

NOTICE OF SPECIAL MEETING
COVERT TOWNSHIP PLANNING COMMISSION

Thursday, June 20, 2024

6:30 P.M. – COVERT TOWNSHIP HALL

AGENDA

1. Call to Order / Roll Call / Pledge of Allegiance
2. Approval of Agenda
3. Approval of Minutes
 : May 15, 2024
4. Public Comments (*3 minutes/person*)
5. New Business
 - A. Site Plan Review – Covert Community Park Improvements
6. Ongoing Business
 - A. Text Amendment - Battery Energy Storage Systems (BESS)
 - *Draft #3*
 - *Technical Reviews – Township Attorney; Building Official*
 - A. Text Amendment – Shipping/Storage Containers
 - *Draft #1*
7. Communications
 - Distribute Draft MP/CMP
8. Public Comments (*3 minutes/person*)
9. Adjournment

PLANNING COMMISSIONERS: *Please notify the Planning Commission Chair no later than the day before the scheduled meeting if you are unable to attend the meeting. In the event of a lack of a quorum, the meeting will be canceled.*

COVERT TOWNSHIP

PLANNING COMMISSION

MINUTES OF THE May 15, 2024 REGULAR MEETING

6:30 P.M., COVERT TOWNSHP HALL

Call to Order / Roll Call / Pledge of Allegiance

Chair Rendell called the meeting to order at 6:30 p.m.

Members Present: Robert Brown, Tom Bury, Luke Dennison, Austin Harding, Jena Johnson, Wayne Rendell, Lonze Taylor

Members Absent: None

Others Present: Rebecca Harvey, Township Planning Consultant

Approval of Agenda

Motion by Brown, seconded by Bury, to approve the agenda of the May 15, 2024 regular meeting, as presented. Motion carried unanimously.

Approval of Minutes – *April 17, 2024 Regular Meeting*

Motion by Brown, seconded by Taylor, to approve the minutes of the April 17, 2024 regular meeting, as presented. Motion carried unanimously.

Public Comment on Non-Agenda Items

No public comment was offered on non-agenda items.

Ongoing Business

Text Amendment: Battery Storage Facilities

Chair Rendell reminded that the Commission considered Draft #2 of proposed amendments to Section 2.02 – Definitions and Section 18.34 – Battery Energy Storage Systems (BESS) in April. Following review and discussion, the Planning Commission directed Harvey to revise the draft text as discussed and submit same to the Township Attorney for final review and to the Township Zoning Administrator and Building Official for comment. It was agreed that review of Draft #3 and consideration of the requested technical reviews would be scheduled for the May meeting.

Harvey provided an overview of Draft #3 and referenced the Covert Township Anti-Noise and Public Nuisance Ordinance provided to the Commission for reference. She recited the Township Attorney’s preliminary review comments on Draft #3, noting that a complete/final review had not yet been received. Harvey advised that the Zoning Administrator reviewed the draft text and offered no changes . . . and that no review response had been received from the Building Official to date.

Lengthy discussion of Draft #3 ensued. The Commission noted that all requested revisions were made and are satisfactory. The amendment of Subsection B.8. so as to apply the standards of the Noise Ordinance, namely to require measurement at the property line rather than ‘the outside wall of any residence of a non-participating lot’, was considered at length. It was agreed that requiring the measurement of noise levels at the property line more effectively protects future buildings/uses on adjacent properties.

Public comment on the discussion was then offered. Liz Smaka noted that she lives in the vicinity of the industrial zoning where BESS facilities are proposed to be allowed and expressed concern with the noise potential. To that end, she expressed support for applying the measurement standard established by the Noise Ordinance. She stated that she is interested in feedback from the future BESS applicant present regarding the proposed noise standard. Smaka further noted that adoption of local standards for battery storage facilities may result in applicants choosing the local review process instead of the state process. She opined that the shorter review process equates to incentivizing these types of facilities in the Township and that she does not feel that is in the best interest of the Township.

David Jakubiak of Aileron Communications stated that they find the proposed ‘65 db level as measured at the property line’ standard acceptable. He requested the Township also consider adding a waiver provision that would allow a non-participating adjacent landowner the ability to ‘authorize’ a non-compliant noise level.

Barbara Norman stated that she feels Covert Township is currently home to several energy-related facilities and that there is not a need for the Township to accommodate all related uses. She noted that other types of growth in the Township are desired.

The Planning Commission explained the impact of PA 233 on the Township and the merit of adopting local standards, which allows: 1) the establishment of higher and locally-specific standards, and 2) Township participation in the review/approval process.

Taylor stated that he feels the lack of public sewer in the Township is what largely serves to discourage local development.

The Planning Commission proceeded with an in-depth discussion of the proposed noise-standard, noting the pros/cons of the State standard and the local Noise Ordinance. In conclusion, the following points of consensus were noted:

- There is support for the proposed approach to limit Tier 2 energy storage facilities to the I Industrial District as a special land use.
- There is support for the modified Subsection B.8. so as to reference compliance with the Township's existing noise ordinance.
- There is some interest in the idea of a 'noise waiver' option.
- Township Attorney review of Draft #3, including the 'noise waiver' idea, is requested.

The Planning Commission directed Harvey to coordinate a review of Draft #3 by the Township Attorney. It was agreed that the review comments would be considered at the next meeting and a public hearing on the draft text scheduled.

New Business

Text Amendment: Shipping/Storage Containers

Chair Rendell reminded that the topic of 'shipping/storage containers' was added to the Work Plan in January as a Priority #2 Work Item. He noted that he had requested Harvey provide background information and sample ordinances on the subject to allow for initial Planning Commission consideration.

Harvey referenced two informational articles provided on the use of shipping containers for storage and for housing/retail space . . and sample ordinances for same from the City of Hastings, Atlas Township, Conway Township and Wakefield Township.

Planning Commission discussion ensued wherein the following was noted:

- There is quite a bit of interest in the Township for the use of shipping containers.
- There is support for allowing the use of shipping containers for accessory use only.
- There are safety concerns with the use of shipping containers for housing.
- There are many issues to resolve, such as: where to allow; required permitting; how to address existing shipping containers in the Township.

Johnson reviewed Sections 18.12 and 18.14 and how they might apply to the use of shipping containers. Chair Rendell indicated a preference for the approach used in the Conway Township ordinance. Dennison added that the maintenance provision set forth in the Wakefield Township ordinance should be considered.

Harvey was then directed to prepared draft text based on the Planning Commission's discussion for consideration at the next meeting.

Communications

Chair Rendell noted receipt of the compiled survey results and indicated that the form in which the results were provided was much easier to review than the raw data previously requested. Harvey noted that the compilation received will also be included in the Master Plan.

Harvey then reported on the status of the Master Plan/Coastal Management Plan project.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 8:18 p.m.

Respectfully Submitted,
Rebecca Harvey, AICP, PCP
(McKenna)Township Planning Consultant

COVERT TOWNSHIP

73943 E. LAKE STREET - P.O. BOX 35

COVERT, MICHIGAN 49043

PHONE: (269) 764-8986 • FAX: (269) 764-1771

website: www.coverttwp.com

PLANNING AND ZONING
LAND DEVELOPEMENT APPLICATION

1. Applicant and Owner Information

APPLICANT

PROPERTY OWNERS(S)

Principal Contact:

Principal Contact:

Name Covert Township

Name Daywi Cook, Supervisor

Address 73943 Lake St, Covert, MI 49043

Address 73943 Lake St, Covert, MI 49043

Telephone 269-795-5137

Telephone 269-795-5137

E-Mail Address supervisor@coverttwp.com

E-Mail Address supervisor@coverttwp.com

Secondary Contact:

Architect (if applicable):

Name _____

Name _____

Address _____

Address _____

Telephone _____

Telephone _____

E-Mail Address _____

E-Mail Address _____

Agent or Attorney:

Engineer (if applicable):

Name _____

Name Suzannah Deneau, Wightman

Address _____

Address 2303 Pipestone Rd, Benton Harbor, MI

Telephone _____

Telephone 269-214-7015

E-Mail Address _____

E-Mail Address sdeneau@gowightman.com

Is this property held in a Trust?

- No
- Yes - continue

Trust Name _____

Address _____

Telephone _____

Note - - - for all trusts - - -

Provide, as an attachment, a statement from the trustee verifying the names of all beneficial owners.

3. Site and Surrounding Property Information

a. **Common address or property location of subject property:**
Community Park located at the corner of 34th Street and M140.

b. **Legal Description (Attach an additional sheet if necessary):**

COM AT E 1/4 PT OF SEC, TH S ALG E SEC L 82.5 FT, TH W 33 FT TO W L OF MAIN ST AND BEG, TH S ALG SAID W L 141.5 FT, TH W 232 FT TO W L OF LOT 35 OF VILLAGE OF COVERT, TH N ALG SAID W L 191 FT TO S L OF LAKE ST, TH E ALG SAID S L 100 FT, TH S 49.5 FT, TH E ALG S L OF LAKE ST 132 FT TO BEG, VILLAGE OF COVERT ALSO SOUTHWEST PORTION OF THE VILLAGE SQUARE ADJOINING ABOVE DESCRIPTION, EXCEPT ST & HWY ROW.

c. **Permanent Real Estate Tax Identification Number:** 80-07-120-035-50

d. **Parcel Size:** _____ square feet
1.4 acres
237 ft EW, 198 ft NS dimension of lot frontage
237 ft EW, 198 ft NS dimension of depth of lot

e. **What are the current land uses and zoning on the land and adjoining parcels of land surrounding the site (for rezoning PUD, special land use applications)?**

	Current Zoning	Current Use of Land
On Site	Mix-2 Mixed Use - High Intensity	Public Park
Property Abutting – North of Site	Mix-2 Mixed Use - High Intensity	Residential
Property Abutting – South of Site	Mix-2 Mixed Use - High Intensity	Township Property
Property Abutting – East of Site	Mix-2 Mixed Use - High Intensity	Township Hall
Property Abutting – West of Site	Mix-2 Mixed Use - High Intensity	Residential

f. **Describe any existing structures and the physical attributes of the site(:**

The existing site has a playground and memorial along with beautiful trees and open spaces. All of these will remain.

4. Description of the Proposed Development (for rezoning PUD, special land use applications)

a. **Please describe the proposed use of the land and/or buildings assuming approval of the request:**

The existing playground and memorial along with beautiful trees and open spaces. All of these will remain along with the addition of another playground, pavilion, drinking fountain, bike racks, access walkways, marked ADA parking spots, and landscaping beds.

b. **What is the proposed time frame for the build-out of the proposed development?** 6 months

c. **Please describe the number of buildings, square footage of each building and the total square footage of the development along with the required number of parking spaces for each intended use (the Zoning Inspector can assist applicants with this question):**

Building Use	Number of Buildings	Building Area (sq. ft.)	Req'd Parking (Spaces)
Single Family	_____	_____	_____
Multi-Family	_____	_____	_____
Retail/Office	_____	_____	_____
Industrial	_____	_____	_____
Other	_____	1,040 Open Pavilion	_____
Please specify type of use	_____		
Totals	_____	_____	_____

d. **Please describe the number of water and sewer connections this development will require:**

Building Use	Water Connections & Size	Sewer Connections (If available)	<input type="checkbox"/> Check here if on-site systems will be used.
Single Family	_____	_____	<input type="checkbox"/> Water <input type="checkbox"/> Septic waste water
Multi-Family	_____	_____	
Retail/office	_____	_____	
Industrial	_____	_____	
Other	<u>1" dia. connection to drinking fountain</u>	_____	
Please specify type of use	_____		
Totals	_____	_____	

e. **Please provide information concerning the amount of traffic and proposed road configuration the proposed development will have:**

- 1) Average daily traffic count for the proposed development Same as current use.
- 2) Peak traffic flow count for the proposed development Same as current use.
- 3) How many lineal feet of roadway is proposed to be developed? 237 EW, 198 NS Linear feet.
- 4) How many cul-de-sacs will be constructed as part of this project? 0
- 5) How many curb cuts to County or State roads are proposed for this project? 0

f. Will the building within this proposed development house any hazardous materials at occupancy?

- No
- Yes - Please continue --- by describing the type and quantity of materials:

g. Fire Department Approval of Site and Building Plans

The Township requires that the Fire Department must approve all new development site plans for emergency equipment access and location of fire hydrants and building plans for commercial, industrial and multi-family or buildings which have common hallways or are accessible to the public or by employees. Upon submission of an application the Building Inspector will determine the timing of this approval. An applicant may seek earlier approval of an application by the Fire Chief or his designee by calling the Fire Chief's office 269-764-1768.

Approval Date: _____

Conditions Attached

By: _____
Title : _____

- Yes
- No

5. Required and Requested Attachments (note all maps/drawings to be no larger than 11" X 17" in size)

- a. NA Plat of Survey with legal description (the Building Inspector may accept other drawing containing sufficient information to process this application).
- b. X Site plan of proposed use or project showing traffic patterns, parking locations and count, drainage patterns including detention areas, landscaping plans, exterior lighting location and illumination pattern, building facade portrait and building size and location dimensions as deemed necessary by the Building Inspector to process the application.
- c. X Wetlands/Floodplain maps of the site.

MDEQ Wetlands maps can be obtained at:
http://www.michigan.gov/deq/0,1607,7-135-3313_3687-11178--,00.html.
 FEMA maps can be obtained at:
<http://www.msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1>).

- d. NA Michigan Department of Environmental Quality Coastal Zone Management Permit (for all property along Lake Michigan located in the LD-1 Single-Family Zoning District.)

MEDQ Maps can be obtained at:
<http://www.deq.state.mi.us/documents/deq-lwm-water-highrisk-covert-twp.pdfps> can be obtained at:

- e. - Soil Conservation Analysis (if applicable).
- f. - Applications for permits (specify type):

- 1) _____ Michigan Department of Transportation
- 2) _____ Van Buren County Road Commission
- 3) Contractor to Provide _____ Van Buren Drain Commissioner
- 4) _____ Others _____

g. Please include any additional comments or pertinent information below or on separate attachment to this application.

6. Signature and Declaratory Statement

a. Please describe the reason that this petition should be granted:

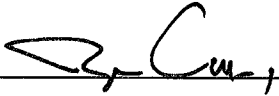
Additional features to be added to an existing park to make it even more usable for residents and guests. Park improvements are 50% covered by a RAP grant.

b. **Required Attendance at Public Hearing or meetings of the Zoning Board of Appeals and/or Planning Commission:**
The Township has established a policy requiring the applicant or a designated representative of the applicant shall be present at any meeting or public hearing at which the Zoning Board of Appeals and/or Planning Commission will consider the application. Failure of the applicant or designee of the applicant to appear before the Zoning Board of Appeals or Planning Commission may postpone consideration of the application.

c. **Administrative Review Expenses, Escrow Account:** The applicant is informed that all matters before the Zoning Board of Appeals or Planning Commission are subject to certain fees periodically established by the Township Board for the purposes of reimbursing the Township for all costs associated with the review and processing of all applications. It is recommended that all applicants review the current fee schedule and escrow account procedures prior to submission of an application. According to Township policy, no application may be processed until all applicable fees have been remitted to the Township and an escrow account has been established. It is also Township policy that prior to the issuance of a building permit or occupancy permit all financial obligations incurred for the processing of the application shall be satisfied and the remaining balance of the escrow account returned to the applicant unless there is to be inspections or subsequent actions required for the project by the Township. The Township Board may assess any unpaid fees incurred as an assessment to the property subject to the application.

d. **Temporary Right of Access:** The applicant is herewith informed that with upon filing of this application, payment of applicable fees and establishment of an expense escrow account with the Township the property owner of the matter before the Planning Commission or Zoning Board of Appeals the applicant grants to the Township the right for any member of the Township Planning Commission, Township Zoning Board of Appeals, Township Board or administrative staff the right of reasonable access solely for the purpose of inspecting the subject property relative to the matter requested in this application. Said temporary right of access shall expire on the date final action is taken by the appropriate Township body(ies).

e. **Declaratory Statement:** I Dayni Cook, hereby certify that all information contained in this application and accompanying documentation is true and correct to the best of my knowledge and further, I acknowledge the attendance responsibilities, fees and escrow policies and temporary right of access provision of the Township as set forth in paragraphs b through d above.

f. Applicant Signature:  Dayni Cook, Covert Township Supervisor Date: 5/15/2024

The following signature is required for verification that this is a valid and complete application to be considered by either the Zoning Board of Appeal and/or Planning Commission.

Covert Township Zoning Administrator, Alton Neal Date: _____

Scheduled before the Zoning Board of Appeals Date: _____

Scheduled before the Planning Commission Date: _____

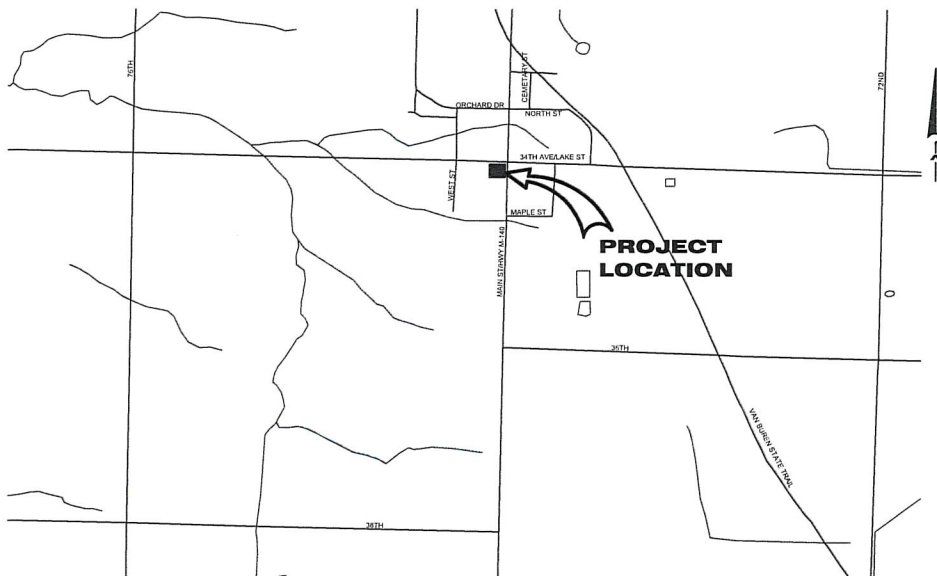
COVERT TOWNSHIP COVERT COMMUNITY PARK

NOTES

EXCEPT WHERE OTHERWISE INDICATED ON THESE PLANS OR IN THE PROPOSAL AND SUPPLEMENTAL SPECIFICATIONS CONTAINED THEREIN, ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE 2002 MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION.

THE PLACING OF PAVEMENT MARKINGS AND TRAFFIC CONTROL SIGNS SHALL BE DONE IN ACCORDANCE WITH THE 2011 MICHIGAN MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AS AMENDED.

IN CONFORMANCE WITH PUBLIC ACT 174 OF 2013, ALL CONTRACTORS SHALL CALL MISS DIG @ 811 OR 800-462-7171 FOR PROTECTION OF UNDERGROUND UTILITIES A MINIMUM OF THREE FULL WORKING DAYS EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS PRIOR TO BEGINNING EACH EXCAVATION IN ANY AREA. MEMBERS WILL THIS BE ROUTINELY NOTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING UTILITY OWNERS WHO MAY NOT BE A PART OF THE "MISS DIG" ALERT SYSTEM.




COVERT TOWNSHIP
PROJECT LOCATION MAP
SCALE: NONE

INDEX OF PLANS

G001	COVER SHEET
CP101	LAYOUT PLAN
CC101	GRADING PLAN & DETAILS
E101	ELECTRICAL SITE PLAN
E990	ELECTRICAL DETAILS

UTILITIES

ELECTRIC	INDIANA MICHIGAN POWER 2425 MEADOWBROOK ROAD BENTON HARBOR, MI 49022 (269) 826-5563 MR. KURT SCHNEIDER
GAS	MICHIGAN GAS UTILITIES 711 STABLETTE DRIVE BENTON HARBOR, MI 49022 (269) 862-2188 MS. KELLY BAUER
TELEPHONE	AT&T 140 S. MILTON STREET BENTON HARBOR, MI 49022 (269) 829-8232 MR. CHRIS O'BRIEN
SANITARY SEWER	COVERT TOWNSHIP 73943 LAKE STREET COVERT, MI 49043 (269) 764-5295 MRS. NAOMI BARNES
WATER	CITY OF SOUTH HAVEN DPW 529 PHOENIX STREET SOUTH HAVEN, MI 49089 (269) 637-0737 MELANIE COOP, P.E.
INTERNET / CABLE	MIDWEST ENERGY & COMMUNICATIONS 60556 DECATUR ROAD CASSOPOLIS, MI 49031 (800) 492-5889 ROBERT HANCE
"MISS DIG"	811 CONSUMERS ENERGY COMPANY ONE ENERGY PLAZA JACKSON, MI 49101-2276 (517) 788-2520 GARRICK ROCHOW



WIGHTMAN

433 E. HANSON ST.
KALAMAZOO, MI 49007
269.327.3532

www.wightman.com

PROJECT NAME:
COVERT COMMUNITY PARK
2409 64-140
COVERT, MI 49043

COVERT TOWNSHIP
73943 LAKE STREET
COVERT, MI 49043

01 03/06/2024 NFB
RAJ GRANT - MECC
REVIEW

REVISIONS

NO. DESCRIPTION

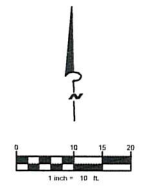
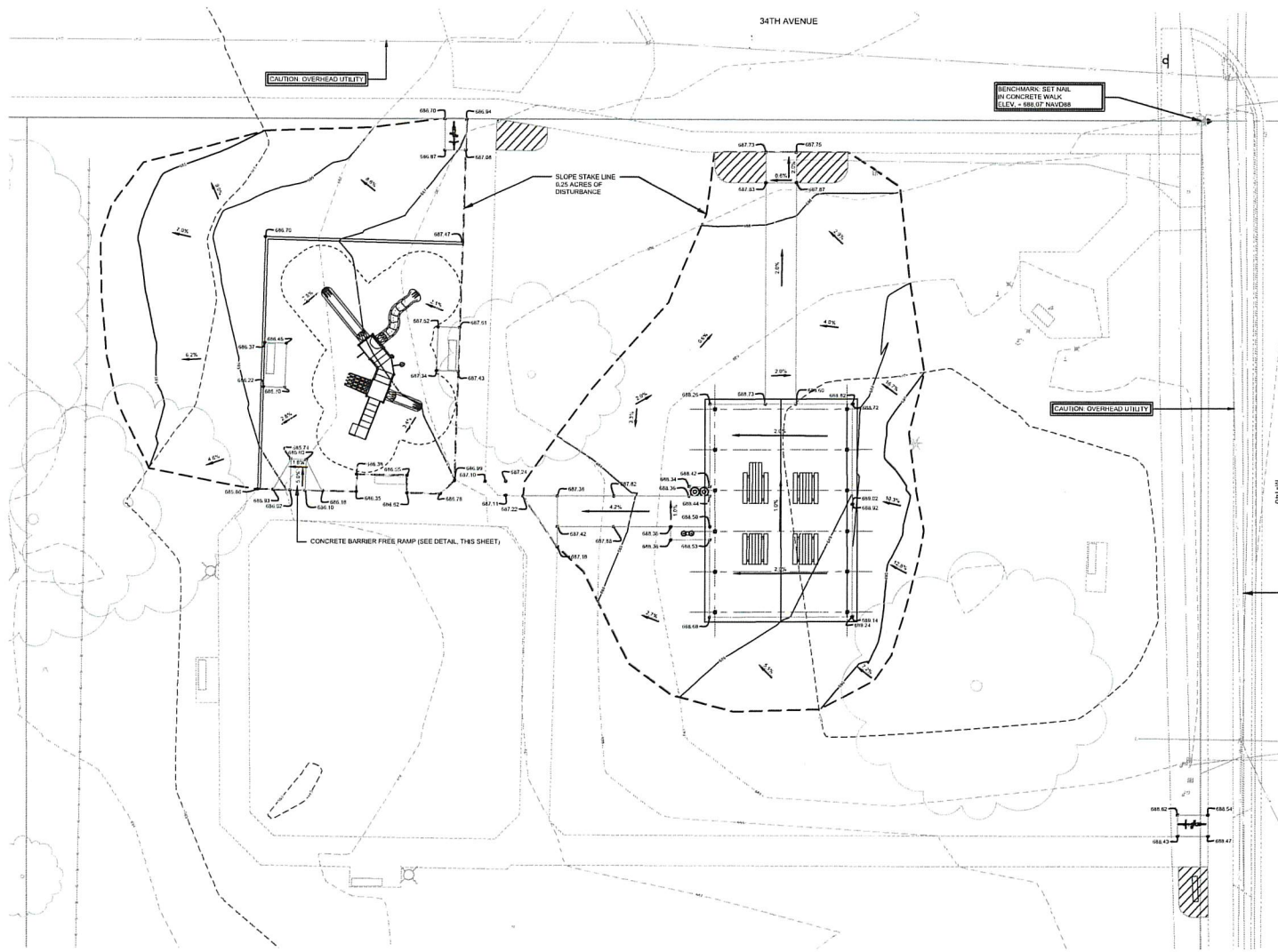
DATE

DATE: MARCH, 2024

SCALE: NTS

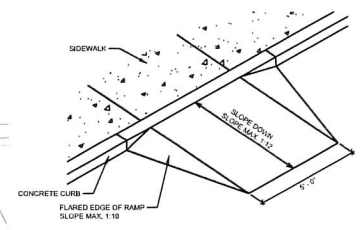
COVER SHEET

JOB No. 231869
G001

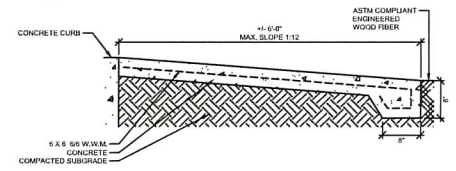


- GRADING NOTES**
- ELEVATIONS SHOWN DENOTE EDGE OF METAL OR TOP OF PAVEMENT UNLESS OTHERWISE NOTED. CONTRACTOR SHALL COORDINATE WITH EXCAVATOR, LANDSCAPE, AND CONCRETE SUBCONTRACTORS REGARDING TOPSICAL THICKNESS FOR LANDSCAPE AREAS AND CONCRETE SECTION THICKNESS FOR PAVED AREAS TO PROPERLY ENSURE ADEQUATE CUT TO ESTABLISH SUBGRADE ELEVATIONS.
 - ALL EARTHEN SLOPES SHALL BE 4:1 OR FLATTER UNLESS OTHERWISE NOTED.
 - THE CONTRACTOR SHALL MATCH EXISTING ELEVATIONS AT THE PROPERTY LIMITS UNLESS OTHERWISE NOTED.

- GRADING LEGEND**
- EXISTING CONTOUR MAJOR
 - EXISTING CONTOUR MINOR
 - PROPOSED CONTOUR MAJOR
 - PROPOSED CONTOUR MINOR



CONCRETE BARRIER FREE RAMP
NOT TO SCALE.



CONCRETE BARRIER FREE RAMP SECTION DETAIL
NOT TO SCALE.

SITE GENERAL NOTES

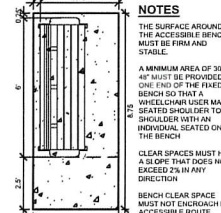
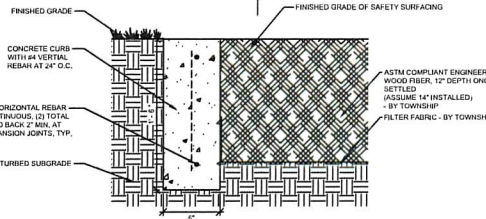
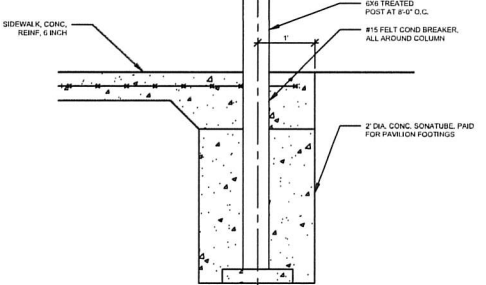
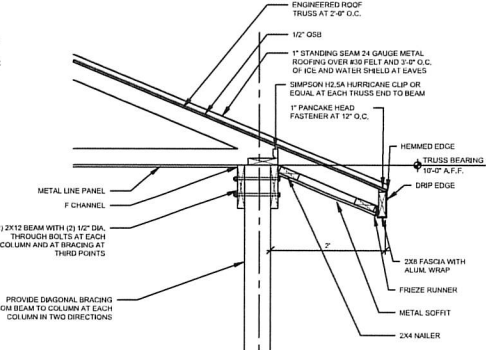
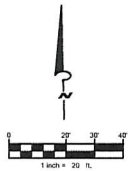
- DIMENSIONS REFER TO THE FACE OF CURB UNLESS OTHERWISE NOTED
- CONTRACTOR TO FIELD VERIFY ALL EXISTING TOPOGRAPHY AND STRUCTURES ON SITE. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY OF ANY DISCREPANCIES.
- NO STORAGE OF MATERIALS SHALL BE PERMITTED WITHIN THE TREE PROTECTION ZONE.

KEY NOTES

- EXISTING MEMORIAL
- EXISTING BENCH ON CONCRETE PAD
- VAN ACCESSIBLE PARKING SPACES WITH SIGNS - BY TOWNSHIP
- PAVILION
- BENCH - BY TOWNSHIP (SEE DETAIL ON THIS SHEET)
- PICNIC TABLE - BY TOWNSHIP
- ADA PICNIC TABLE - BY TOWNSHIP
- LIGHT POLE
- BIKE RACK (SEE DETAIL ON THIS SHEET)
- CONCRETE CURB (SEE DETAIL ON THIS SHEET)
- MONUMENT SIGN - BY TOWNSHIP
- LITTER AND RECYCLE BIN - BY TOWNSHIP (SEE DETAIL ON THIS SHEET)
- BI-LEVEL DRINKING FOUNTAIN (SEE DETAIL ON THIS SHEET)
- PLAYGROUND CURB RAMP (SEE DETAIL, SHEET CG101)
- PLAYGROUND AND INSTALLATION

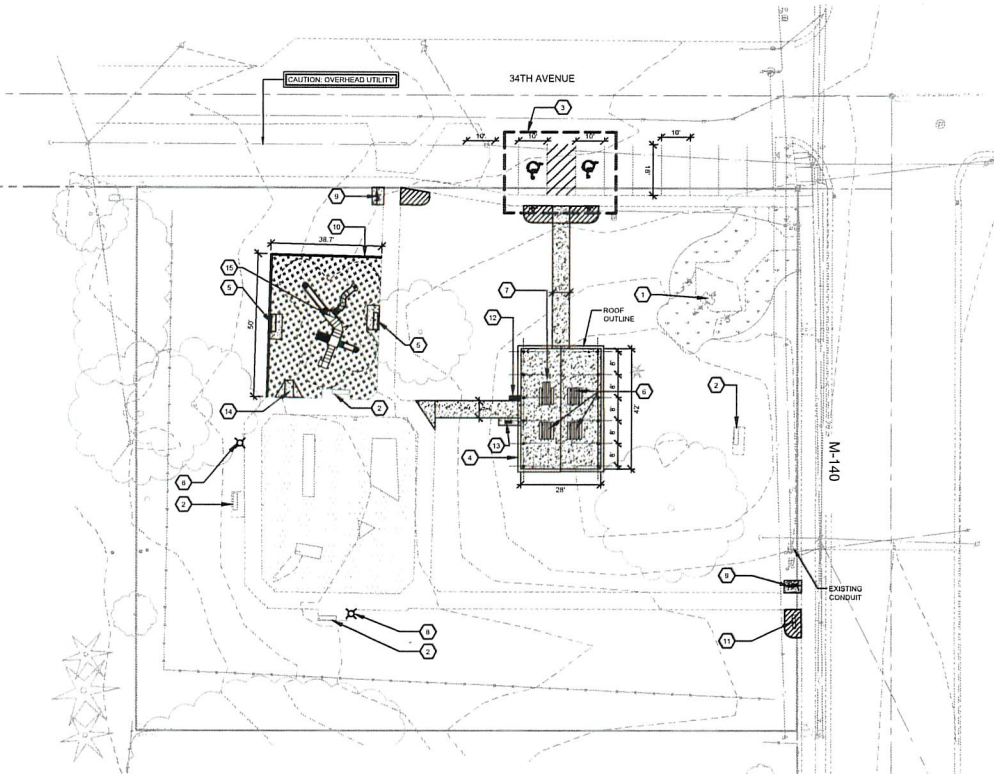
LEGEND

- CONCRETE**
SUBGRADE, CIP (8" MIN) WITH:
 - SIDEWALK: CONC, 4 INCH OR
 - PLAYGROUND BARRIER FREE - CURB RAMP, CONC, 6 INCH OR
 - PAVILION PAD - SIDEWALK, CONC, 6 INCH
- PLAYGROUND SURFACING, ENGINEERED WOOD FIBER - BY TOWNSHIP**
ASTM COMPLIANT ENGINEERED WOOD FIBER, 12" DEPTH ONCE SETTLED (ASSUME 14" INSTALLED)
- LANDSCAPE BED - BY TOWNSHIP**
WATER LANDSCAPE
HARDWOOD 5/8 REDDED MULCH, IN BEDS, 3" DEPTH
- EXISTING PLAYGROUND
- EXISTING LANDSCAPE



FIXED BENCH CLEAR AREA
SCALE: 1" = 20"

NOTE: BENCH INSTALL BY TOWNSHIP



SITE FURNITURE SCHEDULE

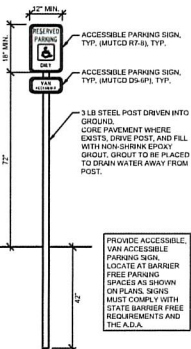
Key Note	QTY	Description	Color Selection	Notes	Source
6	3	Picnic Table	Base Color: Black Top Color: Cedar		Polly Products Adam Harris 517-648-2243
15	1	Playground Equipment and Foundation	TBD		Wu Build Firm DB Products 616-260-4138
7	1	ADA Picnic Table	Base Color: Black Top Color: Cedar		Polly Products Adam Harris 517-648-2243
9	2	Bike Rack	Black		Du Labor Site Furnishings Jennifer R Smith 616-516-5562
13	1	Bi-Level Drinking Fountain	Satin Stainless Finish		Murtek Jennifer R Smith 616-516-5562

NOTES

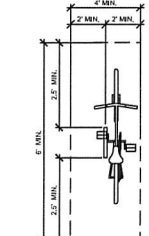
- THE SURFACE AROUND THE ACCESSIBLE DRINKING FOUNTAIN MUST BE FIRM AND STABLE.
- A 30" x 48" MINIMUM CLEAR FLOOR SPACE CENTERED UNDER LOW DRINKING FOUNTAIN UNIT MUST BE PROVIDED.
- CLEAR SPACES MUST HAVE A SLOPE THAT DOES NOT EXCEED 2% IN ANY DIRECTION.
- FOUNTAIN CLEAR SPACE MUST NOT ENCRUCH INTO ACCESSIBLE ROUTE.

TRASH RECEPTACLE CLEAR AREA
SCALE: 1" = 20"

BI-LEVEL DRINKING FOUNTAIN CLEAR AREA
SCALE: 1" = 20"



ACCESSIBLE PARKING SIGN
SCALE: NONE
NOTE: BY TOWNSHIP



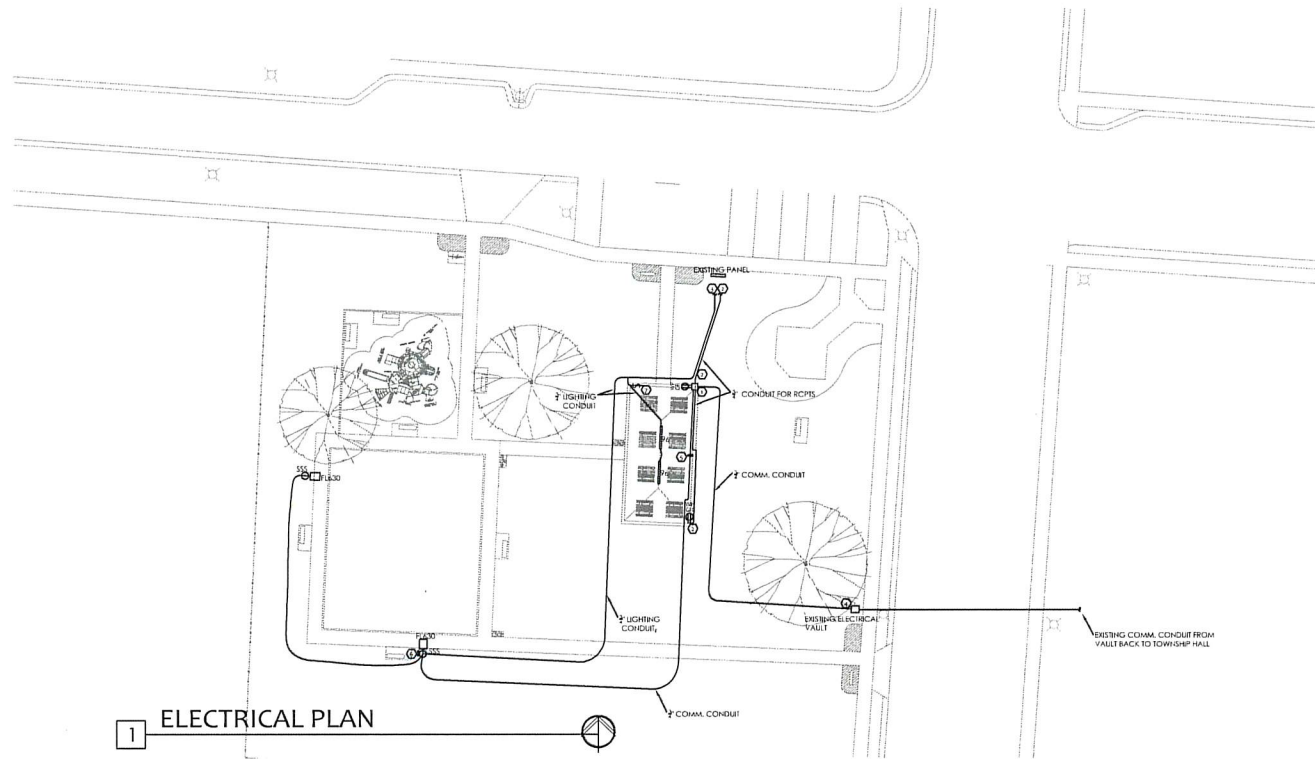
BIKE RACK CLEAR AREA
SCALE: NONE

ELECTRICAL GENERAL NOTES

- A. WORK SHALL COMPLY WITH THE N.E.C. AND ALL LOCAL, STATE AND NATIONAL CODES.
- B. COORDINATE WORK WITH THE WORK OF ALL TRADES ON THE PROJECT.
- C. FIELD VERIFY THE EXISTING CONDITIONS PRIOR TO BIDDING.
- D. LIGHT FIXTURES SHALL BE FURNISHED AND INSTALLED BY THE ELECTRICAL CONTRACTOR, UNLESS NOTED OTHERWISE.
- E. SINGLE PHASE BRANCH CIRCUITS SHALL NOT SHARE NEUTRALS.
- F. ALL LIGHTING AND POWER CONDUITERS SHALL BE INSTALLED BETWEEN 24" (MINIMUM) AND 36" (MAXIMUM) BELOW FINISHED GRADE.
- G. PROVIDE COPPER CONDUCTORS WITH THHN OR RHHV INSULATION. #10 AND SMALLER CONDUCTORS SHALL BE SOLID CONDUCTORS WITH CONTINUOUS COLOR INSULATION. #8 AND LARGER SHALL BE STRANDED CONDUCTORS WITH THE ENDS TAPED WITH COLOR PER THE NEC.
- H. EXTERIOR BELOW GRADE CONDUIT: PROVIDE SCHEDULE 40 PVC CONDUIT. NO PVC SHALL BE INSTALLED ABOVE GRADE. EXTERIOR ABOVE GRADE CONDUIT: PROVIDE RIGID STEEL CONDUIT ABOVE GRADE. TRANSITIONS FROM PVC SHALL OCCUR BELOW GRADE. CONDUIT SHALL BE BRACED FOR VERTICAL INSULATION.

KEY NOTES

- ① NEMA-3R ELECTRICAL ENCLOSURE MOUNTED BELOW EAVE ON PAVILION. 2 ELECTRICAL CONDUIT ROUTED TO ENCLOSURE FOR NEW RECEPTACLE OUTLET. 2 COMMUNICATIONS CONDUIT ROUTED TO ENCLOSURE FROM EXISTING FIBER OPTIC VAULT IN SOUTHEAST CORNER OF PARK. 2 COMMUNICATIONS CONDUIT ROUTED OUT OF ENCLOSURE FOR CONNECTION OF NEW CAMERAS VIA CAT5 CABLE.
- ② PROVIDE NEW 20-AMP 1-POLE CIRCUIT UTILIZING SPACE FROM EXISTING PEDESTAL-MOUNTED PANEL. PROVIDE 2-#12 AND 1-#12 GROUND. FIELD VERIFY CONNECTION REQUIREMENTS AND AVAILABLE AMPACITY.
- ③ PAVILION LIGHT AND POLE LIGHT CIRCUITRY CONNECTED TO EXISTING 20-AMP 1-POLE LIGHTING CIRCUIT LOCATED IN EXISTING PEDESTAL MOUNTED PANEL. PROVIDE 2-#10 AND 1-#12 GROUND. EXTEND AND MODIFY CONDUIT AND CIRCUITRY AS REQUIRED TO ACHIEVE LAYOUT SHOWN. LIGHTS TO USE EXISTING LIGHTING CONTROLS FOR LIGHTING CIRCUIT. FIELD VERIFY CONNECTION REQUIREMENTS AND AVAILABLE AMPACITY.
- ④ 2 COMMUNICATIONS CONDUIT ROUTED FROM EXISTING FIBER OPTIC VAULT TO ELECTRICAL ENCLOSURE IN PAVILION.
- ⑤ BULLET BNV 3025 CAMERA TO PROVIDE 180 DEGREE VIEW OF PAVILION. CAT5 CABLE TO PROVIDE POWER OVER ETHERNET.
- ⑥ BULLET BNV 2124 CAMERA TO PROVIDE VIEW OF PARK. MOUNTED TO LIGHT POLE CAT5 CABLE TO PROVIDE POWER OVER ETHERNET.
- ⑦ WEATHERPROOF SWITCH FOR CONTROL OF PAVILION LIGHTS.



1 ELECTRICAL PLAN



WIGHTMAN
433 E. HANSON ST.
KALAMAZOO, MI 49007
269.227.3532

www.wightman.com



PROJECT NAME:
COVERT COMMUNITY PARK
3400 S.W. 45
COVERT, MI 49043

COVERT TOWNSHIP
7384 LANE STREET
COVERT, MI 49043

R1 03/08/2024	NEB
RAP GHANI - MDEC	
REVIEW	
REVISIONS	
DATE: MARCH 2024	
SCALE: NTS	

ELECTRICAL SITE PLANS

JOB NO. 23492
E101



WIGHTMAN

432 E. RANSOM ST.
KALAMAZOO, MI 49007
269.327.3532

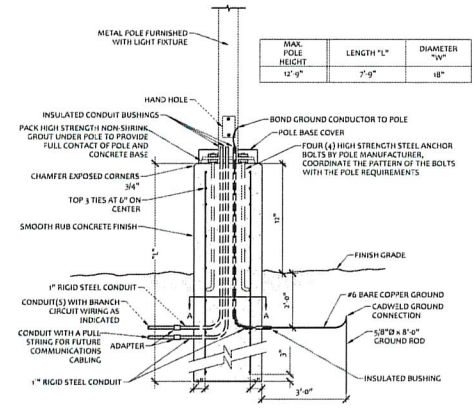
www.gowgwrightman.com



PROJECT NAME:
COVERT COMMUNITY PARK
3408 N. HO COVERT, MI 49043

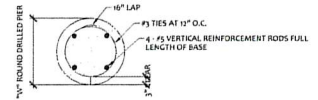
COVERT TOWNSHIP
7242 LAKE STREET
COVERT, MI 49043

LIGHT FIXTURE SCHEDULE											
MARK	MANUFACTURER	CATALOG NO.	DESCRIPTION	LIGHT FIXTURE FINISH	MOUNTING	LAMP	NOMINAL LUMEN OUTPUT	INPUT VOLTAGE	COLOR TEMP.	V/PH	REMARKS
FL350	STERNBERG LIGHTING	IA FL350-14075-MDL6-SV2 FORM450P-19.0-25PPCGR	POLE HEAD, POUND, WHITE	BLACK TEXTURED	POLE	LED	9,240	93	4000	120 V/1	
SS5	LIHONGA LIGHTING	SS5 Q5-12-R-C-X-K-DRLXD	SQUARE STRAIGHT STEEL POLE								
90	WILLIAMS	90-8180(735)-PCFH-DRV-LNV	9" FULLY ENCLOSED & GASKETED INDUSTRIAL LED FIXTURE	WHITE	SURFACE	LED	8,000	61	4000	120 V/1	



MAX. POLE HEIGHT	LENGTH "L"	DIAMETER "D"
12'-0"	7'-9"	18"

ELEVATION



SECTION A-A

ELEVATED POLE BASE FOR UNDERGROUND CONDUIT DETAIL
NOT TO SCALE

01 03/02/2024
RAP GRANT - MEDC
REVIEW

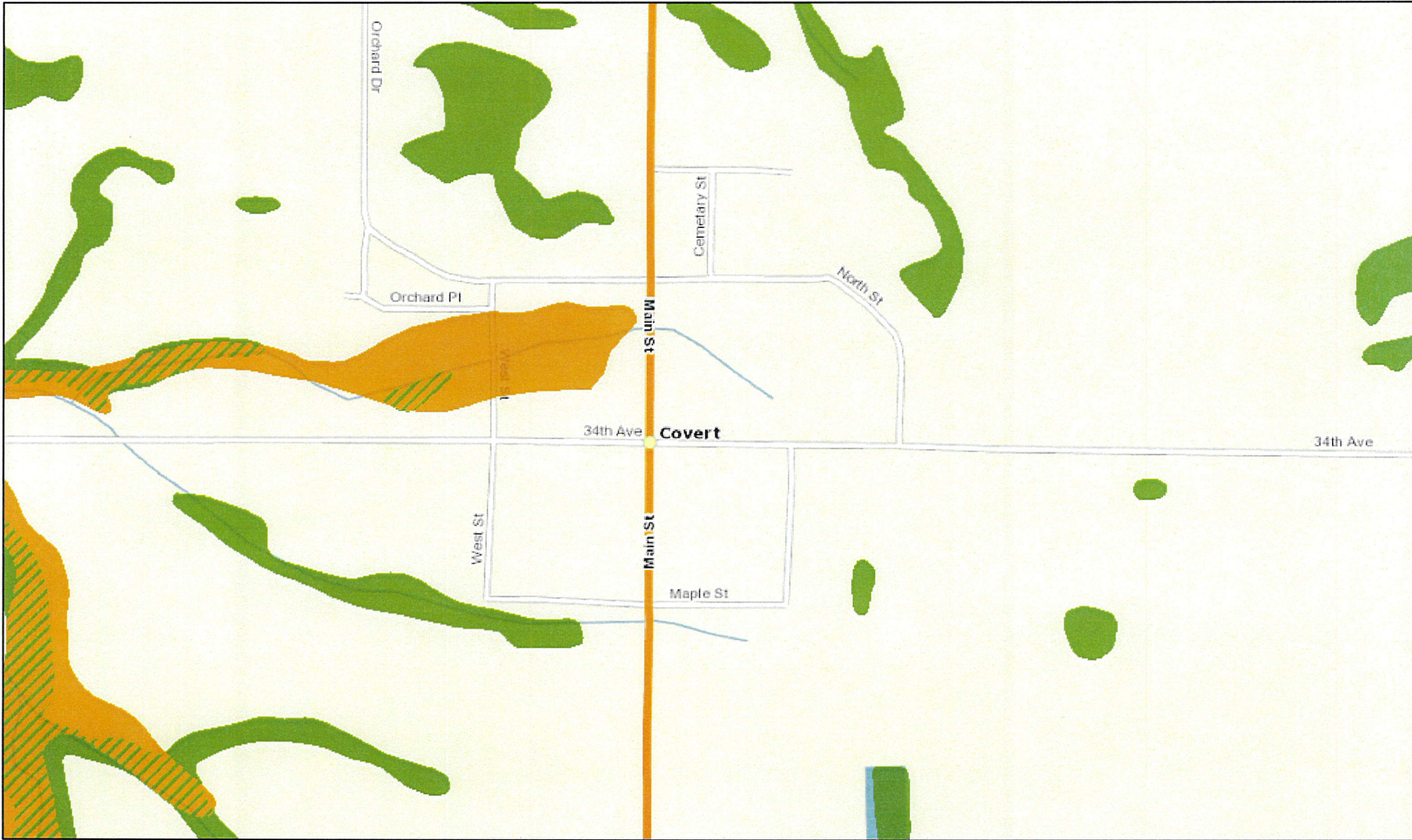
REVISIONS
NO. DESCRIPTION
DATE: MARCH, 2024

SCALE: NTS

ELECTRICAL DETAILS

JOB No. 24091
E500

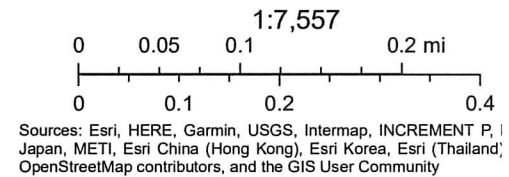
Wetlands Map Viewer



May 15, 2024

Part 303 Final Wetlands Inventory

-  Wetlands as identified on NWI and MIRIS maps
-  Soil areas which include wetland soils
-  Wetlands as identified on NWI and MIRIS maps and soil areas which include wetland soils

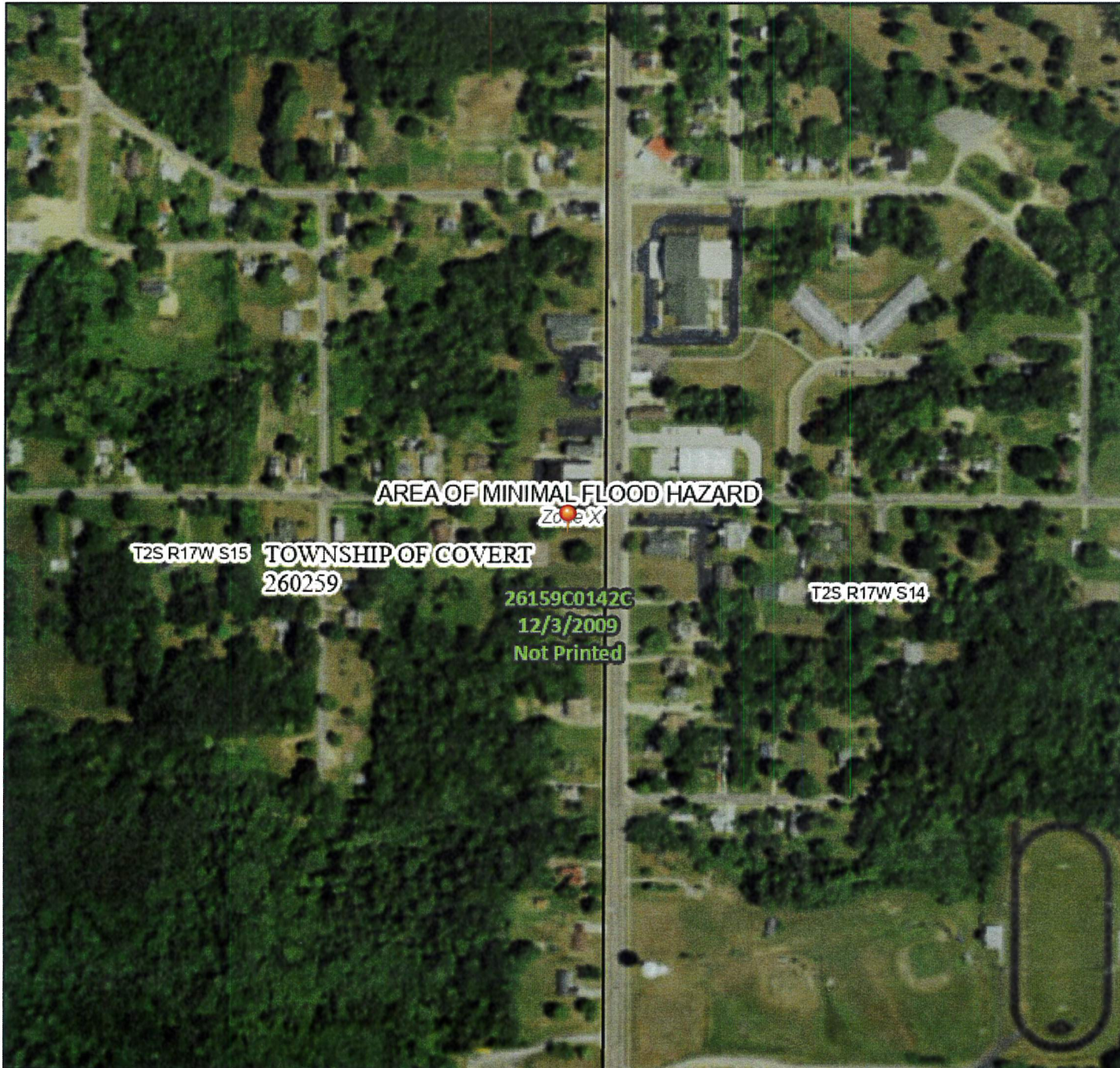


Disclaimer: This map is not intended to be used to determine

National Flood Hazard Layer FIRMette



86°16'5"W 42°17'51"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

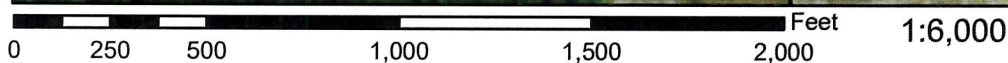
- | | | |
|------------------------------------|--|--|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE)
Zone A, V, A99 |
| | | With BFE or Depth Zone AE, AO, AH, VE, AR
Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone J) |
| | | Future Conditions 1% Annual Chance Flood Hazard (Zone X) |
| | | Area with Reduced Flood Risk due to Levee. See Notes, (Zone X) |
| | | Area with Flood Risk due to Levee (Zone D) |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard (Zone X)
Effective LOMRs |
| | | Area of Undetermined Flood Hazard (Zone X) |
| GENERAL STRUCTURES | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | Cross Sections with 1% Annual Chance Water Surface Elevation |
| | | Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| | | Jurisdiction Boundary |
| | | Coastal Transect Baseline |
| MAP PANELS | | Digital Data Available |
| | | No Digital Data Available |
| | | Unmapped |
- The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 5/15/2024 at 2:27 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



86°15'28"W 42°17'24"N

Covert Township

Planning Commission

Applicant: Covert Township

Request: *Site Plan Review –*
Covert Community Park

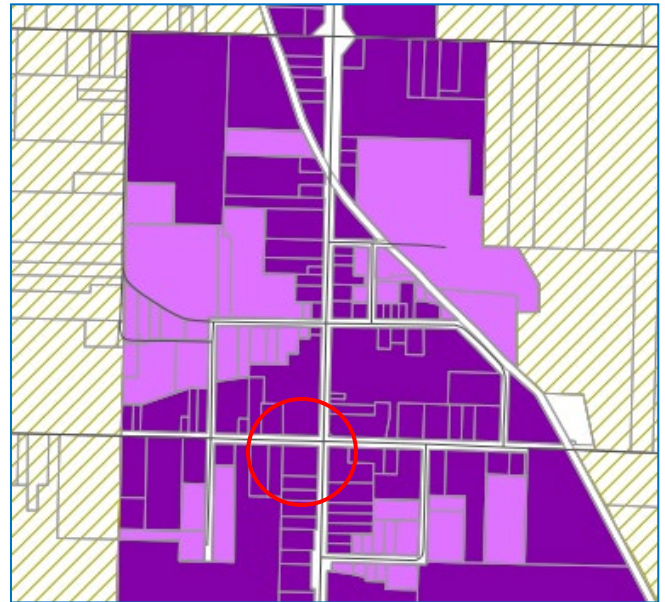
Ordinance Section(s):
Section 9.03 – VMU District
Permitted Uses –
'Public Facilities and
Government Uses'

Section 9.04 – VMU District
Requirements

Subject Property: 34068 M-140 Highway

Zoning District: VMU Village Mixed Use – *High Intensity* District

Zoning Map



□ Application Overview

- Located at the southwest corner of M-140/Lake Street, the subject 1.04-acre site is provided approximately 200 ft frontage on M-140 and 235 ft frontage on Lake Street. The subject property exists as a lawful conforming site.
- The subject property is owned by Covert Township and exists as the site of the Covert Community Park.
- Existing park improvements include a playground; memorial and vegetated open spaces.
- The Township proposes the following improvements within the current park



Covert Township

Planning Commission

boundaries: additional playground area, 1040 sq ft pavilion, drinking fountain, bike racks, access walkways, ADA parking and landscaping beds.

- Sec 9.03 allows ‘public facilities and government uses’ as a permitted use within the VMU-High Intensity District, subject to the General Requirements of Section 9.04 and the provisions of Article 23 – Site Plan Review.

Section 9.04 – General Requirements (VMU District)

- A. No ‘business, servicing, or processing’ is proposed. – *compliance noted*
- B. No outdoor storage of goods/material is proposed. – *compliance noted*
- C. Use of the park for ‘warehousing’ or ‘storage of good/materials is not proposed. – *compliance noted*
- D. Parking is provided in compliance with Article 19. – *see SPR comments*
- E. **Any proposed signage shall be subject to review/approval through the sign permit process.**
- F. N/A
- G. N/A
- H. The subject site is bounded on the north and east and by public road rights-of-way and on the west and south by VMU-High Intensity zoning (residential/governmental land use); screening is not required. – *compliance noted*

Section 9.07 – Dimensional Requirements (VMU District)

	Required/Allowed	Existing/Proposed
Min Lot Area	None	1.04 acres
Min Frontage	None	200 ft – M-140 235 – Lake Street
Front Setback	25 ft	>25 ft
Side	10 ft	>10 ft
Rear	25 ft	>25 ft

Covert Township

Planning Commission

Min Bldg Size	980 sq ft (N/A)	1142 sq ft
Max Bldg Height	3 stories/40 ft	1-story/ Unknown
Lot Coverage	None	Unknown

□ Sec 23.09 – Criteria for Site Plan Review

Access/Parking: (Article 19)

- The existing park does not require and is not currently provided vehicular access; no change proposed. – *compliance noted*
- The existing park is currently served by 8 on-street parking spaces; no change proposed. - *compliance noted*
 - *Required Spaces:* The Covert Township Zoning Ordinance does not specify parking standards for a ‘public park’. **The proposed expansion of park facilities should be considered in determining adequacy of parking.**
 - The designation of 2 existing parking spaces as barrier-free parking is proposed. – *compliance noted*
 - The existing off-street parking is provided consistent with parking layout standards established by Section 19.10. – *compliance noted*

Pedestrian Walkways:

- A concrete pedestrian walkway exists within the park; the additional park elements are proposed to connect to the existing walkway network and parking area. – *compliance noted*

Lighting/Landscaping/Fencing:

- Exterior Lighting (Section 18.16)
 - Two (2) 13 ft light poles with shielded light fixtures are proposed to be installed within the park. – *compliance noted*
- Landscaping (Section 23.09 B.)
 - Proposed landscaping is noted in the application but is not detailed on the site plan. – **compliance cannot be confirmed**

Covert Township

Planning Commission

- The proposed playground expansion and pavilion represent the primary site improvements and will require minimal vegetation/soil removal and grading. – *compliance noted*
- Fencing (Section 18.20)
 - No on-site fencing is proposed; *compliance noted*

District Requirements:

- The site furniture schedule (Layout Plan) indicates the addition of a 'litter and recycle bin' located to conveniently serve the pavilion. – *compliance noted*
- Water and electric service to the site will be modified to serve the proposed improvements. – *compliance noted*

Summary of Findings

The following require Planning Commission confirmation:

- Adequacy of existing parking area.
- Details of proposed landscaping.

Upon satisfactory response to the standards noted above, the Planning Commission may grant approval of the Site Plan based upon a finding that the proposal meets the criteria for approval set forth in Section 23.09. The following conditions of approval should be considered:

1. Any proposed signage shall be subject to review/approval through the sign permit process.

Zoning Ordinance Amendment – Battery Energy Storage Systems (BESS)

Article 2 CONSTRUCTION OF LANGUAGE AND DEFINITIONS

Section 2.02 Definitions

Add:

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 or an electric motor vehicle. A battery energy storage system is classified as a Tier 1 or Tier 2 Battery Energy Storage System as follows:

Tier 1 Battery Energy Storage Systems have an aggregate energy capacity less than or equal to 600kWh (0.6 MWh) and, if located within a structure, consist of only a single energy storage system technology. [These typically include home battery systems and systems for individual users such as a farm, school or commercial use.]

Tier 2 Battery Energy Storage Systems have an aggregate energy capacity greater than 600kWh (0.6 MWh) or are comprised of more than one storage battery technology.

Article 13 I – INDUSTRIAL DISTRICT

Section 13.03 Special Uses

Add:

6. Battery Energy Storage System (Tier 2)

Covert Township

Planning Commission

Article 18 GENERAL PROVISIONS

Add:

Section 18.34 Battery Energy Storage Systems (BESS)

- A. **Tier 1 Battery Energy Storage Systems** shall be permitted in all zoning districts as accessory uses, subject to the Michigan Building Code and the National Electric Code as applicable.
- B. **Tier 2 Battery Energy Storage Systems** shall be subject to the following:
 1. **Location.** Tier 2 Battery Energy Storage Systems may be established on one or more lots under a signed lease, easement or other agreement. These lots shall be defined as participating lots.
 2. **Setbacks.** Tier 2 Battery Energy Storage Systems shall comply with the setback requirements of the underlying zoning district for principal structures. Setbacks shall be measured from the lot line to the closest point of any component within the Battery Energy Storage System. Required setbacks shall not apply to common lot lines of participating lots.
 3. **Height.** Tier 2 Battery Energy Storage Systems shall comply with the building height limitations for principal structures of the underlying zoning district.
 4. **Fire Safety.** Tier 2 Battery Energy Storage Systems shall comply with the National Fire Protection Agency (NFPA) Fire Code 855 regarding 'energy storage systems'.
 5. **Utilities.** All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles, with new easements and rights-of-way.
 6. **Signage.** Signage shall be required in compliance with ANSI Z535 and shall include the type of technology associated with the battery energy storage systems, any special hazards associated, the type of suppression system installed in the area of battery energy storage systems, and 24-hour emergency contact information, including a reach-back phone number.

Covert Township

Planning Commission

- a. As required by the National Electrical Code, disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.
7. **Lighting.** Lighting of the battery energy storage systems shall be limited to that minimally required for safety and operational purposes and shall comply with Section 18.16 – Exterior Lighting.
8. **Noise.** The 1-hour average noise generated from the battery energy storage systems, components, and associated ancillary equipment, shall comply with the Covert Township Anti-Noise and Public Nuisance Ordinance (Ordinance No. 39, as amended). Established maximum decibel levels shall not apply to common lot lines of participating lots. Applicants may submit equipment and component manufacturers noise ratings to demonstrate compliance. The applicant may be required to provide Operating Sound Pressure Level measurements from a reasonable number of sampled locations at the boundaries of the participating lots to demonstrate compliance with this standard.
9. **Vegetation and tree-cutting.** The area within 10 feet on each side of Tier 2 Battery Energy Storage Systems shall be cleared of combustible vegetation and other combustible growth. Single specimens of trees, shrubbery, or cultivated ground cover shall be allowed provided they do not form a means of readily transmitting fire.
10. **Fencing Requirements.** Tier 2 Battery Energy Storage Systems, including all mechanical equipment, shall be enclosed by a 7-foot-high fence with a self-locking gate to prevent unauthorized access unless housed in a dedicated-use building and not interfering with ventilation or exhaust ports.
11. **Screening and Visibility.** Tier 2 Battery Energy Storage Systems shall have views 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 and not interfere with ventilation or exhaust ports.
12. **Decommissioning.**
 - a. **Decommissioning Plan.** The applicant shall submit a decommissioning plan to be implemented upon abandonment and/or in conjunction with removal from the facility. The decommissioning plan shall include:

Covert Township

Planning Commission

- (1) A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all battery energy storage system components, structures, equipment, security barriers, and transmission lines from the site;
- (2) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;
- (3) The anticipated life of the battery energy storage system
- (4) The estimated decommissioning costs and how said estimate was determined;
- (5) The method of ensuring that funds will be available for decommissioning and restoration;
- (6) The method by which the decommissioning cost will be kept current;
- (7) The manner in which the site will be restored, including a description of how any changes to the surrounding areas and other systems adjacent to the battery energy storage system, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed;
- (8) A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.

- b. **Decommissioning Fund.** The owner and/or operator of the energy storage system, shall continuously maintain a fund or bond payable to the Township ~~in a form approved by the Township Board~~ for the removal of the battery energy storage system, ~~in an amount to be determined by the Township for the period of the life of the facility.~~ The amount of the fund or bond shall be determined based on the value of the project and the estimated cost of removal. This fund or bond may consist of a letter of credit from a State of Michigan licensed-financial institution or other suitable arrangement. All costs of the financial security shall be borne by the applicant.

13. **Ownership Changes.** If the owner of the battery energy storage system changes or the owner of the property changes, the special use permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the special use permit, site plan approval, and decommissioning plan.

Covert Township

Planning Commission

A new owner or operator of the battery energy storage system shall notify the Township in writing of such change in ownership or operator within 30 days of the ownership change. The special use permit and all other local approvals for the battery energy storage system ~~shall be void~~ **may be revoked, upon notice and a public hearing,** if a new owner or operator fails to provide written notification to the Township in the required timeframe. Reinstatement of a void special use permit will be subject to the same review and approval processes for new applications under this Ordinance.

Subject:

FW: Request for Atty Review

----- Forwarded message -----

From: **Catherine Kaufman** <kaufman@michigantownshiplaw.com>

Date: Thu, Jun 20, 2024 at 1:04 PM

Subject: RE: Request for Atty Review

To: Rebecca Harvey <rebeccaharveyaicp@gmail.com>

Cc: Supervisor <Supervisor@covertwp.com>, Sandi Bosse <Bosse@michigantownshiplaw.com>, Michael Bila <bila@michigantownshiplaw.com>, Seth Koches <koches@michigantownshiplaw.com>

Hello: I have reviewed version #3 of the draft BESS ordinance and provide the following comments:

1. The proposed ordinance creates 2 tier system – 0.6 MW and below (Tier 1) and .6+ MW (Tier 2)
 1. Is there evidence that .6 MW is truly accessory to a principal use – this seems like a big number to be accessory.

2. Tier 1 is permitted in every zoning district as an accessory use
 - i. Does Township feel that the setbacks in the underlying zoning districts are adequate setbacks for these types of facilities?
 - ii. Would these accessory uses be limited to accessory structure height of 15 feet (Section 18.12)
 - iii. Is there a minimum or maximum size in acres for Tier 1 system?
 - iv. If Tier 1 must be accessory use, how will Township confirm the accessory nature/ relationship with principal use?

3. Tier 2 – special use in the I district
 - i. Does Township feel that a 20 foot sideyard setback is adequate for a Tier 2 system? 50 foot front yard and 40 foot rear yard?
 1. What about if the Tier 2 system abuts residentially zoned or agriculturally zoned land?
 - ii. What is max noise decibels under Township Anti Noise ordinance? Is Township okay with this max level applying to a Tier 2 system that requires special land use?
 - iii. Why is there a requirement to cut down vegetation within 10 feet of each side of a Tier @ BESS?
 - iv. Screening is required, but cutting down combustible vegetation is also required.

v. Fencing – there may be a certain height of fencing (8 feet) that is required by NFPA or other code. If that is the case, a higher fence would be required.

vi. Height – why allow up to max building height of 40'? Are you going to allow stacking of battery storage containers on top of each other?

vii. Decommissioning

1. Should require decommissioning agreement to formalize obligations of decommissioning plan

a. Ensures that any successor party is bound to decommissioning terms

2. Need to have Township have right to hire consultant to vet decommissioning plan and costs

3. No salvage value in decommissioning costs

4. Bond – in case the original company goes under or sells out, etc.

5. May want to require annual report to PC

6. May want to require review of decommissioning costs every 3 – 5 years, when reviewing SUP status

7. Who is going to hold the decommissioning surety?

8. When does obligation to decommission trigger?

a. Who in Township determines if need to decommission has triggered?

4. Is there an Escrow fee policy in place, to allow Township to hire consultants to review/comment?

5. I am okay requiring that noise levels be met at the property line, versus at a nearby occupied dwelling. This draft ordinance is a workable ordinance. There are options for the developer of a 50 MW project or larger, if they don't want to comply with the Township's requirements.

6. I don't support allowing neighboring land owners to "waive" noise requirements. Neighbors move, things change, etc. Projects can be designed to meet noise standards, especially if that standard is known ahead of time. Any request for a waiver of the noise requirements would need to take the appropriate appeal path.

As we have reviewed before, the ordinance as drafted is a workable ordinance. If a proposed applicant does not want to comply with the Township's ordinance, they may go to MPSC for any BESS project 50 MW or larger. A smaller project would have to comply with the Township BESS ordinance.

If you have questions please let me know.

Covert Township

Planning Commission

Zoning Ordinance Amendment – Shipping Containers as Accessory Structures

Article 2 CONSTRUCTION OF LANGUAGE AND DEFINITIONS

Section 2.02 Definitions

Cargo Container: Any metal or primarily metal container originally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities; and/or generally capable of being mounted or moved by rail, truck or ship by means of being mounted on a chassis or similar transport device. This definition includes the terms ‘transport containers’, ‘shipping containers’.



Portable Storage Container. A portable or moveable, weather resistant receptacle designed and used for the storage or shipment of household goods, wares, valuables or merchandise (i.e. PODS or MODS) and which is typically leased on a short-term basis for temporary storage purposes.



Article 18 GENERAL PROVISIONS

Section 18.14 – Use of Containers, Semi-Trailers, Mobile/Manufactured Home or Recreational Vehicles for Storage Prohibited

1. *No change*

Covert Township

Planning Commission

~~2. No storage container or semi trailer may be used as an accessory use storage building in any district except the I Industrial zoning district or in the AG Agriculture zoning district when used in support of commercial agricultural business operations. For this section, commercial agricultural business operations is defined as any agricultural business activity defined as agriculture pursuant to the definition found in Article II, Section 2.02 of this ordinance and contributing no less than thirty three (33) percent of the total household income of the property owner(s) residing upon the land in active and continuous agricultural production.~~

Cargo containers and portable storage containers shall be allowed in all zoning districts as accessory uses, subject to the following requirements:

A. All Cargo Containers.

1) *Location:*

- a. Cargo containers shall be located in the side or rear yard.
- b. Cargo containers shall not occupy required off-street parking, fire lanes, loading/unloading areas or landscape areas nor shall they be located where they may cause hazardous conditions or constitute a threat to public safety.

2) *Setbacks:* Cargo containers shall be subject to the setback requirements applicable to accessory buildings established by Section 18.12.

3) *Height:* Cargo containers shall not be stacked above the height of a single container.

4) *Lot Coverage:* The surface area covered by the cargo container(s) shall be included in the lot coverage calculations for the lot, unless it is sited over an existing impervious surface.

5) *Utilities:* Cargo containers shall not be provided plumbing service.

6) *Use:* Cargo containers shall not be used as living quarters nor as housing for livestock or pets.

7) *Modifications:* No structural modifications may be made to cargo containers.

Covert Township

Planning Commission

- 8) Nonconforming Lot/Use: The placement of a cargo container on a nonconforming lot or to serve a nonconforming use shall not be considered an expansion of the nonconformity.
- B. Permanent Use of Cargo Containers. Cargo containers may be permanently placed on property for storage purposes, subject to the following requirements:
- 1) All applicable building regulations shall apply.
 - 2) A solid foundation (road base material/gravel or better) shall be provided.
 - 3) Cargo containers shall not be used as signage or for advertising and shall be kept free of all alphanumeric signage and writing.
 - 4) Any writing or graffiti placed on the container shall be the responsibility of the property owner and shall be removed.
 - 5) A Zoning Compliance Permit is required and shall be obtained from the Township Zoning Administrator in accordance with Section 27.05.
- C. Temporary Use of Cargo Containers. Cargo containers may be temporarily placed on property for storage purposes, subject to the following requirements:
- 1) Section 18.15 shall apply to the temporary use of cargo containers associated with construction sites.
 - 2) A Zoning Compliance Permit is required and shall be obtained from the Township Zoning Administrator in accordance with Section 27.05.
 - 3) Cargo containers shall be removed from the property within 180 calendar days from the date of initial placement. One (1) extension of up to 180 calendar days may be approved by the Zoning Administrator.
- D. Portable Storage Containers. Portable storage containers may be temporarily placed on property for storage purposes, subject to the following requirements:
- 1) *Location.*
 - a. Portable storage containers used within a residential district or associated with a residential use shall be located on a driveway or paved area.

Covert Township

Planning Commission

- b. Portable storage containers used in a non-residential district or associated with a non-residential use shall not occupy required off-street parking, fire lanes, loading/unloading areas or landscape areas nor shall they be located where they may cause hazardous conditions or constitute a threat to public safety.
 - c. Portable storage containers may not be located on a vacant lot, unless the lot is associated with an approved building construction project.
- 2) *Height:* Portable storage containers shall not be stacked above the height of a single container.
 - 3) *Utilities:* Portable storage containers shall not be provided electrical or plumbing service.
 - 4) *Use:* Portable storage containers shall not be used as living quarters nor as housing for livestock or pets.
 - 5) *Permit:* A Zoning Compliance Permit is required and shall be obtained from the Township Zoning Administrator in accordance with Section 27.05.
 - 6) *Time Limits:* Portable storage containers shall be removed from the property within 180 calendar days from the date of initial placement. One (1) extension of up to 180 calendar days may be approved by the Zoning Administrator.