a second principal use) and that is designed and built to connect to the transmission grid with a nameplate capacity of 50 megawatts or more.

5. *Non-Participating Property:* Any property that is adjacent to a participating property.

6. *Participating Property:* A battery energy storage system host property or any real property that is the subject of an agreement that provides for the payment of monetary compensation to the landowner from the system owner (or affiliate) regardless of whether any part of a system is constructed on the property.

C. Off-Site Battery Storage Systems: The following requirements shall apply to all off-site battery energy storage systems:

1. Site Selection. In the AGR Agricultural Residential District this land use shall not unreasonably diminish farmland, including, but not limited to, prime farmland and, to the extent that evidence of such farmland is available in the evidentiary record, farmland dedicated to the cultivation of specialty crops.

2. Battery Energy Storage Systems, Small Off-Site shall be allowed as a special exception land use in the following zoning districts:

~~a. AGR, Agriculture-Residential District~~
b. LM, Light Manufacturing District
c. M, Manufacturing District

3. Battery Energy Storage Systems, Large Off-Site shall be allowed as a special land use in the following zoning districts:

~~a. AGR, Agriculture-Residential District~~
b. LM, Light Manufacturing District
c. M, Manufacturing District

4. The following minimum setbacks shall be required for Light Manufacturing and Manufacturing Zoning Districts. Setbacks are measured from the nearest facility structure to the nearest point on the associated item

Occupied community buildings and dwellings on nonparticipating properties.	~~500~~ 300 feet from occupied community buildings and dwellings on non-participating properties.
Public road right-of-way.	100 feet measured from the nearest edge of a public road right-of-way.
Property Line	50 feet

5. The following minimum setbacks shall be required for the Battery Energy Storage Overlay Zoning District.

Setback Description	Setback Distance
Occupied community buildings and dwellings on nonparticipating properties.	xxxx feet from occupied community buildings and dwellings on non-participating properties.
Public road right-of-way.	xxxx feet measured from the nearest edge of a public road right-of-way.
Property Line	xxxx feet

6. Height. The height of battery energy storage system structures, except for electric distribution and transmission poles, shall not exceed a height of fifteen (15) feet as measured from the natural grade of the property beneath the structure.

7. Fencing. The system shall be completely enclosed with fencing in compliance with the latest version of the National Electrical Safety Code or any applicable successor standard approved by the Michigan Public Service Commission.

8. Sound. The system may not generate a maximum sound in excess of 55 average hourly decibels measured at the nearest wall of an occupied dwelling on a non-participating parcel. Decibel modeling shall use the A-weighted scale designed by the American National Standards Institute.

9. Lighting. The system must implement dark sky-friendly lighting solutions.

10. Impacts of Battery Energy Storage System, Small Off-Site and Battery Energy Storage System, Large Off-Site.

11. The following requirements shall apply to the entire system, or to designated

components of the system, as indicated:

a. Safety Signage. The system shall post signs in compliance with NFPA 70/70E or any applicable successor code in place at the time of §§application for approval. Additionally, signage shall be provided per NFPA 855 7.4.4, or any applicable successor code in place at the time of application for approval, including information on the system type and technology, special hazards, fire suppression system and 24-hour emergency contact information, including reach-back phone number. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.

b. Other Signage: Additional signage may be permitted or required by the Planning Commission as is necessary to ensure the safe operation of the system.

c. The facility shall comply with NFPA 855 "Standard for the Installation of Stationary Energy Storage Systems" or any current standard adopted by the Michigan Public Service Commission at time

of application submission.

12. The Planning Commission may require reasonable measures to minimize visual impacts by preserving existing natural vegetation, requiring new vegetative screening or other appropriate measures. The Planning Commission shall determine such visual screening measures as may be required, if any, on a site- specific basis pursuant to the standards for special exception land use approval as specified in Section 300.413, the landscaping standards of Section 300.2150, and/or the standards for site plan approval as specified in Section 300.2200 of this Ordinance, as well as all other applicable sections of this Ordinance. In making this determination the Planning Commission is specifically authorized to consider whether additional visual screening measures are appropriate where a system is proposed to be located on property adjoining any residential zoning district classification or residential use.

13. If the system includes an access drive(s) for maintenance purposes, the surface of the access drive(s) shall be permeable (unless on brownfield land or on an already paved surface at the time of application for approval, such as a parking lot or former building foundation.)

14. Except as otherwise depicted on and subject to approval of the Planning Commission, the area within which the system is located shall not be paved with asphalt/concrete or any other surface material that is impermeable to water other than for slab foundations for structures and equipment. This shall not apply to a system located on brownfield land or on an existing paved area such as a former building slab or in an unused parking area when adequate parking remains for all other uses on the site.

15. All surface water runoff shall be effectively managed on-site.

16. Installation and Operational Safety. The system shall comply with all of the following requirements:

    a. The system shall be designed and constructed for interconnection to a Michigan Public Service Commission or Midcontinent Independent System Operator regulated utility electrical power grid and shall be operated with such interconnection.
    b. The system and all foundation elements shall comply with all applicable building and electrical code requirements, and any applicable federal/state regulations. The manufacturer's engineer or another qualified engineer shall provide written certification that the design, installation (including foundations), and interconnection is compliant with the manufacturer and industry standards, all applicable local construction and electrical codes, and any applicable federal/state regulations.

c. Other than transmission or distribution lines for interconnection to the electric power grid, all electrical wiring shall be buried underground; except where the manufacturer's engineer or a qualified engineer employed by the utility that owns/operates the electrical power grid to which the system shall be interconnected certifies an underground wiring installation is not permitted by an applicable code and/or applicable federal/state regulation, with attached complete documentation supporting any such certification.

d. The system shall be designed, located, and maintained so as to comply with all applicable codes and regulations.

17. Repair and Augmentation. In addition to repairing or replacing facility components to maintain the system, the facility may at any time be augmented without the need to submit a new site plan so long as the augmentation is within the same footprint (e.g., same dedicated use building or on footings/foundations in the same location) as the original permit. If there is a change in the battery chemistry, an updated Hazard Mitigation Analysis and Emergency Operation Plan shall be provided. When a facility is anticipated to be augmented over its lifetime by adding additional components, the applicant shall apply for the final/augmented site arrangement. A proposal to increase the size of the project footprint may be considered a new application, subject to the ordinance standards at the time of the request.

18. Decommissioning and Removal. The system shall comply with all of the following requirements:

a. A Decommissioning Plan, including a Decommissioning Agreement in a form recordable at the Kalamazoo County Register of Deeds, shall be provided and shall address the following:

i. State the anticipated life of the project;

1i. Describe estimated decommissioning costs in current dollars and provide that this figure will be updated every third (3rd) year after commercial operation of the system; Township zoning administrator may administratively review and accept estimated decommissioning costs for periodic review;

111. Be signed by the party responsible for decommissioning, and shall bind all successors, heirs and assigns;

1v. Define the conditions upon which decommissioning will be initiated (e.g.; end of land lease, no power storage for 12 months, etc.);

v. State that all equipment, conduit, structures, fencing, roads, and foundations will be removed to a depth of four (4) feet by the end of the decommissioning period;

v1. Require property to be restored as near as reasonably possible to the condition it was in prior to the development of the system;

v11. Describe the timeframe for completion of decommissioning activities;

v111. Describe any agreement (e.g., lease) with the landowner regarding decommissioning;

1x. State the party currently responsible for decommissioning; and

x. Describe any plans or circumstances requiring an update of the decommissioning plan.

b. A recorded copy of the Decommissioning Agreement shall be ~~submitted to the Township.~~ executed and recorded within 7 business days of special land use approval and a copy shall be provided to the Township within 14 days of special land use approval.

c. Decommissioning shall be completed within 12 months of determination by the Township Board that the system is no longer being maintained in an operable state of good repair, unless the current responsible party provides substantial evidence to the Planning Commission of the intent to maintain and reinstate operation of the system.

d. The Decommissioning Plan shall include financial assurance in the form of a bond, or an irrevocable letter of credit, but excluding cash. The amount of the financial assurance shall not be less than the estimated cost of decommissioning the system. Salvage value shall not be included in the estimated cost of decommissioning. The financial assurance must be posted in full (125%) ~~by~~ before the start of commercial operation and continuously maintained for the period of the life of the system. The Township must be notified in writing at least 60 days before the bond or other financial surety is set to expire. **Failure to provide proper notification and updated bond information is a violation of this ordinance.**

19. Special ~~Exception~~ Land Use Permit and Site Plan Application Requirements. Applications for special ~~exception~~ land use permit approval shall comply with ~~Section 300.413~~ Article 6.2 of this Ordinance. A formal application for site plan approval for this land use shall comply with ~~Section 300.2200~~ Article 6.1 of this Ordinance. An incomplete application will not be accepted. Each such application shall also be subject to the following additional submission requirements:

a. The site plan shall be submitted with the special land use permit application.

b. The submission shall include content responsive to all the following, to the extent not otherwise provided pursuant to the above referenced sections:

i. All information and supporting materials relied upon by the applicant to demonstrate compliance with all special land use permit approval standards and site plan approval standards as specified in this Ordinance.

ii. Preliminary Fire Response Plan as required by the Clean and Renewable Energy and Energy Waste Reduction Act, as amended, MCL 460.1001 et. seq

iii. A Preliminary Emergency Operations Plan for the proposed system when operational, including the means by which firefighters and other emergency services personnel can access and shut down the system on an emergency basis. The approved emergency plan shall include a 24-hour emergency contact telephone number for use by emergency services providers. The means of emergency access and the means of an emergency shutdown of the system by emergency services personnel shall be provided to the Township or other appropriate agency managing emergency response.

iv. A Groundcover and Vegetation Establishment and Management Plan shall be provided as part of the site plan. Vegetation establishment must include native species and natural seed mixes and may not include invasive plant species or noxious weeds and shall satisfy Section 226(6)(a) and Section 226(6)(b) of Michigan Public Act 233 of 2023.

v. Equipment specification sheet(s) for the system components, if available.

vi. All proposed changes to the landscape of the existing site, including grading, vegetation removal, fencing and vegetative screening. Views shall be minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping or other screening methods that will harmonize with the character of the property and surrounding area while not interfering with ventilation or exhaust ports.

vii. Drawings showing the layout of the proposed system, including distances from all existing and proposed structures/buildings and fencing on the site to all lot lines including to all boundaries of a leased site, where applicable, and to all structures/buildings on adjacent nonparticipating properties.

viii. Preliminary Augmentation Plan demonstrating the proposed augmentation phases including which structures/components are expected to be installed and in which time frames shall be provided.

ix. The height of all existing and proposed buildings/structures.

x. A preliminary electrical schematic plan for the proposed system, including disconnect and overcurrent devices.

xi. Anticipated life expectancy of the system components including the estimated schedule for battery replacement to maintain megawatts over the system's lifetime.

xii. Preliminary Decommissioning Plan and Decommissioning Agreement as described above.

xiii. Equipment specification sheets.

xiv. Identification and contact information for the installer(s) of the proposed system.
xv. Augmentation Plan.
xvi. Approved Decommissioning Plan and Decommissioning Agreement.
xvii. Life expectancy of the system components including the anticipated schedule for battery replacement to maintain megawatts over the system's lifetime.
xviii. Hazard Mitigation Analysis.
xix. Operation and Maintenance Manual with identification and contact information for the installer of the system.
xx. Electrical schematic plan for the system, including disconnect devices.
xxi. Final Emergency Operation Plan Approved by the Fire Chief.
xxii. An executed Community Host Agreement in the amount of $2,500 per megawatt of nameplate capacity.
    - 50% to be paid within ~~thirty (30) days of the issuance of the building permit.~~ 7 business days of special land use approval.
    - The remaining 50% to be paid at the commencement of operations of the system.
xxiii. Proof of financial guarantee for decommissioning. Modifications that increase a facility's footprint or total energy capacity by 20% 10% or more require a new site plan and special exception land use approval by the Planning Commission. Any increase in energy capacity requires notification to the Township. All obligations,; community host agreement and decommissioning agreement must be updated to reflect the increase.

Modifications that increase a facility's footprint or total energy capacity by ~~20%~~ 10% or more require a new site plan and special ~~exception~~ land use approval by the Planning Commission. Any increase in energy capacity requires written notification to the Township Zoning Administrator and/or designated personnel at least 30 days prior to the increase in energy capacity. All obligations, including but not limited to the community host agreement and decommissioning agreement, must be updated to reflect the increase in energy capacity. The financial surety shall be increased if there is an increase in energy capacity.

c. Equipment specification sheets.

d. Identification and contact information for the installer(s) of the proposed system.

e. Augmentation Plan.

f. Approved Decommissioning Plan and Decommissioning Agreement.

g. Life expectancy of the system components including the anticipated schedule for battery replacement to maintain megawatts over the system's lifetime.

h. Hazard Mitigation Analysis.

i. Operation and Maintenance Manual with identification and contact information for the installer of the system.

j. Electrical schematic plan for the system, including disconnect devices.

k. 1. Final Emergency Operation Plan Approved by the Fire Chief.

l. An executed Community Host Agreement in the amount of $2,500 per megawatt of nameplate capacity.

m. 50% to be paid within thirty (30) days of issuance of building permit.

n. The remaining 50% to be paid at the commencement of operations of the system.

o. Proof of financial guarantee for decommissioning.

p.

20. Waiver. The Township Planning Commission shall have the authority to review and consider alternatives in both the dimensional and physical requirements contained in this ordinance as part of the special land use review process upon a finding that such change promotes the health, safety and general welfare of the Township. In addition, the Township recognizes the ever-changing technical capabilities of battery storage infrastructure and of new technology in general, and that changing technology may result in future changes to an approved Battery Energy Storage System facility. Minor changes within the footprint of an approved Site Plan and/or Special Land Use Permit, such as, without limitation, modifying battery storage equipment with new technologies, may be administratively reviewed and approved by the Zoning Administrator.

~~21. Building Permit. Prior to the issuance of a Building Permit, the following information shall be provided.~~

~~a. Equipment specification sheets.~~

~~b. Identification and contact information for the installer(s) of the proposed system.~~

~~c. Augmentation Plan.~~

~~d. Approved Decommissioning Plan and Decommissioning Agreement.~~

~~e. Life expectancy of the system components including the anticipated schedule for battery replacement to maintain megawatts over the~~

~~system's lifetime.~~

~~f. Hazard Mitigation Analysis.~~

~~g. Operation and Maintenance Manual with identification and contact information for the installer of the system.~~

~~h. Electrical schematic plan for the system, including disconnect devices.~~

~~1. Final Emergency Operation Plan Approved by the Fire Chief.~~

~~j. An executed Community Host Agreement in the amount of $2,500 per megawatt of nameplate capacity.~~

~~1. 50% to be paid within thirty (30) days of issuance of building permit.~~

~~2. The remaining 50% to be paid at the commencement of operations of the system.~~

~~k. Proof of financial guarantee for decommissioning.~~

D. On-Site Battery Energy Storage Systems.

1. On-Site Battery Energy Storage Systems shall be allowed as a permitted use in all zoning districts, subject to the provisions of the Zoning Ordinance.

2. A building permit shall be required for all on-site battery energy storage systems.

3. On-Site battery energy storage systems with an aggregate energy capacity of more than 1 megawatt are subject to additional regulations in the applicable fire code (NFPA 855), and required documentation shall be submitted along with the building/electrical permit applications.

4. Coverage. Lot coverage shall not exceed the otherwise permissible percentage of lot coverage in the applicable zoning district, as specified in Article 300.2300.

5. Setbacks. All battery energy storage system structures and related structural apparatus not physically attached to a building shall satisfy the setback requirements in the applicable zoning district, but in no circumstance may an on-site battery storage system or any related apparatus be less than 25' from a property line.

SECTION II
AMENDMENT TO ARTICLE 9.00 AGR
AGRICULTURE RESIDENTIAL DISTRICT

Article 9.00, AGR Agriculture-Residential District, Section 300.903 is amended by adding a new subsection dd, Battery Energy Storage Systems, Off-Site Small BESS and Off-Site Large BESS, which shall read as follows:

dd. Battery Energy Storage Systems - Small Off-Site and Large Off-Site, subject to Section 300.2129.

SECTION III
AMENDMENT TO ARTICLE 19.00 M.1 MANUFACTURING DISTRICT

Article 19.00, M Manufacturing District, Section 300.1903 is amended by adding a new subsection g, Battery Energy Storage Systems, Off-Site Small BESS and Off-Site Large BESS, which shall read as follows:

g. Battery Energy Storage Systems - Small Off-Site and Large Off-Site, subject to Section 300.2129.

SECTION IV
SEVERABILITY

Should any provision or part of the within Ordinance be declared by any court of competent

jurisdiction to be invalid or unenforceable, the same shall not affect the enforceability of the balance of this Ordinance which shall remain in full force and effect.

SECTIONV
REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION VI
EFFECTIVE DATE

This Ordinance shall take effect eight days after publication after adoption.

Nicole Beauchamp, Clerk
Charter Township of Comstock

Act No. 233
Public Acts of 2023
Approved by the Governor
November 28, 2023
Filed with the Secretary of State
November 29, 2023
EFFECTIVE DATE: November 29, 2024

STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2023

Introduced by Reps. Aiyash, Puri, Brenda Carter, Pohutsky, Rheingans, Hope, O'Neal, Byrnes, Stone, MacDonell, Tsernoglou, Morse, Breen, Martus, Andrews, Steckloff and Wilson

ENROLLED HOUSE BILL No. 5120

AN ACT to amend 2008 PA 295, entitled "An act to require certain providers of electric service to establish and recover costs for renewable energy programs; to require certain providers of electric or natural gas service to establish energy waste reduction programs; to authorize the use of certain energy systems to meet the requirements of those programs; to provide for the approval of energy waste reduction service companies; to reduce energy waste by state agencies and the public; to create a wind energy resource zone board and provide for its power and duties; to authorize the creation and implementation of wind energy resource zones; to provide for expedited transmission line siting certificates; to provide for customer generation and net metering programs and the responsibilities of certain providers of electric service and customers with respect to customer generation and net metering; to provide for fees; to prescribe the powers and duties of certain state agencies and officials; to require the promulgation of rules and the issuance of orders; to authorize the establishment of residential energy improvement programs by providers of electric or natural gas service; and to provide for civil sanctions, remedies, and penalties," by amending the title and section 13 (MCL 460.1013), as amended by 2016 PA 342, and by adding part 8.

The People of the State of Michigan enact:

TITLE

An act to require certain providers of electric service to establish and recover costs for renewable energy and clean energy programs; to require certain providers of electric or natural gas service to establish, and recover costs for, energy waste reduction programs; to ensure that costs and savings from renewable energy, clean energy, and energy waste reduction programs are included in the determination of rates; to authorize the use of certain energy systems to meet the requirements of those programs; to provide for the approval of energy waste reduction service companies; to reduce energy waste by state agencies and the public; to create a wind energy resource zone board and provide for its power and duties; to authorize the creation and implementation of wind energy resource zones; to provide for expedited transmission line siting certificates; to provide for customer generation and net metering programs and the responsibilities of certain providers of electric service and customers with respect to customer generation and net metering; to provide for fees; to prescribe the powers and duties of certain state agencies and officials; to require the promulgation of rules and the issuance of orders; to authorize the establishment of residential energy improvement programs by providers of electric or natural gas service; to authorize certification by this state before the construction of certain wind and solar energy facilities and energy storage facilities; to regulate certain local ordinances; to protect personal property rights; and to provide for civil sanctions, remedies, and penalties.

Sec. 13. As used in this act:

(a) "Site", except as used in part 8, means a contiguous site, regardless of the number of meters at that site. A site that would be contiguous but for the presence of a street, road, or highway is considered to be contiguous for the purposes of this subdivision.

(b) "Transmission line" means all structures, equipment, and real property necessary to transfer electricity at system bulk supply voltage of 100 kilovolts or more.

(c) "Utility system resource cost test" means a standard that is met for an investment in energy waste reduction if, on a life cycle basis, using a real societal discount rate based on actual long-term United States Treasury bond yields, the total avoided supply-side costs to the provider, including representative values for electricity or natural gas supply, transmission, distribution, and other associated costs, are greater than the total costs to the provider of administering and delivering the energy waste reduction program, including net costs for any provider incentives paid by customers and capitalized costs recovered under section 89.

(d) "Wind energy conversion system" means a system that uses 1 or more wind turbines to generate electricity and has a nameplate capacity of 100 kilowatts or more.

(e) "Wind energy resource zone" or "wind zone" means an area designated by the commission under section 147.

PART 8.

WIND, SOLAR, AND STORAGE CERTIFICATION

Sec. 221. As used in this part:

(a) "Affected local unit" means a unit of local government in which all or part of a proposed energy facility will be located.

(b) "Aircraft detection lighting system" means a sensor-based system designed to detect aircraft as they approach a wind energy facility and that automatically activates obstruction lights until they are no longer needed.

(c) "Applicant" means an applicant for a certificate.

(d) "Certificate" means a certificate issued for an energy facility under section 226(5).

(e) "Community-based organization" means a workforce development and training organization, labor union, local governmental entity, Michigan federally recognized tribe, environmental advocacy organization, or an organization that represents the interests of underserved communities.

(f) "Compatible renewable energy ordinance" means an ordinance that provides for the development of energy facilities within the local unit of government, the requirements of which are no more restrictive than the provisions included in section 226(8). A local unit of government is considered not to have a compatible renewable energy ordinance if it has a moratorium on the development of energy facilities in effect within its jurisdiction.

(g) "Construction" means any substantial action taken constituting the placement, erection, expansion, or repowering of an energy facility.

(h) "Dark sky-friendly lighting technology" means a light fixture that is designed to minimize the amount of light that escapes upward into the sky.

(i) "Energy facility" means an energy storage facility, solar energy facility, or wind energy facility. An energy facility may be located on more than 1 parcel of property, including noncontiguous parcels, but shares a single point of interconnection to the grid.

(j) "Energy storage facility" means a system that absorbs, stores, and discharges electricity. Energy storage facility does not include either of the following:

(*i*) Fossil fuel storage.

(*ii*) Power-to-gas storage that directly uses fossil fuel inputs.

(k) "Independent power producer", or "IPP", means a person that is not an electric provider but owns or operates facilities to generate electric power for sale to electric providers, this state, or local units of government.

(*l*) "Light intensity dimming solution technology" means obstruction lighting that provides a means of tailoring the intensity level of lights according to surrounding visibility.

(m) "Light-mitigating technology system" means an aircraft detection lighting system, a light intensity dimming solution technology, or a comparable solution that reduces the impact of nighttime lighting while maintaining night conspicuity sufficient to assist aircraft in identifying and avoiding collision with the wind energy facilities.

(n) "Local unit of government" or "local unit" means a county, township, city, or village.

(o) "Maximum blade tip height" means the nominal hub height plus the nominal blade length of a wind turbine, as listed in the wind turbine specifications provided by the wind turbine manufacturer. If not listed in the wind turbine specifications, maximum blade tip height means the actual hub height plus the actual blade length.

(p) "Nameplate capacity" means the designed full-load sustained generating output of an energy facility. Nameplate capacity shall be determined by reference to the sustained output of an energy facility even if components of the energy facility are located on different parcels, whether contiguous or noncontiguous.

(q) "Nonparticipating property" means a property that is adjacent to an energy facility and that is not a participating property.

(r) "Occupied community building" means a school, place of worship, day-care facility, public library, community center, or other similar building that the applicant knows or reasonably should know is used on a regular basis as a gathering place for community members.

(s) "Participating property" means real property that either is owned by an applicant or that is the subject of an agreement that provides for the payment by an applicant to a landowner of monetary compensation related to an energy facility regardless of whether any part of that energy facility is constructed on the property.

(t) "Person" means an individual, governmental entity authorized by this state, political subdivision of this state, business, proprietorship, firm, partnership, limited partnership, limited liability partnership, co-partnership, joint venture, syndicate, business trust, labor organization, company, corporation, association, subchapter S corporation, limited liability company, committee, receiver, estate, trust, or any other legal entity or combination or group of persons acting jointly as a unit.

(u) "Project labor agreement" means a prehire collective bargaining agreement with 1 or more labor organizations that establishes the terms and conditions of employment for a specific construction project and does all of the following:

(*i*) Binds all contractors and subcontractors on the construction project through the inclusion of appropriate specifications in all relevant solicitation provisions and contract documents.

(*ii*) Allows all contractors and subcontractors on the construction project to compete for contracts and subcontracts without regard to whether they are otherwise parties to collective bargaining agreements.

(*iii*) Contains guarantees against strikes, lockouts, and similar job disruptions.

(*iv*) Sets forth the effective, prompt, and mutually binding procedures for resolving labor disputes arising during the term of the project labor agreement.

(*v*) Provides other mechanisms for labor-management cooperation on matters of mutual interest and concern, including productivity, quality of work, safety, and health.

(*vi*) Complies with all state and federal laws, rules, and regulations.

(v) "Repowering", with respect to an energy facility, means replacement of all or substantially all of the energy facility for the purpose of extending its life. Repowering does not include repairs related to the ongoing operations that do not increase the capacity or energy output of the energy facility.

(w) "Solar energy facility" means a system that captures and converts solar energy into electricity, for the purpose of sale or for use in locations other than solely the solar energy facility property. Solar energy facility includes, but is not limited to, the following equipment and facilities to be constructed by an electric provider or independent power producer: photovoltaic solar panels; solar inverters; access roads; distribution, collection, and feeder lines; wires and cables; conduit; footings; foundations; towers; poles; crossarms; guy lines and anchors; substations; interconnection or switching facilities; circuit breakers and transformers; energy storage facilities; overhead and underground control; communications and radio relay systems and telecommunications equipment; utility lines and installations; generation tie lines; solar monitoring stations; and accessory equipment and structures.

(x) "Wind energy facility" means a system that captures and converts wind into electricity, for the purpose of sale or for use in locations other than solely the wind energy facility property. Wind energy facility includes, but is not limited to, the following equipment and facilities to be constructed by an electric provider or independent power producer: wind towers; wind turbines; access roads; distribution, collection, and feeder lines; wires and cables; conduit; footings; foundations; towers; poles; crossarms; guy lines and anchors; substations; interconnection or switching facilities; circuit breakers and transformers; energy storage facilities; overhead and underground control; communications and radio relay systems and telecommunications equipment; monitoring and recording equipment and facilities; erosion control facilities; utility lines and installations; generation tie lines; ancillary buildings; wind monitoring stations; and accessory equipment and structures.

Sec. 222. (1) This part applies to all of the following:

(a) Any solar energy facility with a nameplate capacity of 50 megawatts or more.

(b) Any wind energy facility with a nameplate capacity of 100 megawatts or more.

(c) Any energy storage facility with a nameplate capacity of 50 megawatts or more and an energy discharge capability of 200 megawatt hours or more.

(2) Before beginning construction of an energy facility, an electric provider or independent power producer may, pursuant to this part, obtain a certificate for that energy facility from the commission. A local unit of government exercising zoning jurisdiction may request the commission to require an electric provider or independent power producer that proposes to construct an energy facility in that local unit to obtain a certificate for that energy facility from the commission. To obtain a certificate for an energy facility, an electric provider or IPP must comply with the requirements of sections 223 and 224, and then submit to the commission an application as described in section 225.

(3) If the commission has issued a certificate for an energy facility, the electric provider or IPP may make minor changes, as defined by the commission, to the site plan if the changes are within the footprint of the previously approved site plan.

(4) If an energy facility that would otherwise be subject to subsection (2) is located entirely within a city or village, the city or village is exempt from this part as it relates to the energy facility if the city or village is the owner of participating property, is a developer of the facility, or owns an electric utility that will take service from the energy facility.

Sec. 223. (1) An electric provider or independent power producer that, at its option or as required by the commission, proposes to obtain a certificate for and construct an energy facility shall hold a public meeting in each affected local unit. At least 30 days before a meeting, the electric provider or IPP shall notify the clerk of the affected local unit in which a public meeting will be held of the time, date, location, and purpose of the meeting and provide a copy of the site plan as described in section 224 or the address of an internet site where a site plan for the energy facility is available for review. At least 14 days before the meeting, the electric provider or IPP shall publish notice of the meeting in a newspaper of general circulation in the affected local unit or in a comparable digital alternative. The notice shall include a copy of the site plan or the address of an internet site where the site plan is available for review. The commission shall further prescribe the format and content of the notice. For the purposes of this subsection, a public meeting held in a township is considered to be held in each village located within the township.

(2) At least 60 days before a public meeting held under subsection (1), the electric provider or IPP planning to construct an energy facility shall offer in writing to meet with the chief elected official of each affected local unit, or the chief elected official's designee, to discuss the site plan.

(3) If, within 30 days following a meeting described in subsection (2), the chief elected official of each affected local unit notifies the electric provider or IPP planning to construct the energy facility that the affected local unit has a compatible renewable energy ordinance, then the electric provider or IPP shall file for approval with each affected local unit, subject to all of the following:

(a) An application submitted under this subsection shall comply with the requirements of section 225(1), except for section 225(1)(j) and (s). An affected local unit may require other information necessary to determine compliance with the compatible renewable energy ordinance.

(b) A local unit of government with which an application is filed under this subsection shall approve or deny the application within 120 days after receiving the application. The applicant and local unit of government may jointly agree to extend this deadline by up to 120 days.

(c) The electric provider or IPP may submit its application to the commission if any of the following apply:

(*i*) An affected local unit fails to timely approve or deny an application.

(*ii*) The application complies with the requirements of section 226(8), but an affected local unit denies the application.

(*iii*) An affected local unit amends its zoning ordinance after the chief elected official notifies the electric provider or IPP that it has a compatible renewable energy ordinance, and the amendment imposes additional requirements on the development of energy facilities that are more restrictive than those in section 226(8).

(d) An electric provider or IPP that submits an application to the commission pursuant to this subsection is not required to comply with subsection (1) or section 226(1), or the requirement to submit a summary of community outreach and education efforts pursuant to section 225(1)(j).

(4) If a local unit of government approves an application pursuant to subsection (3), construction of the proposed energy facility must begin within 5 years after the date the permit is granted and any challenges to the grant of the permit are concluded. The local unit of government may extend this timeline at the request of the electric provider or IPP without requiring a new application. The local unit shall not revoke a permit issued under subsection (3) except for material noncompliance with the permit by the electric provider or IPP.

(5) If the commission approves an applicant for a certificate submitted under subsection (3)(c), the local unit of government is considered to no longer have a compatible renewable energy ordinance, unless the commission finds

that the local unit of government's denial of the application was reasonably related to the applicant's failure to provide information required by subsection (3)(a).

(6) Nothing in this section shall be construed to limit remedies available to an applicant to appeal a denial by a local unit of government under any other law of this State.

Sec. 224. (1) A site plan required under section 223 or 225 shall meet application filing requirements established by commission rule or order to maintain consistency between applications. The site plan shall include the following:

(a) The location and a description of the energy facility.

(b) A description of the anticipated effects of the energy facility on the environment, natural resources, and solid waste disposal capacity, which may include records of consultation with relevant state, tribal, and federal agencies.

(c) Additional information required by commission rule or order that directly relates to the site plan.

(2) When it submits a site plan required under section 223 or 225 to the commission, an electric provider or independent power producer shall, for informational purposes, submit a copy to the clerk of each affected local unit.

Sec. 225. (1) An application for a certificate submitted to the commission under section 222(2) shall contain all of the following:

(a) The complete name, address, and telephone number of the applicant.

(b) The planned date for the start of construction and the expected duration of construction.

(c) A description of the energy facility, including a site plan as described in section 224.

(d) A description of the expected use of the energy facility.

(e) Expected public benefits of the proposed energy facility.

(f) The expected direct impacts of the proposed energy facility on the environment and natural resources and how the applicant intends to address and mitigate these impacts.

(g) Information on the effects of the proposed energy facility on public health and safety.

(h) A description of the portion of the community where the energy facility will be located.

(i) A statement and reasonable evidence that the proposed energy facility will not commence commercial operation until it complies with applicable state and federal environmental laws, including, but not limited to, the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106.

(j) A summary of the community outreach and education efforts undertaken by the electric provider or independent power producer, including a description of the public meetings and meetings with elected officials under section 223.

(k) Evidence of consultation, before submission of the application, with the department of environment, Great Lakes, and energy and other relevant state and federal agencies before submitting the application, including, but not limited to, the department of natural resources and the department of agriculture and rural development.

(*l*) The soil and economic survey report under section 60303 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.60303, for the county where the proposed energy facility will be located.

(m) Interconnection queue information for the applicable regional transmission organization.

(n) If the proposed site of the energy facility is undeveloped land, a description of feasible alternative developed locations, including, but not limited to, vacant industrial property and brownfields, and an explanation of why they were not chosen.

(o) If the energy facility is reasonably expected to have an impact on television signals, microwave signals, agricultural global position systems, military defense radar, radio reception, or weather and doppler radio, a plan to minimize and mitigate that impact. Information in the plan concerning military defense radar is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, and shall not be disclosed by the commission or the electric provider or independent power producer except pursuant to court order.

(p) A stormwater assessment and a plan to minimize, mitigate, and repair any drainage impacts at the expense of the electric provider or IPP. The applicant shall make reasonable efforts to consult with the county drain commissioner before submitting the application and shall include evidence of those efforts in its application.

(q) A fire response plan and an emergency response plan.

(r) A decommissioning plan that is consistent with agreements reached between the applicant and other landowners of participating properties and that ensures the return of all participating properties to a useful condition similar to that which existed before construction, including removal of above-surface facilities and infrastructure that have no ongoing purpose. The decommissioning plan shall include, but is not limited to, financial assurance in the form of a bond, a parent company guarantee, or an irrevocable letter of credit, but excluding cash. The amount of the financial assurance shall not be less than the estimated cost of decommissioning

the energy facility, after deducting salvage value, as calculated by a third party with expertise in decommissioning, hired by the applicant. However, the financial assurance may be posted in increments as follows:

(*i*) At least 25% by the start of full commercial operation.

(*ii*) At least 50% by the start of the fifth year of commercial operation.

(*iii*) 100% by the start of the tenth year of commercial operation.

(s) Other information reasonably required by the commission.

(2) Within 60 days after receipt of an application, the commission shall determine whether the application is complete. If the commission determines that the application is incomplete, the commission shall advise the applicant in writing of the information necessary to make the application complete. If the commission fails to timely notify the applicant that an application is incomplete, the application is considered to be complete.

Sec. 226. (1) Upon filing an application with the commission, the applicant shall make a 1-time grant to each affected local unit for an amount determined by the commission but not more than $75,000.00 per affected local unit and not more than $150,000.00 in total. Each affected local unit shall deposit the grant in a local intervenor compensation fund to be used to cover costs associated with participation in the contested case proceeding on the application for a certificate.

(2) Upon filing an application with the commission, the applicant shall provide notice of the opportunity to comment on the application in a form and manner prescribed by the commission. The notice shall be published in a newspaper of general circulation in each affected local unit or a comparable digital alternative. The notice shall be written in plain, nontechnical, and easily understood terms and shall contain a title that includes the name of the applicant and the words "NOTICE OF INTENT TO CONSTRUCT _____ FACILITY", with the words "WIND ENERGY", "SOLAR ENERGY", or "ENERGY STORAGE", as applicable, entered in the blank space. The commission shall further prescribe the format and contents of the notice.

(3) The commission shall conduct a proceeding on the application for a certificate as a contested case under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. An affected local unit, participating property owner, or nonparticipating property owner may intervene by right.

(4) The commission may assess reasonable application fees to the applicant to cover the commission's administrative costs in processing the application, including costs for consultants to assist the commission in evaluating issues raised by the application. The commission may retain consultants to assist the commission in evaluating issues raised by the application and may require the applicant to pay the cost of the services.

(5) The commission shall grant the application and issue a certificate or deny the application not later than 1 year after a complete application is filed.

(6) In evaluating the application, the commission shall consider the feasible alternative developed locations described under section 225(1)(n), if applicable, and the impact of the proposed facility on local land use, including the percentage of land within the local unit of government dedicated to energy generation. The commission may condition its grant of the application on the applicant taking additional reasonable action related to the impacts of the proposed energy facility, including, but not limited to, the following:

(a) Establishing and maintaining for the life of the facility vegetative ground cover. This subdivision does not apply to an application for an energy facility that is proposed to be located entirely on brownfield land.

(b) Meeting or exceeding pollinator standards throughout the lifetime of the facility, as established by the "Michigan Pollinator Habitat Planning Scorecard for Solar Sites" developed by the Michigan State University Department of Entomology in effect on the effective date of the amendatory act that added this section or any applicable successor standards approved by the commission as reasonable and consistent with the purposes of this subdivision. Seed mix used to establish pollinator plantings shall not include invasive species as identified by the Midwest Invasive Species Information Network, led by researchers at the Michigan State University Department of Entomology and supporting regional partners. This subdivision does not apply to an application for an energy facility that is proposed to be located entirely on brownfield land.

(c) Providing for community improvements in the affected local unit.

(d) Making a good-faith effort to maintain and provide proper care of the property where the energy facility is proposed to be located during construction and operation of the facility.

(7) The commission shall grant the application and issue a certificate if it determines all of the following:

(a) The public benefits of the proposed energy facility justify its construction. For the purposes of this subdivision, public benefits include, but are not limited to, expected tax revenue paid by the energy facility to local taxing districts, payments to owners of participating property, community benefits agreements, local job creation, and any contributions to meeting identified energy, capacity, reliability, or resource adequacy needs of this state. In determining any contributions to meeting identified energy, capacity, reliability, or resource adequacy needs of this state, the commission may consider approved integrated resource plans under section 6t of 1939 PA 3, MCL 460.6t, renewable energy plans, annual electric provider capacity demonstrations under section 6w of 1939 PA 3, MCL 460.6w, or other proceedings before the commission, at the applicable regional transmission organization, or before the Federal Energy Regulatory Commission, as determined relevant by the commission.

(b) The energy facility complies with the standard in section 1705(2) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1705.

(c) The applicant has considered and addressed impacts to the environment and natural resources, including, but not limited to, sensitive habitats and waterways, wetlands and floodplains, wildlife corridors, parks, historic and cultural sites, and threatened or endangered species.

(d) The applicant has met the conditions established in section 227.

(e) All of the following apply:

(*i*) The installation, construction, or construction maintenance of the energy facility will use apprenticeship programs registered and in good standing with the United States Department of Labor under the national apprenticeship act, 29 USC 50 to 50c.

(*ii*) The workers employed for the construction or construction maintenance of the energy facility will be paid a minimum wage standard not less than the wage and fringe benefit rates prevailing in the locality in which the work is to be performed as determined under 2023 PA 10, MCL 408.1101 to 408.1126, or 40 USC 3141 to 3148, whichever provides the higher wage and fringe benefit rates.

(*iii*) To the extent permitted by law, the entities performing the construction or construction maintenance work will enter into a project labor agreement or operate under a collective bargaining agreement for the work to be performed.

(f) The proposed energy facility will not unreasonably diminish farmland, including, but not limited to, prime farmland and, to the extent that evidence of such farmland is available in the evidentiary record, farmland dedicated to the cultivation of specialty crops.

(g) The proposed energy facility does not present an unreasonable threat to public health or safety.

(8) An energy facility meets the requirements of subsection (7)(g) if it will comply with the following standards, as applicable:

(a) For a solar energy facility, all of the following:

(*i*) The following minimum setback requirements, with setback distances measured from the nearest edge of the perimeter fencing of the facility:

Setback Description	Setback Distance
Occupied community buildings and dwellings on nonparticipating properties	300 feet from the nearest point on the outer wall
Public road right-of-way	50 feet measured from the nearest edge of a public road right-of-way
Nonparticipating parties	50 feet measured from the nearest shared property line

(*ii*) Fencing for the solar energy facility complies with the latest version of the National Electric Code as of the effective date of the amendatory act that added this section or any applicable successor standard approved by the commission as reasonable and consistent with the purposes of this subsection.

(*iii*) Solar panel components do not exceed a maximum height of 25 feet above ground when the arrays are at full tilt.

(*iv*) The solar energy facility does not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.

(*v*) The solar energy facility will implement dark sky-friendly lighting solutions.

(*vi*) The solar energy facility will comply with any more stringent requirements adopted by the commission. Before adopting such requirements, the commission must determine that the requirements are necessary for compliance with state or federal environmental regulations.

(b) For a wind energy facility, all of the following:

(*i*) The following minimum setback distances, measured from the center of the base of the wind tower:

Setback Description	Setback Distance
Occupied community buildings and residences on nonparticipating properties	2.1 times the maximum blade tip height to the nearest point on the outside wall of the structure
Residences and other structures on participating properties	1.1 times the maximum blade tip height to the nearest point on the outside wall of the structure
Nonparticipating property lines	1.1 times the maximum blade tip height
Public road right-of-way	1.1 times the maximum blade tip height to the center line of the public road right-of-way
Overhead communication and electric transmission, not including utility service lines to individual houses or outbuildings	1.1 times the maximum blade tip height to the center line of the easement containing the overhead line

(*ii*) Each wind tower is sited such that any occupied community building or nonparticipating residence will not experience more than 30 hours per year of shadow flicker under planned operating conditions as indicated by industry standard computer modeling.

(*iii*) Each wind tower blade tip does not exceed the height allowed under a Determination of No Hazard to Air Navigation by the Federal Aviation Administration under 14 CFR part 77.

(*iv*) The wind energy facility does not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.

(*v*) The wind energy facility is equipped with a functioning light-mitigating technology. To allow proper conspicuity of a wind turbine at night during construction, a turbine may be lighted with temporary lighting until the permanent lighting configuration, including the light-mitigating technology, is implemented. The commission may grant a temporary exemption from the requirements of this subparagraph if installation of appropriate light-mitigating technology is not feasible. A request for a temporary exemption must be in writing and state all of the following:

(A) The purpose of the exemption.

(B) The proposed length of the exemption.

(C) A description of the light-mitigating technologies submitted to the Federal Aviation Administration.

(D) The technical or economic reason a light-mitigating technology is not feasible.

(E) Any other relevant information requested by the commission.

(*vi*) The wind energy facility meets any standards concerning radar interference, lighting, subject to subparagraph (*v*), or other relevant issues as determined by the commission.

(*vii*) The wind energy facility will comply with any more stringent requirements adopted by the commission. Before adopting such requirements, the commission must determine that the requirements are necessary for compliance with state or federal environmental regulations.

(c) For an energy storage facility, all of the following:

(*i*) The following minimum setback requirements, with setback distances measured from the nearest edge of the perimeter fencing of the facility:

Setback Description	Setback Distance
Occupied community buildings and dwellings on nonparticipating properties	300 feet from the nearest point on the outer wall
Public road right-of-way	50 feet measured from the nearest edge of a public road right-of-way
Nonparticipating parties	50 feet measured from the nearest shared property line

(*ii*) The energy storage facility complies with the version of NFPA 855 "Standard for the Installation of Stationary Energy Storage Systems" in effect on the effective date of the amendatory act that added this section or any applicable successor standard adopted by the commission as reasonable and consistent with the purposes of this subdivision.

(*iii*) The energy storage facility does not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.

(*iv*) The energy storage facility will implement dark sky-friendly lighting solutions.

(*v*) The energy storage facility will comply with any more stringent requirements adopted by the commission. Before adopting such requirements, the commission must determine that the requirements are necessary for compliance with state or federal environmental regulations.

(9) The certificate shall identify the location of the energy facility and its nameplate capacity.

(10) If construction of an energy facility is not commenced within 5 years after the date that a certificate is issued, the certificate is invalid, but the electric provider or IPP may seek a new certificate for the proposed energy facility. If the certificate is appealed in proceedings before the commission or to a court of competent jurisdiction, the running of the 5-year period is tolled from the date of filing the appeal until 60 days after issuance of a final nonappealable decision. The commission may extend the 5-year period at the request of the applicant and upon a showing of good cause without requiring a new contested case proceeding.

Sec. 227. (1) The applicant for a certificate shall enter into a host community agreement with each affected local unit. The host community agreement shall require that, upon commencement of any operation, the energy facility owner must pay the affected local unit $2,000.00 per megawatt of nameplate capacity located within the affected local unit. The payment shall be used as determined by the affected local unit for police, fire, public safety, or other infrastructure, or for other projects as agreed to by the local unit and the applicant.

(2) If an affected local unit refuses to enter into a host community agreement after good-faith negotiations with the applicant, the applicant may enter into a community benefits agreement with 1 or more community-based organizations within, or that serve residents of, the affected local unit. The amount paid by the applicant under

this subsection must be equal to, or greater than, what the applicant would pay to the affected local unit under subsection (1). Community benefits agreements shall prioritize benefits to the community in which the energy facility is to be located. The topics and specific terms of the agreements may vary and may include, but are not limited to, any of the following:

(a) Workforce development, job quality, and job access provisions that include, but are not limited to, any of the following:

(*i*) Terms of employment, such as wages and benefits, employment status, workplace health and safety, scheduling, and career advancement opportunities.

(*ii*) Worker recruitment, screening, and hiring strategies and practices, targeted hiring planning and execution, investment in workforce training and education, and worker input and representation in decision making affecting employment and training.

(b) Funding for or providing specific environmental benefits.

(c) Funding for or providing specific community improvements or amenities, such as park and playground equipment, urban greening, enhanced safety crossings, paving roads, and bike paths.

(d) Annual contributions to a nonprofit or community-based organization that awards grants.

(3) A host community agreement or community benefits agreement is legally binding and inures to the benefit of the parties and their successors and assigns. The commission shall enforce this requirement, but not the actual agreements, which are enforceable in a court of competent jurisdiction.

Sec. 227a. Before commencing commercial operations, an applicant shall file a completion report certifying compliance with the requirements of this act and any conditions contained in the commission's certificate.

Sec. 228. (1) Except as otherwise provided in this part, information obtained by the commission under this part is a public record under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(2) The commission shall issue orders necessary to protect the information in an application for a certificate, or in other documents required by the commission for the purposes of certification, if the commission reasonably finds the information to be confidential. Information that is confidential under a protective order is exempted from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

Sec. 229. A commission order relating to a certificate or other matter provided for under this part is subject to review in the same manner as provided in section 26 of 1909 PA 300, MCL 462.26.

Sec. 230. (1) In administering this part, the commission has only those powers and duties granted to the commission under this part.

(2) The commission may consolidate proceedings under this part with contract approval or other certificate of need cases relating to the same energy facility.

(3) This part shall control in any conflict between this part and any other law of this state. However, the electric transmission line certification act, 1995 PA 30, MCL 460.561 to 460.575, controls in any conflict with this part.

(4) Commission approval of a certificate does not confer the power of eminent domain and is not a determination of public convenience and necessity for the purposes of the power of eminent domain or a condemnation action filed pursuant to the uniform condemnation procedures act, 1980 PA 87, MCL 213.51 to 213.75.

Sec. 231. (1) A local ordinance shall not prohibit or regulate testing activities undertaken by an electric provider or independent power producer for purposes of determining the suitability of a site for the placement of an energy facility.

(2) If a certificate is issued for an energy facility under this part, a zoning ordinance or limitation imposed after the electric provider or IPP submitted the application for the certificate to the commission shall not be construed to limit or impair the construction, operation, or maintenance of the energy facility.

(3) If a certificate is issued, the certificate and this part preempt a local policy, practice, regulation, rule, or other ordinance that prohibits, regulates, or imposes additional or more restrictive requirements than those specified in the commission's certificate.

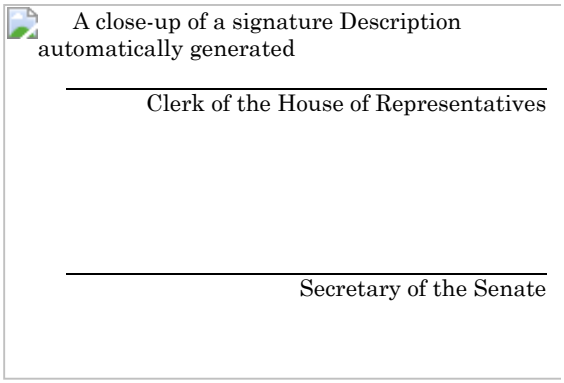
(4) If a certificate is not issued, all local policies, practices, regulations, rules, or ordinances relating to the siting of energy facilities, including, but not limited to, the local zoning authority's power to grant variances, remain in full force and effect.

(5) Except as provided in this section, this part does not exempt an electric provider or IPP to whom a certificate is issued from obtaining any other permit, license, or permission to engage in the construction or operation of an energy facility that is required by federal law, any other law of this state, including, but not limited to, the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106, any rule promulgated under a law of this state, or a local ordinance.

Sec. 232. Section 5 of 1846 RS 1, MCL 8.5, applies to the amendatory act that added this section.

Enacting section 1. This amendatory act takes effect 1 year after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 588 or House Bill No. 5121 of the 102nd Legislature is enacted into law.



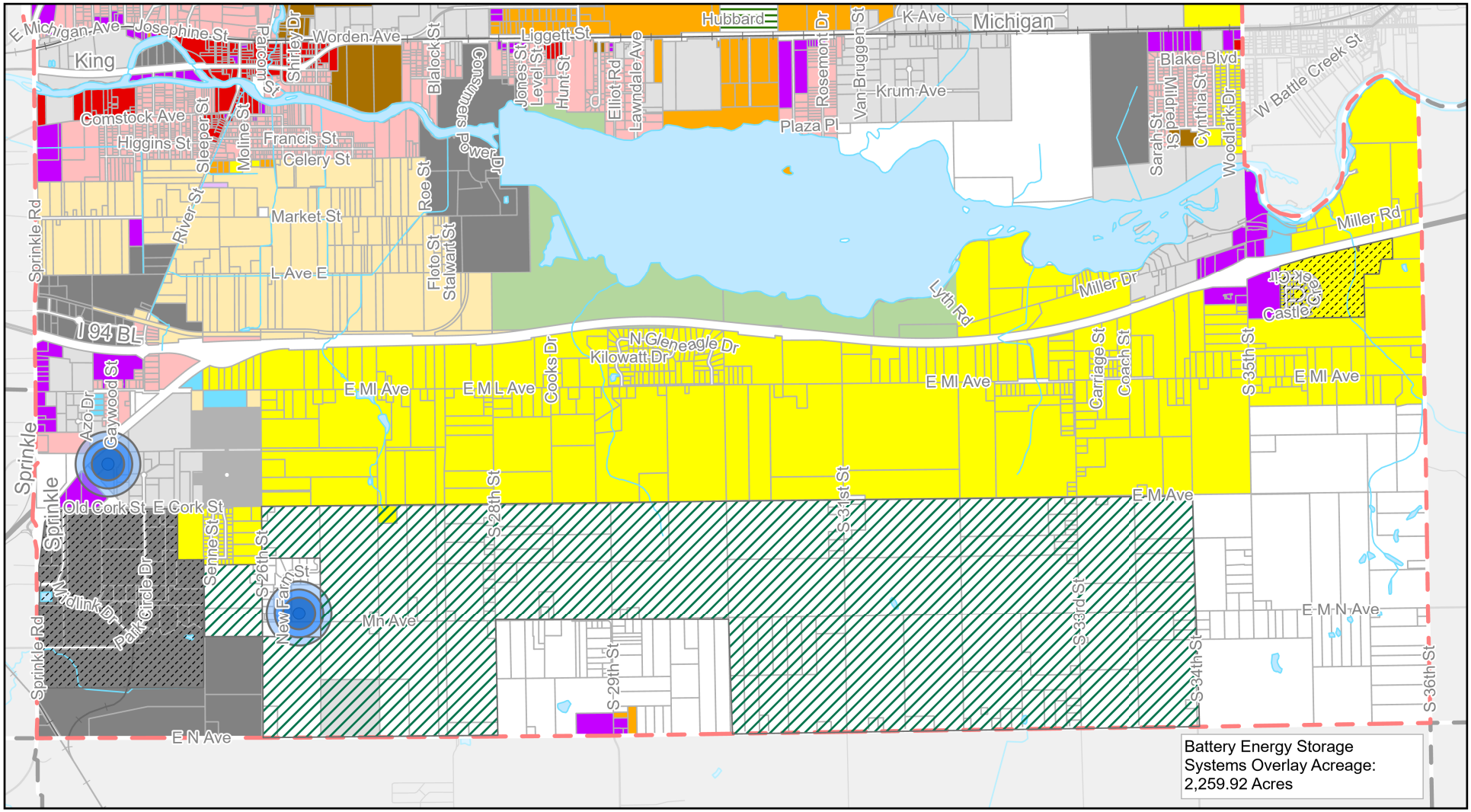
Clerk of the House of Representatives

Secretary of the Senate

Approved_____

Governor

Item	Workable Ordinance	PA233
Zoning Districts	*Special Land Use in AGR and M*	*Allowed in any zoning district*
Setbacks	*500 ft from occupied community building or dwelling* *100 ft from nearest ROW* *50 feet from property line*	*300 ft from occupied community building and dwellings* *50 feet from ROW* *50 feet from property line*
Community Host Agreement	*$2,500 per megawatt*	*$2,000 per megawatt*
Decommissioning Plan	*Requires a detailed recorded decommissioning agreement*	*Requires a plan, but allows an agreement to be met with the applicant and landowners of participating properties*
Height	*15 feet max height*	*Does not specify height limit*
Sound	*Maximum sound of 55 dbs*	*Maximum sound of 55 dbs*
Lighting	*Must implement dark sky-friendly lighting solutions*	*Must implement dark sky-friendly lighting solutions*
Fencing	*Must be completely enclosed with fencing*	*Does not list specific fencing standards*



Battery Energy Storage Systems

Comstock Charter Township,
Kalamazoo County, Michigan

April 18, 2025

LEGEND

- Agriculture Residential District
- Agriculture Horticulture District
- Single Family District
- Single Family District
- Cluster Housing District
- Multiple Family Residential
- Mobile Home Park District
- Senior Citizens Multiple
- Office District
- Neighborhood Business District
- Community Business District
- General Business District
- Light Manufacturing District
- Restricted Industrial District
- Manufacturing District
- Open Wetlands District
- PUD
- Battery Energy Storage Systems Overlay

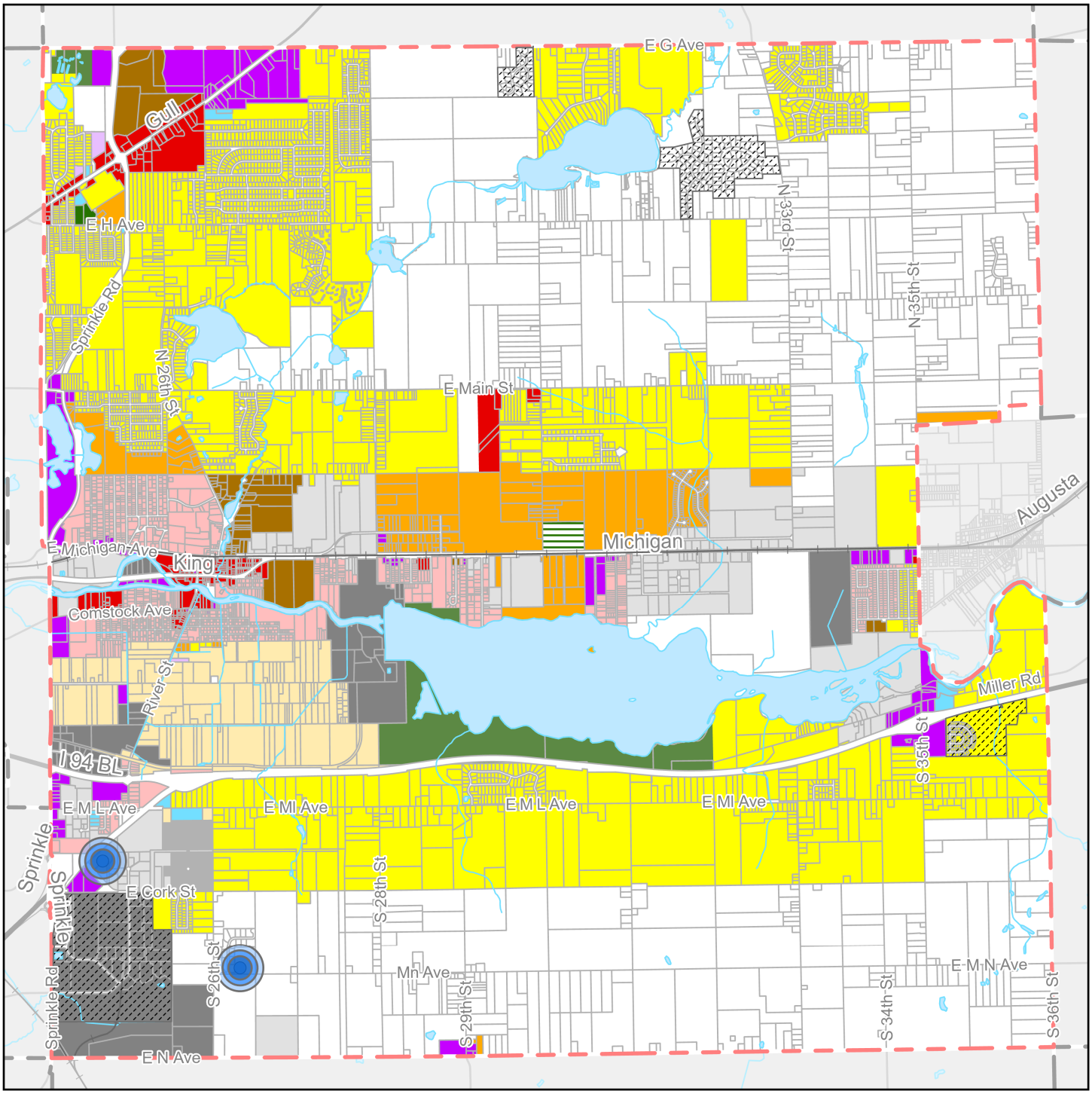
Sensitive Areas Buffer

- 500 Foot Buffer
- 750 Foot Buffer
- 1000 Foot Buffer

0 2,000 4,000 Feet

Basemap Source: Michigan Center for Geographic Information, v. 17a.
Data Source: Kalamazoo County. McKenna 2024.

MCKENNA



Sensitive Areas

Comstock Charter Township,
Kalamazoo County, Michigan

August 13, 2025

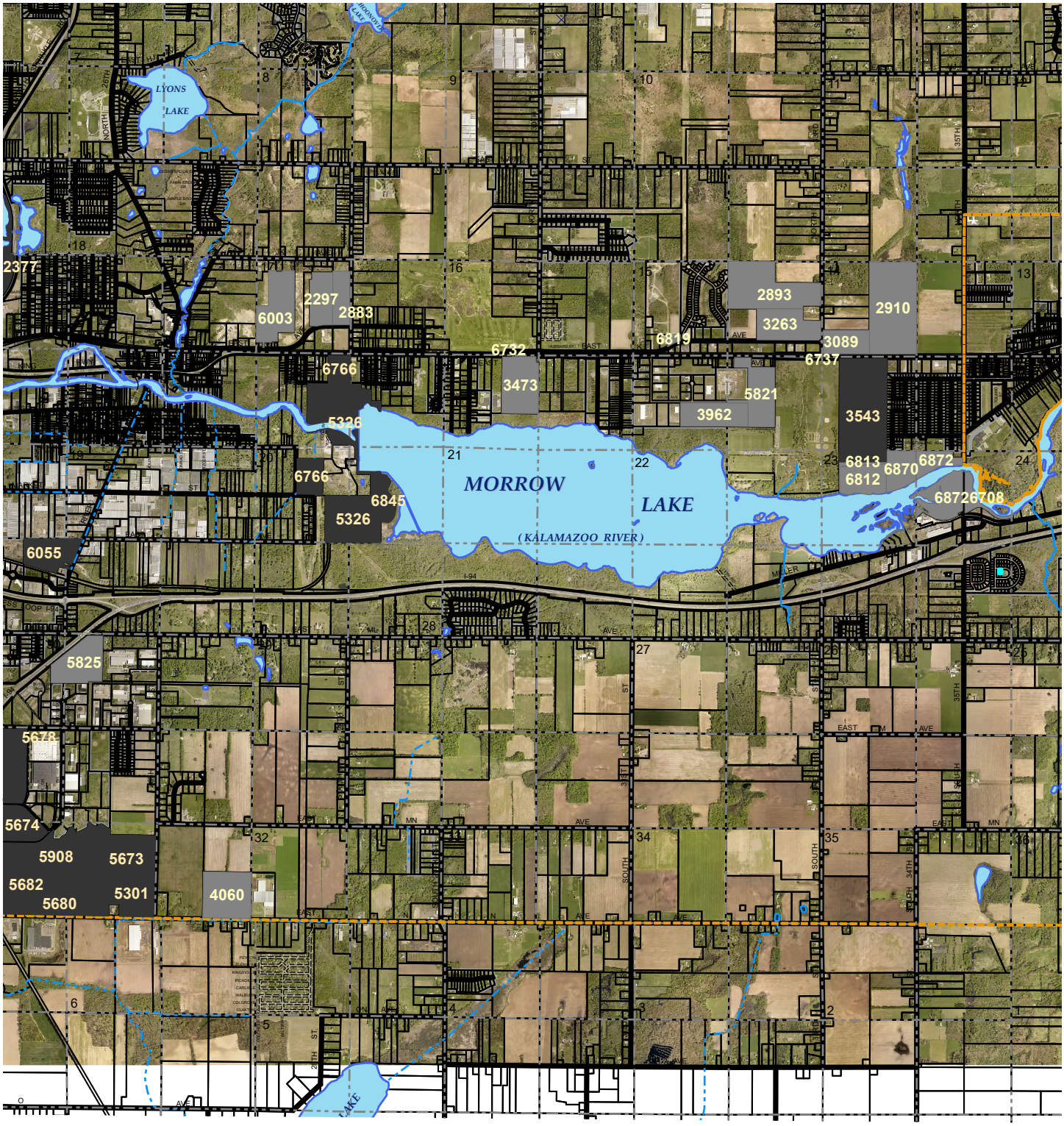
LEGEND

- Agriculture Residential District
- Agriculture Horticulture District
- Single Family District
- Single Family District
- Cluster Housing District
- Multiple Family Residential
- Mobile Home Park District
- Senior Citizens Multiple
- Office District
- Neighborhood Business District
- Community Business District
- General Business District
- Light Manufacturing District
- Restricted Industrial District
- Manufacturing District
- Open Wetlands District
- PUD
- 500 Foot Buffer
- 750 Foot Buffer
- 1000 Foot Buffer

0 2,000 4,000
Feet

Basemap Source: Michigan Center for Geographic Information, v. 17a.
Data Source: Kalamazoo County.
McKenna 2024.

MCKENNA



Comstock Charter Township
Kalamazoo Co., Michigan
Base Map

Legend

- LM 20 Acres Plus
- M 20 Acres Plus

2017 Aerials

0 2,900 5,800

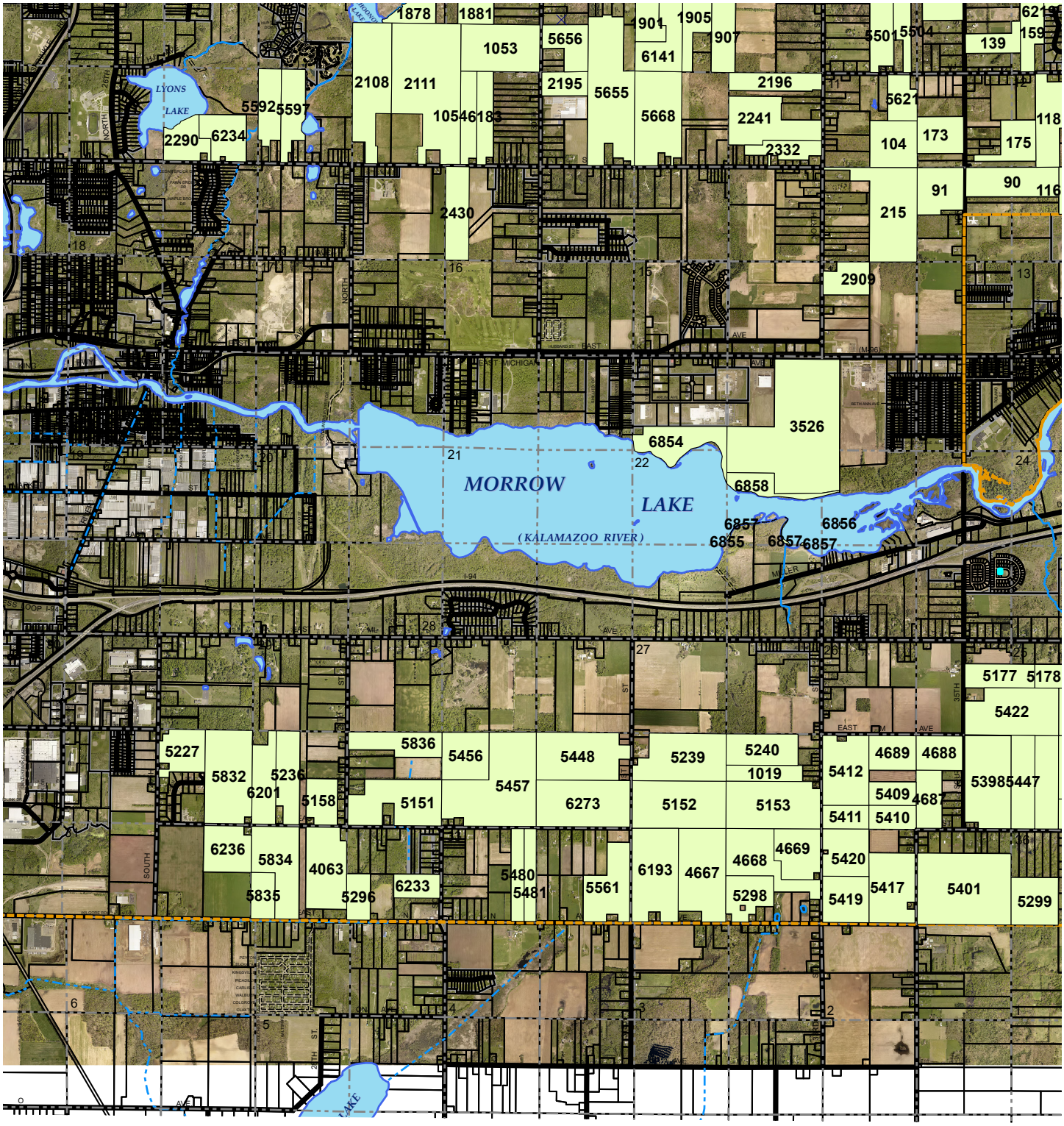
Feet

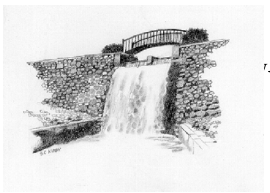
LIGHT MANUFACTURING 20 ACRES+

OBJECTID *	Shape *	TaxPIN	Parcel	Acres	propstreet	totalacres
3089	Polygon	07-14-455-030	030	20.137355	144 N 33RD ST	20
6737	Polygon	07-14-455-030	030	20.137355	144 N 33RD ST	20
2883	Polygon	07-17-430-070	070	21.561179	N 28TH ST	21.12
2297	Polygon	07-17-480-025	025	21.563601	7025 E K AVE	20.1
3962	Polygon	07-22-220-132	132	28.746107	8938 KRUM AVE	28.94
3263	Polygon	07-14-380-015	015	32.200664	E K AVE	32.6
5821	Polygon	07-23-105-027	027	32.671481	9100 E MICHIGAN AVE	31.79
5825	Polygon	07-30-405-013	013	33.263918	5688 E ML AVE	33.12
3473	Polygon	07-21-230-020	020	37.574225	7800 E MICHIGAN AVE	38.38
6732	Polygon	07-21-230-020	020	37.574225	7800 E MICHIGAN AVE	38.38
4060	Polygon	07-32-330-024	024	40.620666	E N AVE	40
6819	Polygon	07-15-455-042	042	47.107074	8621 E K AVE	47.28
6003	Polygon	07-17-405-090	090	48.781851	6581 E K AVE	49.09
2893	Polygon	07-14-355-025	025	60.675579	N 33RD ST	61
6708	Polygon	07-24-305-021	021	63.699545	S 35TH ST	64
6872	Polygon	07-24-305-021	021	63.699545	S 35TH ST	64
2910	Polygon	07-14-480-010	010	78.365452	9823 E MICHIGAN AVE	76.45
6812	Polygon	07-23-430-013	013	78.413404		32
6870	Polygon	07-23-430-013	013	78.413404		32
6813	Polygon	07-23-210-010	010	91.926275	9000 E MICHIGAN AVE	92.432

MANUFACTURING 20 ACRES+

OBJECTID *	Shape *	TaxPIN	Parcel	Acres	propstreet	totalacres
5674	Polygon	07-31-102-022	022	26.325729	3800 MIDLINK DR	26.321
6525	Polygon	07-31-102-022	022	26.325729	3800 MIDLINK DR	26.321
5301	Polygon	07-31-485-050	050	26.87613	5801 E N AVE	27.479
6055	Polygon	07-30-130-140	140	28.210011	RIVER ST	21.35
5678	Polygon	07-31-102-041	041	36.477855	5200 E CORK ST	36.48
5680	Polygon	07-31-380-050	050	39.163575	E N AVE	39.212
5673	Polygon	07-31-430-010	010	39.60448	4400 S 26TH ST	39.6
5682	Polygon	07-31-380-010	010	54.77528	5311 E N AVE	37.38
2377	Polygon	07-18-105-050	050	72.895695	N SPRINKLE RD	72.896
3543	Polygon	07-23-210-010	010	91.926275	9000 E MICHIGAN AVE	92.432
5908	Polygon	07-31-102-057	057	92.88741	4123 PARK CIRCLE DR	92.9
5326	Polygon	07-20-230-050	050	162.939088	E MICHIGAN AVE	162.77
6766	Polygon	07-20-230-050	050	162.939088	E MICHIGAN AVE	162.77
6845	Polygon	07-21-180-010	010	442.348998		441





Comstock Charter Township
Kalamazoo Co., Michigan
Base Map

Legend

AGR 20 Acres Plus

2017 Aerials

0 2,900 5,800

Feet

This map is intended for reference purposes only. While it is intended to be an accurate graphic representation, its accuracy cannot be guaranteed. Therefore, neither Comstock Charter Township nor Prein&Newhof shall be held liable for its contents. Any conclusions or information derived from this map is at the users sole risk.

AGR 20 ACRES+

OBJECTID *	Shape *	TaxPIN	Parcel	Acres	propstreet	totalacres
5296	Polygon	07-33-355-010	010	20.001006	7025 E N AVE	20
116	Polygon	07-13-230-010	010	20.02659	N 36TH ST	20
1483	Polygon	07-04-455-010	010	20.037527	7501 E H AVE	20
5409	Polygon	07-35-280-010	010	20.113807		20
2195	Polygon	07-10-305-010	010	20.161307	2260 N 30TH ST	20
1885	Polygon	07-09-230-010	010	20.18408	7980 E H AVE	20
5481	Polygon	07-33-430-060	060	20.220784	E MN AVE	20
5411	Polygon	07-35-255-030	030	20.247537	S 33RD ST	20
5410	Polygon	07-35-280-050	050	20.262383	S 33RD ST	20
5200	Polygon	07-25-480-010	010	20.309384		20
5201	Polygon	07-25-480-050	050	20.316381	3050 S 36TH ST	20
5835	Polygon	07-32-405-012	012	20.326852	6573 E N AVE	20
5178	Polygon	07-25-405-052	052	20.416502	S 35TH ST	20
5587	Polygon	07-03-480-004	004	21.608583	8753 E H AVE	21.32
139	Polygon	07-12-180-013	013	21.635123	2712 N 35TH ST	21.96
1019	Polygon	07-35-130-080	080	22.101926	S 33RD ST	22.14
5480	Polygon	07-33-430-016	016	22.231226	7903 E N AVE	22.1
2332	Polygon	07-11-380-075	075	22.259352	1701 N 33RD ST	20.83
5621	Polygon	07-11-430-024	024	22.88266	E HJ AVE	22.73
5504	Polygon	07-11-280-059	059	23.58183	9879 E HJ AVE	24
164	Polygon	07-01-480-036	036	24.753133	3385 N 36TH ST	25.14
1878	Polygon	07-09-130-030	030	24.901931	7408 E H AVE	22.33
5158	Polygon	07-32-280-100	100	25.087663	6869 E MN AVE	25.11
2909	Polygon	07-14-405-020	020	25.513827	618 N 33RD ST	24.96
1268	Polygon	07-04-355-010	010	25.830937	3698 N 28TH ST	26
6594	Polygon	07-36-230-030	030	26.157085	S 36TH ST	26.747
5247	Polygon	07-36-280-010	010	26.640862	3862 S 36TH ST	26.068
1054	Polygon	07-09-455-059	059	26.658453	7641 E MAIN ST	26.82
6183	Polygon	07-09-455-062	062	26.690819	7711 E MAIN ST	26.79
4687	Polygon	07-36-155-010	010	27.421983	E MN AVE	26.89
154	Polygon	07-01-380-051	051	28.088222	3362 N 35TH ST	28
6290	Polygon	07-03-435-600	600	28.763563		28.76
175	Polygon	07-12-380-070	070	28.816867	N 35TH ST	28.95
1901	Polygon	07-10-205-042	042	29.131884	8500 E H AVE	29.13
1484	Polygon	07-04-455-050	050	29.403819	7533 E H AVE	29
5656	Polygon	07-10-155-010	010	29.90955	2718 N 30TH ST	30
2196	Polygon	07-11-330-010	010	29.952592	2335 N 33RD ST	30
1881	Polygon	07-09-205-021	021	30.087152	E H AVE	29.7
6233	Polygon	07-33-380-011	011	30.16457	E N AVE	30
5177	Polygon	07-25-330-101	101	30.175002	S 35TH ST	30
124	Polygon	07-12-105-020	020	30.231773	N 35TH ST	30
4689	Polygon	07-35-230-010	010	30.289591	E M AVE	30
4688	Polygon	07-36-105-010	010	30.306726	E M AVE	30
5592	Polygon	07-08-455-021	021	30.604004	6541 E MAIN ST	31.82
6772	Polygon	07-06-130-041	041	30.844928	5376 E G AVE	30.46
173	Polygon	07-12-305-018	018	31.31129	2027 N 35TH ST	31.35
444	Polygon	07-06-180-020	020	31.551316	4154 JENNINGS DR	26.389
816	Polygon	07-02-430-011	011	32.255806	N 33RD ST	32.42
5298	Polygon	07-35-355-020	020	32.638634	E N AVE	32.61
526	Polygon	07-01-180-012	012	33.589578	4150 N 35TH ST	30.8
2290	Polygon	07-08-380-025	025	34.152484	6213 E MAIN ST	33.8
1905	Polygon	07-10-230-011	011	34.166839	8778 E H AVE	34.7
5565	Polygon	07-03-380-010	010	34.181212	8415 E H AVE	33
5227	Polygon	07-32-105-025	025	34.42387	3323 S 26TH ST	34.35
5597	Polygon	07-08-455-071	071	34.731181	6715 E MAIN ST	33.52
6234	Polygon	07-08-380-023	023	34.758217	6315 E MAIN ST	34.39
153	Polygon	07-01-380-021	021	34.969576	3456 N 35TH ST	35
159	Polygon	07-12-255-020	020	34.999449	10613 E HJ AVE	35
319	Polygon	07-01-105-040	040	35.938821	10044 E G AVE	36.12
5836	Polygon	07-33-105-015	015	36.214138	S 28TH ST	36.06
6201	Polygon	07-32-205-020	020	36.308363	E MN AVE	36
5501	Polygon	07-11-280-012	012	37.521436	E HJ AVE	37.98
5236	Polygon	07-32-205-032	032	37.582015	6643 E MN AVE	37.6
810	Polygon	07-01-330-034	034	38.066809	3778 N 35TH ST	37.8
91	Polygon	07-13-105-010	010	38.138758	N 35TH ST	38
6236	Polygon	07-32-330-012	012	38.937777	6466 E MN AVE	38.6
169	Polygon	07-01-405-010	010	39.68481	N 36TH ST	40
4669	Polygon	07-35-330-015	015	39.828924	S 33RD ST	40.62
1907	Polygon	07-10-230-070	070	39.839877	8932 E H AVE	39.98
5420	Polygon	07-35-405-010	010	39.857063	S 33RD ST	39.49
104	Polygon	07-11-480-010	010	39.929027	1752 N 33RD ST	40

AGR 20 ACRES+

OBJECTID *	Shape *	TaxPIN	Parcel	Acres	propstreet	totalacres
5456	Polygon	07-33-205-010	010	40.258954		40.3
5240	Polygon	07-35-101-011	011	40.272122	S 33RD ST	39.78
5246	Polygon	07-36-255-020	020	40.289399	10721 E MN AVE	40.33
5299	Polygon	07-36-455-010	010	40.380028		40
5419	Polygon	07-35-455-020	020	40.404632	S 33RD ST	40
5447	Polygon	07-36-255-015	015	40.837369	3205 S 35TH ST	40.86
118	Polygon	07-12-405-036	036	47.933342	E HJ AVE	48
461	Polygon	07-02-155-011	011	48.858812	4225 N 33RD ST	48
90	Polygon	07-13-130-010	010	49.38922	1382 N 35TH ST	50.01
6141	Polygon	07-10-205-043	043	49.733066	8708 E H AVE	50.82
5561	Polygon	07-34-380-014	014	52.655115	E N AVE	52.67
4668	Polygon	07-35-320-010	010	55.313719	S 33RD ST	56.13
4063	Polygon	07-32-430-035	035	58.731174	6858 E MN AVE	57.8
5417	Polygon	07-35-480-030	030	59.295555	4574 S 34TH ST	58.85
5412	Polygon	07-35-205-011	011	59.30555	E M AVE	58.8
6219	Polygon	07-12-280-042	042	59.357668	N 36TH ST	59.48
2241	Polygon	07-11-355-018	018	59.776535	1909 N 33RD ST	60.41
5834	Polygon	07-32-405-011	011	60.72643	E MN AVE	60
1053	Polygon	07-09-255-042	042	68.153184	2525 N 30TH ST	67.79
330	Polygon	07-01-205-010	010	68.608876	E G AVE	67.58
5151	Polygon	07-33-155-016	016	70.766955	E MN AVE	70
790	Polygon	07-04-405-010	010	71.901608	E H AVE	71.58
5239	Polygon	07-34-205-021	021	72.184961	S 31ST ST	70.76
5448	Polygon	07-34-100-021	021	74.01397	3360 S 31ST ST	73.26
2430	Polygon	07-16-205-015	015	74.649759	7600 E MAIN ST	74.5
4667	Polygon	07-34-480-014	014	75.864972	8857 E N AVE	75.5
5422	Polygon	07-25-380-020	020	75.985803	S 35TH ST	75
520	Polygon	07-04-155-010	010	78.298433	N 28TH ST	80
5398	Polygon	07-36-180-015	015	78.323865	3533 S 35TH ST	77.51
6193	Polygon	07-34-455-020	020	78.418056	8685 E N AVE	77.59
5832	Polygon	07-32-180-010	010	79.371108	6369 E MN AVE	78.88
522	Polygon	07-04-255-010	010	79.86676	E G AVE	79.87
523	Polygon	07-01-280-020	020	79.879271	4115 N 36TH ST	79.14
5153	Polygon	07-35-180-011	011	79.923761	3804 S 33RD ST	78.86
5152	Polygon	07-34-255-010	010	81.048562	3809 S 31ST ST	80
6273	Polygon	07-34-100-030	030	81.421221	S 31ST ST	80
215	Polygon	07-14-230-013	013	86.324112	953 N 35TH ST	85.88
2108	Polygon	07-09-355-030	030	94.215041	7141 E MAIN ST	94.52
6855	Polygon	07-23-360-012	012	101.363049		100.76
6856	Polygon	07-23-360-012	012	101.363049		100.76
6857	Polygon	07-23-360-012	012	101.363049		100.76
6858	Polygon	07-23-360-012	012	101.363049		100.76
6854	Polygon	07-22-251-020	020	108.120715	E MICHIGAN AVE	108.12
5655	Polygon	07-10-380-014	014	109.473712	E H AVE	109.8
5457	Polygon	07-33-255-021	021	117.745158	7635 E MN AVE	116.41
5401	Polygon	07-36-355-011	011	121.189114	S 34TH ST	120
5668	Polygon	07-10-455-012	012	122.591918	E MAIN ST	122
789	Polygon	07-04-380-010	010	132.100726	E H AVE	134
288	Polygon	07-04-105-011	011	148.755057	7078 E G AVE	149.06
2111	Polygon	07-09-380-012	012	172.588951	E MAIN ST	171.96
3526	Polygon	07-23-130-010	010	198.846848	9400 E MICHIGAN AVE	198.84