CHESTER TOWNSHIP
PLANNING COMMISSION

www.chesterottawami.gov

October 19, 2026

AGENDA

CALL TO ORDER

APPROVAL OF AGENDA

PUBLIC COMMENT

APPROVAL OF MINUTES
September 28, 2026

NEW BUSINESS
- Special Land Use Review- Wineries

OLD BUSINESS
- Battery Energy Storage Systems Ordinance Review
- Data Center Ordinance Review

PLANNING COMMISSION DISCUSSION
- Communications received:
  - State Representative letter and Ravenna Township Master Plan Adoption
- Board report – Trustee Dale Fedewa
- Zoning Board of Appeals report - PC Rep Jon Denhof
- Zoning Report

ADJOURNMENT

Next Meeting

November 23, 2026
7pm

MEETING POLICY RULES ARE POSTED ON THE BOARD NEXT TO THE DOOR

CHESTER TOWNSHIP PLANNING COMMISSION MINUTES September 28, 2026

Chairperson Denhof called the meeting to order at 7:00 p.m. Other members present: Dale Fedewa, Rob Haack, Paul Herremans, Kyle Rasch and Norm VanDyke. Charles Lane was absent. Zoning Administrator Aaron Bigelow was also present. The meeting was available remotely.

Agenda Approval-Motion by VanDyke to approve the agenda. Second, Herremans, motion carries.

Public Comment- The resident at 4316 Sherman wants to start a winery.

Approval of Minutes- Motion by VanDyke to adopt the minutes of August 24, 2026. Second-Herremans, motion carries.

New Business-

Battery Energy Storage Systems Review-Planner Bigelow reviewed the draft of the battery energy storage systems ordinance. Motion by Haack to add a $4,000 community host agreement in the draft ordinance. Second by VanDyke. Motion carries. Planner Bigelow will take all discussion under advisement and make changes to the draft to be presented at the next meeting.

Old Business-

Data Center Review-Motion by Herremans to take the review off the table. Second by Fedewa. Motion carries. Planner Bigelow reviewed draft ordinances from Michigan Township Association and Fresh Coast Planning. Will use the Fresh Coast Planning draft to use as a template for ongoing revisions. Planner Bigelow asked Commissioners to email with any comments concerning Data Centers which can be discussed with the group at the next meeting.

Public Comment-Reviewed request for a winery. The proposed lot does not meet requirements. Asked applicant to bring more information for the commission to review next month.

Planning Commission Discussion-

Board Report-Fedewa. Senior Services bus trip, property tax rates.
Zoning Board of Appeals report-PC Rep Jon Denhof-No report
Zoning Report-Temporary dwelling is allowed.

Adjournment- Motion by VanDyke, second by Haack to adjourn at 8:16 p.m.

Helen Dietrich

DRAFT

Approved_____

Fresh Coast Planning
Grand Haven, MI 49417
www.freshcoastplanning.com

MEMORANDUM

To: Chester Township Planning Commission
From: Aaron Bigelow
Date: October 12, 2026
Re: Special Land Use- Wineries

At your September 22, 2026, meeting, during public comment, the Planning Commission was presented with an inquiry about operating a wholesale wine production facility with the possible future addition of a tasting room. As stated at the Planning Commission meeting, this proposal conflicts with multiple portions of the Chester Township Zoning Ordinance. Per this request, the Planning Commission determined a review of agri-business and other provisions was appropriate, based on the fact that this and similar requests are growing within the Township and surrounding areas.

Special Land Use Section 1909: Agri-Business

A production facility would be considered an agri-business, therefore requiring a special land use review and approval by the Planning Commission in accordance with Section 1909. Below, we provide the zoning ordinance standards of Section 1909 for your review:

> *Section 1909-Agri-Business: In order to preserve and protect existing agricultural uses and farming within the Township and to support farmers and others who are engaged in these agricultural practices, certain commercial and light industrial uses which are agricultural in nature (but do not fall under the Michigan Right To Farm Act) and that directly support permitted agricultural uses in the Township may be allowed in the Agricultural District pursuant to a special use approval. Such uses are subject to the following standards and requirements:*
>
> *A. The parcel involved must have a minimum of 10 acres of land and a minimum of 330 feet of frontage on a public road. The lot line designated for minimum width must be uninterrupted by lot lines or boundaries of other parcels or lots.*
>
> *B. There can be no existing residential uses or buildings within 100 feet of the parcel on which the proposed supporting agri-business will be located.*
>
> *C. The principal and accessory buildings shall not be located within 100 feet of any property line abutting a residential property or use. The principal and accessory buildings shall not be located closer than 50 feet to any other property line.*
>
> *D. Parking lots shall not be located closer than 50 feet to any property line.*

E. *An adequate buffer zone must be provided (and maintained) to minimize or eliminate visual and sound impact and to prevent adverse noise, vibration, glare, fumes, or odors from being noticeable to persons on adjacent properties. Any outside storage shall also be screened so as to obstruct outside vision of the materials from any public road.*

F. All driveways, parking, loading, storage, and vehicular circulation areas shall be paved or treated so as to prevent dust.

G. The site must be located on a public road that is designed and improved to handle the traffic and vehicles associated with the proposed use.

Conflicting Standards

The proposed use, as described by the resident at the Planning Commission meeting, explicitly conflicts with two standards included in Section 1909. As requested by the Planning Commission, below we have included the conflicting Sections of 1909, with additional items for consideration reviewed in the following section.

Lot Area

Section 1909 requires a minimum of ten-acres for an agri-business. The minimum lot size in the agricultural district is 40 acres, with special land use land division approval possible for a 2-acre land division for a single-family dwelling.

Setback

Section 1909 requires that adjacent residential uses or buildings are 100 feet away from the subject property.

Items for Consideration

Lot Area Amendment

Section 1909 requires a minimum of ten-acres for an agri-business. An amendment to this Section could lower, or eliminate, this ten-acre requirement to allow for agri-businesses on smaller parcels.

Impact: The smaller parcel size could provide for additional commercial and light industrial uses which are agricultural in nature (but do not fall under the Michigan Right To Farm Act) and that directly support permitted agricultural uses in the Township. Reducing this parcel size requirement could create additional adverse impacts for neighboring properties, however setback/screening requirements could continue to protect adjacent landowners where applicable.

The Planning Commission should consider if the smaller parcel size requirement should apply to all agri-businesses, or if specific types should be defined and regulated accordingly.

Setback Amendment

Section 1909 requires that adjacent residential uses or buildings are 100 feet away from the subject property. As suggested by the Commission, this requirement could be amended so that adjacent residential uses or buildings are required to be 100 (+/-) feet from the proposed agri-business buildings and outdoor areas to be used for the proposed agri-business, rather than the parcel line. Setback requirements could be increased when adjacent to a residential property within a certain number of feet.

Impact: Similar to the parcel size requirement above, reducing this distance requirement could create additional adverse impacts for neighboring properties, especially in the event that agri-business operations exceed the

proposed operational area. However, this could also allow for additional agri-businesses to operate in the Township if the Commission desires to increase the opportunity for such uses.

Like parcel size, the Planning Commission should consider if an amendment revising the residential use setback requirement should apply to all agri-businesses, or if specific types should be defined and regulated accordingly.

Screening

Additional landscaped screening or buffering requirements may be appropriate to ensure a neighboring residential use is protected from the adverse effects of an agri-business.

Agri-Business Definition

The Chester Township Zoning Ordinance does not include a definition for "agri-business", therefore the definition for a "supporting agri-business" would be used, as depicted in Section 218:

> *Supporting Agri-Business: A business or commercial operation engaged in primarily providing services or products for area farms or agricultural operations, including the sale and/or service of farm implements, veterinarian services, agricultural products, storage and distribution facilities, seed and feed operations, agricultural testing services, packaging or processing of agricultural goods and similar operations. Uses which provide services or products to the general public (including, but not limited to, hardware stores, restaurants, and automobile repair) shall not be considered a supporting agribusiness.*

The term "agri-business" is used throughout the ordinance, so an amendment to eliminate the discrepancy between the terms "agri-business" and "supporting agri-business" would be beneficial.

Tasting Room

Considering the definition above, a tasting room would not be covered under an agri-business, so an ordinance amendment to add this use would also be needed. An additional, separate special land use in the agricultural district for uses such as wineries, breweries, and distilleries could be added with appropriate regulations. Alternatively, the definition of a "supporting agri-business" could be amended to include such uses.

Planning Commission Review

To facilitate your review of the existing agri-business ordinance language and amendment consideration, we have also included existing language from the Sparta Township Zoning Ordinance which allows wineries as a special land use in the agricultural district.

The Planning Commission should review the information provided and decide if an ordinance text amendment is necessary to increase opportunities for wineries and other agri-businesses in Chester Township. If the Commission determines an amendment is necessary, we can return at your next meeting with prospective text proposed by the Commission.

AB
Planner

SPARTA TOWNSHIP: § 154.233 WINERIES, MICRO-BREWERIES, AND DISTILLERIES.

(A) Winery, micro-brewery, and distillery establishments shall primarily sell products produced on the same premises as the winery, micro-brewery, or distillery or on land under the control, or permitted to be used by, the person producing the beverages.

(B) Sales of wine by the glass in a tasting room is allowed pursuant to the minimum requirements of the Michigan Liquor Control Commission rules and related Michigan Department of Agriculture permits regarding the sales of food for on-premises consumption. The Liquor Control Commission and the Michigan Department of Agriculture shall control licenses and compliance.

(C) In conjunction with the sale of wine, beer and other spirits produced on site, the sale of agricultural products grown primarily on the premises on land under the control of the person selling such products; the sale of agricultural products may also include the limited, subordinate sale of agricultural products grown off the premises by the person selling the products on the premises.

(D) Winery, micro-brewery, and distillery tours shall be permitted.

(E) The building containing the winery, micro-brewery, or distillery and other buildings open to the public shall be setback a minimum of 100 feet from any lot line that abuts a parcel zoned residential or a parcel containing a residential use. Other setback requirements shall be as set forth for the applicable principal and accessory uses in the Ag-1 Zone.

(F) Any buildings constructed for the winery, micro-brewery, or distillery that are open to the public shall be subject to the requirements of the Township Building Code in order to ensure the safety of the public.

(G) All parking shall be on site and shall comply with the requirements for uses selling agricultural products per Column 5 of the Table of Use Regulations. The required parking areas need not be paved.

(H) One ground-mounted sign is permitted, not to exceed 32 square feet in size and ten feet in height above grade, and shall be setback a minimum of 25 feet from all lot lines. The sign may be lighted, but an electronic reader board sign is not permitted. All other regulations of § 154.380 shall be applicable.

(I) An accurate drawing, illustrating the location of the parcel, lot lines, setbacks of existing and proposed buildings, location and dimensions of the parking area, the width and location of access drives, the location of exterior lights, the floor plan of the processing and retail area, the event area and other relevant features of the site and the use, shall be submitted to the Zoning Administrator, who shall review the drawing and make necessary and practical recommendations to ensure that the use is designed to ensure the safety of patrons entering, on, and leaving the site.

(J) The applicant shall also provide evidence of compliance with all state and county health department requirements for wineries, micro-breweries, or distilleries to the Zoning Administrator before the winery, micro-brewery, or distillery is open to the public.
(Ord. 23-4, passed 2-9-2023)

Fresh Coast Planning
Grand Haven, MI 49417
www.freshcoastplanning.com

MEMORANDUM

To: Chester Township Planning Commission
From: Aaron Bigelow
Date: October 12, 2026
Re: Battery Energy Storage Systems (BESS) Review

As you know, the Planning Commission has reviewed Battery Energy Storage System (BESS) language over the past few months. The attached redlined proposed text incorporates both accessory use and utility scale BESS language as determined by the Planning Commission through recent deliberations.

Planning Commission Request

At your September 28, 2026 meeting, the Planning Commission reviewed the proposed language for Section 1913.C.8.a, which reads as follows:

> *1913.C.8.a: The site shall be fenced with a fence at least six (6) feet high. The fence may contain an additional one (1) foot of height for purposes of adding not more than three (3) strands of barbed wire for purposes of site security.*

The Planning Commission suggested that it may not be necessary for the entire parcel to be fenced, rather only the portion of the site that is developed for BESS. The Commission determined that the current language may allow the Commission to determine the interpretation of "site" on a case-by-case basis, which would allow flexibility in determining the portion of the site that is required to be fenced.

However, it was also requested that alternative language be presented to clarify that only the developed portion of the site is required to be fenced. We have drafted the following language for your consideration, with clarifying language shown in green:

> *The site must be enclosed by a fence at least six (6) feet high. The fence height may extend up to an additional one (1) foot to accommodate up to three strands of barbed wire for security. For purposes of this subsection, "site" includes all buildings, structures, and ground-level improvements, including but not limited to parking lots, driveways, loading docks, equipment pads, and outdoor storage areas.*

Planning Commission Review

We seek the Planning Commission's review of this compiled draft ordinance amendment language to consider if any additional items should be included or removed to best meet the requirements of Chester Township, if any.

Following Planning Commission deliberations of the potential ordinance language, we can return with an updated draft ordinance text amendment or prepare the amendment for a public hearing at your next meeting.

AB- Planner

Definitions:

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

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 contiguous properties of common ownership. ~~the consumer on-site.~~

~~**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.~~

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

Battery Energy Storage System, Ground Mounted: A Battery Energy Storage System that is not attached to and is separate from any building on the parcel of land on which the Battery Energy Storage System is located.

Battery Energy Storage System, Building Mounted: A Battery Energy Storage System attached to the roof or wall of a building, or which serves as the roof, wall, or other element in whole or in part of a building.

Section 350- On-Site Battery Storage Systems

A. Applicability

This Section applies to any system of on-site battery energy storage systems where permitted. This Section does not apply to utility-scale battery energy storage systems.

B. General Requirements

1. APPLICATIONS. In addition to all other required application contents as required by this Ordinance, equipment and unit renderings, elevation drawings, and site plans depicting the location and distances from lot lines and adjacent structures shall be submitted for review. No small-scale battery energy storage system shall be installed or operated except in compliance with this Chapter.

2. INSTALLATION

a. A battery energy storage system shall be permanently and safely attached to the ground or structure. Battery energy storage systems, and their installation and use, shall comply with building codes, electrical codes, and other applicable Township and State requirements.

b. Battery energy storage systems shall be installed, maintained, and used only in accordance with the manufacturer's directions. Upon request, a copy shall be submitted to the Township prior to installation. The applicant shall certify that the construction and installation meet or exceed the manufacturer's construction and installation standards.

3. POWER LINES. On site power lines between battery energy storage systems and other applicable equipment and buildings shall be placed underground.

4. FIRE RISK. ~~All battery energy storage systems require review and approval by the Township Fire Inspector.~~ A professional fire protection engineer's assessment report, review and approval by the authority having jurisdiction shall be provided. Fuel sources such as vegetation shall be removed from the immediate vicinity of electrical equipment and connections.

5. ABANDONMENT AND REMOVAL. A battery energy storage system that ceases to produce energy on a continuous basis for twelve (12) months will be considered abandoned unless the responsible party with ownership interest in the system provides substantial evidence to the Township every six (6) months after the twelve (12) months of no energy storage of the intent to maintain and reinstate the operation of that system. The responsible party shall remove all equipment and facilities and restore the lot to its condition prior to the development of the system within one (1) year of abandonment.

C. Building Mounted Battery Energy Storage Systems- ~~These~~ Roof mounted systems are prohibited. Wall mounted systems may be established as accessory uses to principal uses in all Zoning Districts. ~~subject to the following conditions.~~

~~1. MAXIMUM HEIGHT. Building-mounted battery energy storage systems shall not exceed the maximum height of the Zoning District.~~

D. Ground-mounted Battery Energy Storage Systems - When not physically attached to a building, these systems may be established as accessory uses to principal uses in all Zoning Districts subject to the following conditions.

1. LOCATION

a. Rear and Side Yards. The unit may be located in the rear yard or the side yard but shall be subject to the setbacks for accessory structures.

b. Front Yard. The unit may be located in the front yard only if located no less than one hundred fifty (150) feet from the front lot line.

c. Adjacent Buildings. The unit must be a minimum of 10 feet from any adjacent building unless a greater setback is required by the Township Fire Inspector.

3. MAXIMUM SIZE.

a. Residential uses. There shall be no more than one percent (1%) of the lot area up to one hundred (100) ~~thousand five hundred (1,500)~~ square feet of battery energy storage systems when not physically attached to a building.

b. Agricultural, Commercial, and Industrial uses. There shall be no more than five hundred (500) ~~ten thousand (10,000)~~ square feet of battery energy storage systems when not physically attached to a building.

c. Applications for oversized accessory use battery energy storage systems greater than the permitted area in this Section shall require special land use approval by the Planning Commission.

4. MAXIMUM HEIGHT.

a. Residential uses. The maximum height shall be six (6) ~~fourteen (14)~~ feet, measured from the average grade below the unit.

b. Agricultural, Commercial, and Industrial uses. The maximum height shall be twelve (12) ~~sixteen (16)~~ feet, measured from the natural grade below the unit.

c. Applications for oversized accessory use battery energy storage systems greater than the permitted height in this Section shall require special land use approval by the Planning Commission.

~~5. MINIMUM LOT AREA. A lot must have at least eighty-two thousand, five hundred (82,500) square feet in lot area to establish a battery energy storage system when not physically attached to a building.~~

~~6.~~ 5. SCREENING. When not physically attached to a building, screening shall be required in cases where a unit impacts views from adjacent residential properties. Screening methods may include the use of material, colors, textures, screening walls, and landscaping that will blend the unit into the natural setting and existing environment.

Section 1913 Utility-Scale Battery Energy Storage Systems

A. APPLICABILTY

This Section applies to utility-scale battery energy storage systems and does not apply to accessory use battery energy storage systems primarily intended for on-site usage.

B. **APPLICATION AND SUBMISSION REQUIREMENTS.**

An application for special use approval for a utility-scale battery energy storage system shall include a site plan in accordance with Chapter 13 and meet all applicable criteria of Special Uses in accordance with Chapter 19. No utility-scale battery energy storage system shall be installed or operated except in compliance with this Section. Additionally, applications must include equipment and unit renderings, elevation drawings, and distances from lot lines and adjacent structures, in addition to the following submission requirements:

1. Expected public benefits of the proposed system.
2. The expected direct impacts of the proposed system on the environment and natural resources and how the applicant intends to address and mitigate these impacts.
3. Information on the effects of the proposed system on public health and safety.
4. A description of the portion of the community where the system will be located.
5. A statement and reasonable evidence that the proposed system 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.
6. 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.

7. 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 system will be located.
8. Interconnection queue information for the applicable regional transmission organization.
9. If the proposed site of the system 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.
10. If the system 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.
11. A stormwater assessment and a plan to minimize, mitigate, and repair any drainage impacts at the expense of the applicant. 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.
12. An ~~fire~~ emergency response plan. The ~~fire~~ emergency response plan (ERP) shall include:
    a. ~~Evidence of~~ Consultation and approval ~~or a good faith effort to consult with local fire department representatives~~ of local first responders and county emergency managers to ensure that the ~~FRP~~ ERP is in alignment with acceptable operating procedures, capabilities, resources, etc.
    b. A professional fire protection engineer's assessment report, review and approval by the authority having jurisdiction.
    c. A description of all on-site equipment and systems to be provided to prevent or handle ~~fire~~ emergencies.
    d. An identification of contingencies that would constitute a safety or security emergency.

e. A description of all contingency and evacuation plans to be implemented in response to the occurrence of a ~~fire~~ emergency, including community notification procedures and identification of potential approach and departure routes to and from the facility site for emergency vehicles.

f. A commitment to review and update the ERP with fire departments, first responders, and county emergency managers at least once every three (3) years.

g. An analysis of whether plans to be implemented in response to an ~~fire~~ emergency can be fulfilled by existing local emergency response capacity. The analysis should include identification of any specific equipment or training deficiencies in local emergency response capacity and recommendations for measures to mitigate deficiencies.

h. Other information as required by the Planning Commission.

~~13. The emergency response plan (ERP) shall include:~~

~~a. Evidence of consultation or a good faith effort to consult with local first responders and county emergency managers to ensure that the ERP is in alignment with acceptable operating procedures, capabilities, resources, etc.~~

~~b. An identification of contingencies that would constitute a safety or security emergency (fire emergencies are to be addressed in a separate fire response plan);~~

~~c. Emergency response measures by contingency;~~

~~d. Evacuation control measures by contingency;~~

~~e. Community notification procedures by contingency;~~

~~f. An identification of potential approach and departure routes to and from the facility site for police, fire, ambulance, and other emergency vehicles;~~

~~g. A commitment to review and update the ERP with fire departments, first responders, and county emergency managers at least once every three (3) years;~~

~~h. An analysis of whether plans to be implemented in response to an emergency can be fulfilled by existing local emergency response capacity, and identification of any specific equipment or training deficiencies in local emergency response capacity; and~~

~~i. Other information the applicants finds relevant.~~

14. A report detailing the sound modeling results along with mitigation plans to ensure that sound emitted from the system will remain below the statutory limit throughout the operational life of the system.
15. Any other information regarding compliance with the requirements herein.

C. GENERAL REQUIREMENTS.

Utility-scale battery energy storage systems may be established as a special use subject to the following requirements.

1. LOCATION. Utility scale battery energy storage systems shall only be located in an area determined to be "not prime farmland" by the U.S. Department of Agriculture (USDA), per the USDA's Farmland Classification Map as of the date of Special Use Application for a Utility-Scale Battery Energy Storage System.
2. MINIMUM SETBACKS. The minimum setback for all yards shall be one hundred (100) feet; however, as a condition of approval, the Township may require increased setbacks if it is determined that greater separation is necessary to adequately protect adjacent residents and property owners.
3. MAXIMUM HEIGHT. The height of battery energy storage system structures, except for electric distribution and transmission poles, shall not exceed a height of ~~twenty (20)~~ sixteen (16) feet as measured from the natural grade of the property beneath the structure. Stacking of battery storage system components is prohibited.
4. ~~MINIMUM LOT ACREAGE. Twenty (20) acres shall be the minimum lot area to establish a utility-scale battery energy storage system.~~
5. MAXIMUM NOISE. The system may not generate a maximum sound in excess of ~~55~~ 50 average hourly decibels as measured at the property line of an adjacent non-participating property. Decibel modeling shall use the A- weighted scale designed by the American National Standards Institute. The Planning Commission may require the applicant to provide a sounds study as part of the special land use review process.
6. SCREENING. Appropriate screening, to be approved by the Planning Commission, shall be erected and maintained around the entire battery energy storage system.
7. 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.

8. PUBLIC SAFETY.

a. The site shall be fenced with a fence at least six (6) feet high. The fence may contain an additional one (1) foot of height for purposes of adding not more than three (3) strands of barbed wire for purposes of site security. ~~The barbed wire shall face inward to the site.~~

b. Emergency Response Plan ~~and Fire Response Plan~~ shall provide reasonable protection of the public health, welfare and safety including but not limited to an emergency shutdown procedure in place and shall provide the local fire department site safety plans to include electrical, fire, smoke, and hazardous materials release, emergency response protocols and identification of typical hazards related to, electrical, fire, smoke and hazardous materials pertinent to

the facility. Upon request, all systems shall provide first responder training at the site.

9. 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 should apply for the final/augmented site arrangement. A proposal to increase the size the project footprint may be considered a new application, subject to the ordinance standards at the time of the request.
10. TRANSPORTATION PLAN. A proposed access plan during construction and operational phases shall be provided, and shall comply with the requirements of Section 330C of the Zoning Ordinance. The plan shall show proposed service road ingress and egress locations onto adjacent streets and the layout of the internal road system.
11. COMMUNITY HOST AGREEMENT. An executed Community Host Agreement in the amount of $4,000 per megawatt.
12. ABANDONMENT. A battery energy storage system that ceases to store energy on a continuous basis for twelve (12) months will be considered abandoned unless the responsible party with ownership interest in the system provides substantial evidence to the Township every six (6) months after the twelve (12) months of no energy storage of the intent to maintain and reinstate the operation of that system. The responsible party shall remove all equipment and facilities and restore the lot to its condition prior to the development of the system within one (1) year of abandonment.
13. DECOMMISSIONING. A decommissioning plan signed by the responsible party and the land owner (if different) addressing the following shall be submitted prior to approval of a utility-scale battery energy storage system. The plan shall include the following:
    a. Defined conditions upon which decommission will be initiated (e.g., end of land lease, no power production for twelve [12] months, abandonment, etc.)

b. Removal of utility-owned equipment and non-utility-owned equipment, which may include but not be limited to conduit, structures, fencing, and foundations.
c. Restoration of property condition which existed prior to the development of the system. Restoration shall include bringing soil and topography of the land to their predevelopment composition to ensure permitted uses upon restoration. Soil tests shall be required as part of the decommissioning plan both before development and prior to the decommissioning.
d. Specification of the timeframe from completion of decommissioning activities.
e. Description of any agreement (i.e., lease) with landowner regarding decommissioning, if applicable.
f. Identity of the entity or individual responsible for decommissioning.
g. Plans for updating the decommissioning plan.
h. A performance guarantee shall be posted in the form of a bond, or other form acceptable to the Township, to ensure removal upon abandonment. As a part of the decommissioning plan, the responsible party shall provide at least two (2) cost estimates from qualified contractors for full removal and disposal of equipment, foundations, and structures associated with the system. These amounts will assist the Township when establishing the initial performance guarantee amount. The performance guarantee amount shall be valid throughout the lifetime of the system, and it shall be adjusted by the Township every five (5) years based upon at least two (2) new cost estimates from qualified contractors obtained by the responsible party. Bonds and letters of credit shall be extended on a regular basis with expiration dates never less than two (2) years from the annual anniversary of special use approval.

14. TRANSFER OF OWNERSHIP. Prior to a change in the ownership or operation of a battery energy storage system, including but not limited to the sale or lease of that system or the underlying property, the current owner or operator shall provide written notice to the Township at least sixty (60) days prior to that change becoming effective. This notice shall inform the Township of the intended transfer of control of the battery energy storage system or the underlying property, and shall include a copy of the instrument or agreement effecting that transfer. Such an instrument or agreement shall

include an express statement that the new owner or operator of the battery energy storage system or the underlying property shall not be permitted to operate that system until compliance with the terms of this Ordinance, including requirements for continuing security and escrow funds, has been established.

15. WAIVER. Because of the ever-changing technical capabilities of battery storage infrastructure and of new technology in general, the 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, and other requirements.

Fresh Coast Planning
Grand Haven, MI 49417
www.freshcoastplanning.com

MEMORANDUM

To: Chester Township Planning Commission
From: Aaron Bigelow
Date: October 12, 2026
Re: Data Center Ordinance Amendment

As a reminder, at their October 12, 2026, meeting, the Township Board will consider a data center moratorium which would pause consideration of any data center application for one year.

At your September 21 meeting, the Planning Commission reviewed additional samples of data center ordinance language, in addition to other background research which has been shared over the last year. The Commission determined that the model data center ordinance that was prepared by Fresh Coast Planning would be the best option to use to begin drafting data center ordinance language for Chester Township.

Planning Commission Review

At your October 29, 2026 meeting, the Planning Commission will begin reviewing the attached sample ordinance to consider what language may be appropriate for Chester Township.

We can then return with an updated draft that incorporates the applicable regulations for further review.

AB
Planner

Section ####– Data Centers and Digital Mining Uses

A. Definitions

1. Closed-Loop Cooling System. A sealed system where coolant circulates continuously, absorbing heat from a source, and then transfers that heat to a heat exchanger for removal, without the coolant ever being exposed to the environment.
2. Data Center. A use involving a building or other structure that is primarily occupied by computers and/or telecommunications equipment and related equipment, including supporting equipment, where information is processed, transferred, or stored. A data center use shall include a digital mining use. A data center which includes on-site solar or wind energy generation facilities used or intended to be used to supply power to the data center shall comply with the requirements of the zoning ordinance and any other ordinances regulating those uses.
3. Digital Currency. Currency in a digital format that involves the use of encryption techniques to regulate the generation of units of the digital currency and verify the transfer of funds, operating independently from a central bank.
4. Digital Mining. The process whereby computers (also referred to as “nodes” or “mining rigs”) validate blockchain transactions for a specific item of digital currency (commonly known as “bitcoin” or “cryptocurrency”) for a financial benefit.
5. Large-Scale Data Center. A data center that requires five megawatts (5 MW) or more power to operate or has a physical footprint of five thousand (5,000) square feet or greater.
6. Megawatts (MW). A unit of power that is used for the measurement of bulk electricity, and is equal to one million watts.
7. Small-Scale Data Center. A data center that requires less than five megawatts (5 MW) of power to operate and has a physical footprint of less than 5,000 square feet.

8. Qualified Acoustical Professional. An individual possessing the academic credentials, professional certifications, and technical experience necessary to measure, analyze, model, and evaluate environmental sound, noise impacts, and vibration. To be recognized as a Qualified Acoustical Professional under this Ordinance, the individual shall meet at least one (1) of the following criteria:
    a. Licensed Professional Engineer: A registered Professional Engineer (P.E.) in good standing in the State of [State Name], with demonstrated professional specialization and at least three (3) years of experience in environmental acoustics, noise assessment, or sound mitigation design.
    b. Board-Certified Specialist: A Board-Certified Member of the Institute of Noise Control Engineering (INCE Bd. Cert.) or a full Member of the National Council of Acoustical Consultants (NCAC).
    c. Education & Experience Equivalent: An individual holding a Bachelor of Science (or higher) degree in acoustics, physics, mechanical or civil engineering, or a closely related physical science field from an accredited institution, with a minimum of five (5) years of documented, direct professional experience conducting environmental noise studies, baseline sound monitoring, and predictive sound propagation modeling.

B. General Requirements

The following general requirements apply to all data centers and digital mining uses within the Township.

1. Noise.
    a. A noise mitigation plan shall be submitted, including, at a minimum, a detailed acoustic study showing the amount of noise that would be produced by normal operations of the data center and strategies to minimize noise and achieve a neutral impact on adjacent and nearby properties.

b. Continuous Noise Limit. Noise emanating from the use, operation, or maintenance of a data center or digital mining use, including all mechanical and electrical equipment, shall not exceed the following equivalent continuous sound levels, measured as a one-hour average (Leq(1h)):

    i. At any property line of a lot zoned or used for residential purposes: [45] dBA between 7:00 a.m. and 10:00 p.m. (daytime), and [40] dBA between 10:00 p.m. and 7:00 a.m. (nighttime).

    ii. At any other property line: [55] dBA at all times.

c. Maximum Instantaneous Noise Limit. In addition to the limits in subsection (a), noise from the use shall not exceed [60] dBA Lmax nor [75] dBC Lmax at any property line of a lot zoned or used for residential purposes, and [70] dBA Lmax at any other property line. This limit applies to intermittent and short-duration events, including but not limited to generator testing, load-bank testing, and equipment cycling.

d. Low-Frequency and Tonal Noise. The use shall not produce a prominent discrete tone, as defined by ANSI S12.9, or low-frequency noise perceptible as a hum, drone, or vibration, at any property line of a lot zoned or used for residential purposes. Where the C-weighted level exceeds the A-weighted level by more than [20] dB at such a property line, the Township may require additional low-frequency mitigation as a condition of continued operation.

e. Measurement Protocol. All measurements under this section shall be conducted: (i) in accordance with ANSI S12.9 (or its successor standard) using a sound level meter meeting ANSI S1.4 Type 1 or Type 2 specifications, calibrated before and after each measurement session; (ii) at a height of approximately five (5) feet above grade at the applicable property line; (iii) under conditions free of precipitation with wind speeds below [12] mph; and (iv) by a Qualified Acoustical Professional. Measurements for purposes of determining compliance shall exclude transient noise from sources unrelated to the data center or digital mining use.

f. Pre-Construction Compliance Demonstration. As part of the application, the applicant shall submit an acoustic study prepared by a Qualified Acoustical Professional, at the applicant's expense, that (i) documents existing ambient sound levels at the property lines of the subject parcel, (ii) models the projected sound levels of the proposed use at full operational load under the metrics in subsections (a) through (c), and (iii) identifies all mitigation measures necessary to achieve compliance.

g. Post-Construction Verification. Within [90] days after commencement of operations, and thereafter upon reasonable request of the Township or in response to a complaint, the owner or operator shall provide compliance measurements conducted in accordance with subsection (d), at the owner or operator's expense. Verification measurements shall be conducted while the facility is operating at or near full load, and the report shall state the facility's operational load at the time of measurement.

h. Independence and Conflict of Interest. When required by the Planning Commission or Zoning Administrator, the Qualified Acoustical Professional shall operate as an independent third party with no direct financial or beneficial interest in the project applicant, property owner, or development outcome.

i. Exemptions. The limits of this section shall not apply to (i) emergency alerts or emergency alarms, or (ii) operation of emergency generators during an actual emergency disruption of electrical supply. Generator testing is not exempt and shall occur only during daytime hours as approved under Section ####.B.3.

2. Mechanical Equipment: To reduce the impact of additional noise on surrounding properties, any equipment necessary for cooling, ventilating, or otherwise related to operations of the data center, including power generators or other power supply equipment, shall be located within an enclosed building or structure.

a. The Planning Commission may waive this requirement for specified equipment if it finds that it is not mechanically feasible to fully enclose such equipment. If it does so, the specified equipment that has been approved to be located outside of an enclosed building or structure shall be screened by a wall or similar barrier.

3. Standby Generator Operational Restrictions.

   a. Permitted Operational Scope. On-site emergency generators and secondary power infrastructure shall be utilized strictly for emergency backup power during utility power outages, grid instability events, or system maintenance.

      i. Prohibition on Commercial Power Generation / Peak-Shaving: Generators shall not be operated for commercial power generation, market dispatch, base-load energy supply, or "peak-shaving" (operating generators during high-demand grid periods solely to reduce utility capacity charges).

      ii. Emergency Operation: Generators may operate without time or duration restrictions during grid outages, brownouts, or direct physical failures of the primary electrical supply, subject to post-event reporting requirements under Section ####.B.3.f.

   b. Routine Maintenance and Testing Restrictions. Routine exercising, load-bank testing, and preventative maintenance of backup generators shall be governed by the following operational constraints to minimize noise and air quality impacts on surrounding properties:

      i. Allowed Hours: Routine testing and exercising shall be permitted only between 9:00 AM and 5:00 PM, Monday through Friday. Testing is strictly prohibited on weekends and state or federally recognized holidays.

      ii. Staggered Testing Schedule: Simultaneous testing of all facility generators is prohibited except during mandatory annual full-load capacity testing required by industry or insurance standards. For routine maintenance, generators shall be tested sequentially in bank groups to minimize cumulative noise and emissions.

iii. Advance Notice for Full-Load Testing: The facility operator shall provide written or electronic notice to the Zoning Administrator, Fire Chief, and neighboring property owners within 500feet at least forty-eight (48) hours prior to conducting full-load array or load-bank testing that involves running more than [25%] of the facility's total generator capacity simultaneously.

c. Acoustic Enclosures & Noise Standards

i. Equipment Attenuation: All stationary generators shall be housed inside sound-attenuating enclosures or within sound-dampened building structures. Enclosures shall be equipped with hospital-grade, critical-grade, or equivalent advanced exhaust silencers.

ii. Property Line Noise Limits: Noise generated during routine generator testing shall not exceed [60 dBA] (or [5 dBA] above ambient baseline levels, whichever is lower) as measured at any adjacent residential or commercial property boundary.

d. Vibrations

i. No Data Center shall be operated, maintained, or tested in a manner that generates a ground-borne vibration level exceeding a Peak Particle Velocity (PPV) of 0.01 inches per second (in/s) at any point along the Data Center's property line. This limit applies across all vibration frequencies between 1.0 Hz and 100 Hz. The 0.01 in/s PPV threshold applies to measurements taken in any of the three mutually perpendicular axes (vertical, longitudinal, or transverse). If any single axis exceeds 0.01 in/s, the Data Center is in violation.

ii. Generators must be equipped with vibration isolation and mitigation systems.

iii. Data Centers must have continuous vibration monitoring at spacing of no less than 500 feet along all property lines which sit within 1,000 feet of the property line of any Sensitive Land Use.

e. Air Quality & Emissions Standards

   i. EPA & EGLE Compliance: All generators shall comply with US Environmental Protection Agency (EPA) emissions standards for stationary compression-ignition or spark-ignition engines (e.g., Tier 4 Final standards or Best Available Control Technology [BACT]).

   ii. State Air Permits: Prior to site plan approval or building permit issuance, the applicant shall submit proof of a valid Permit to Install (PTI) or Title V Renewable Operating Permit issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) Air Quality Division, where required by state law.

   iii. Exhaust Stack Design: Generator exhaust stacks shall be oriented vertically, directed away from adjacent properties and fresh-air intake ducts, and extend to a height determined by air dispersion modeling to prevent localized fume entrapment.

f. Fuel Delivery & Operational Protocols

   i. Delivery Hours: Fuel delivery and bulk transfers shall occur exclusively between 7:00 AM and 7:00 PM, except during active, prolonged emergency grid outages.

   ii. Spill Containment during Transfer: Fuel transfer operations shall take place on designated, impervious containment pads designed to catch hose ruptures or drips in compliance with the facility's federal SPCC Plan.

g. Operational Logs & Annual Reporting

   i. Maintenance Logs: The facility owner or operator shall maintain an accurate, electronic log of all generator operations. The log shall record:

      1. Date, time, and duration of operation;
      2. Identification of specific generator unit(s) operated;
      3. Purpose of operation (e.g., routine testing, maintenance, emergency power outage); and
      4. Total cumulative operating hours for each engine per calendar year.

ii. Annual Submittal: A summary of generator run-time logs shall be submitted to the Zoning Administrator and Clerk annually no later than January 15th of each calendar year to verify compliance with non-emergency operational limits.

4. Electrical Utilities.

   a. The applicant shall provide written verification from the applicable energy service provider that states the following:

      i. There is adequate capacity available on the applicable supply lines and substations for the data center to ensure that there is sufficient capacity available to serve the needs of other customers within the service area, consistent with the normal projected load growth envisioned by the provider;

      ii. That connection to the electrical system will not increase cost for other users of the system;

      iii. The utility supply equipment and related electrical infrastructure are sufficiently sized and can safely accommodate the proposed data center during the power provider's peak consumption hours;

      iv. The use will not cause electrical interference or fluctuations in the line voltage on and off the operating premises.

   b. To the extent feasible, electrical utilities shall be located underground.

   c. Integration of renewable energy to power data centers is preferred, if feasible.

   d. Issuance of Building Permit. No building permit shall be issued until the applicant submits to the Zoning Administrator a fully executed interconnection agreement, electrical service agreement, or alternative proof of binding utility capacity commitment deemed acceptable by the Township's Legal Counsel.

5. Impact on Internet Services.

a. The Applicant shall provide proof from the applicable utility provider that the system has sufficient capability to handle the needs of the data center.

b. The Applicant shall provide proof that connection to the internet system will not have an adverse effect on other users of the system.

6. Water Usage and Wastewater Discharge.

    a. Data Centers shall be required to connect to public water and sanitary sewer systems.

    b. The Applicant shall provide proof from the applicable agency that the public water and/or sanitary sewer system has sufficient capability to handle the needs of the data center.

    c. The Applicant shall provide proof that connection to the public water or sanitary system will not have an adverse effect on other users of the system.

7. Cooling Methods. To reduce the potential impact on nearby potable water resources, any data center that proposes to use water cooling must comply with the following requirements:

    a. Use of a closed-loop cooling system shall be required.

    b. In recognition of rapidly evolving technology, the Planning Commission may approve alternative cooling methods if the Applicant can demonstrate that the alternative cooling method is as effective or more effective than a closed loop cooling system. This shall include, but not be limited to, a review of water usage, power usage, and environmental impact.

    c. The Planning Commission may require the use of geothermal, air cooling, electric-powered cooling, waste heat recovery systems, or other more advanced cooling methods which may become available. Use of open, evaporative cooling towers is prohibited unless specifically permitted as part of special land use approval.

8. The applicant shall submit a written plan for maintaining the subject property, including a plan for maintaining and inspecting drain tiles and addressing stormwater management, which is subject to the Township's review and approval.

9. Digital Mining Restrictions. Digital mining shall not occur in any accessory building or temporary structure. The use of ISO shipping containers or other similar containers for digital mining shall be prohibited.
    a. Digital mining operations shall only be permitted between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday. The Planning Commission may authorize additional hours if appropriate noise, light, screening and other protective measures are included.
10. Hazardous Materials. Due to the nature of a data center, hazardous waste and storage of hazardous materials is anticipated. If the proposed data center or digital mining use includes storage or disposal of hazardous materials or waste, the following is required:
    a. The applicant shall describe the nature of the storage and processing of hazardous materials and waste as part of the application for site plan review. This shall include proposed safety measures and protocols to prevent the spread of hazardous materials outside of designated containment areas and procedures in the event that hazardous materials or waste are released and have the potential to damage persons, property or the environment. This information shall be provided to provide the Township with notice that hazardous materials or waste are present to coordinate in the event that hazardous materials or waste is released, and to inform public safety officials.
    b. All storage and/or processing of hazardous materials and waste shall comply in all respects with state and federal law and regulations and the requirements of the Michigan Department of Environment, Great Lakes and Energy and any other applicable agency. Storage and/or processing of hazardous materials and waste shall not commence until all necessary permits have been obtained and copies of such permits have been provided to the Township.
    c. If storage and/or processing is proposed outside of a building or structure, those activities shall be screened from view of adjacent public or private rights-of-way and any property that is zoned in a residential district.

11. Lighting. The lighting of the Data Center is limited to the minimum light necessary for safe operation. Illumination from any lighting must not extend beyond the perimeter of the lot(s) used for the Data Center. The Data Center must not produce any glare that is visible to neighboring lots or persons traveling on public or private roads.
12. Modular Data Centers Prohibited. Except during the construction phase, prefabricated or "modular" data centers and shipping containers and similar prefab structures are prohibited. All data center uses shall be within site-built buildings.
13. Emergency Response. A detailed emergency response plan shall be submitted, showing at a minimum that the data center has a plan in effect to address emergencies resulting from flood, fire, explosion and catastrophic weather events. The plan shall include a study which details the type, size and quantity of firefighting equipment that is needed to serve the size of facility and equipment used in the facility. The emergency response plan is subject to review and comments by the Township, including the Township Fire Chief, and may also be subject to review of the Kent County Sheriff's Department or other applicable agencies.
    a. Annual Review. The emergency response plan shall be reviewed and amended, as necessary, to ensure continued compliance with and effectiveness of the plan, as well as emergency responders' ability to safely respond to emergencies.
    b. Emergency Response Training and Equipment. Prior to the issuance of any Certificate of Occupancy, the applicant shall, at its sole expense, provide the Township Fire Department and its designated emergency response contractors with specialized equipment and training deemed necessary by the Fire Chief.

       Such training and equipment shall specifically address hazards unique to the data center facility, including high-voltage electrical infrastructure, battery energy storage systems (BESS), and specialized fire suppression systems. The applicant shall coordinate and fund annual refresher training and site orientation for local emergency response personnel.

14. Emergency Contact Information. Each data center shall provide 24-hour emergency contact signage visible at each access entrance. The signs shall include the company name (if applicable), the owner or representative's name, the telephone number for the emergency contact person, and the local power company's name and telephone number.
15. Complaint Resolution. The applicant shall provide a plan for resolving complaints from the public or other property owners concerning the construction and operation of the Data Center, which is subject to the Township's review and approval.
16. Security Fencing. Security fencing must be installed around all electrical equipment related to the Data Center. Such fencing must be a minimum seven (7) feet tall and must use materials, colors, textures, screening and landscaping, that will blend the facility into the natural setting and existing environment.
17. Cost Responsibility. The applicant shall be responsible for all additional costs associated with necessary improvements to and maintenance of all utilities, roads, public facilities, vehicles, or equipment necessary to provide services to the data center.
18. Annual Report and Inspection. As a condition of approval, the facility owner and/or operator shall agree to reimburse the Township for annual professional and independent inspection of the operations, including the use of third parties. In addition to allowing for inspections, the owner and/or operator may be required to provide additional reports as requested by the Township on annual operations, including but not limited to:
    a. Emergency Response Plan Review
    b. Water Usage
    c. Sanitary Sewer Discharges
    d. Noise
    e. Power Usage
    f. Maintenance
    g. Proof of Insurance

h. A summary of all complaints, complaint resolutions, and extraordinary events.

The purpose of the inspections and reports is to determine compliance with the Zoning Ordinance, site plan and special land use approval. The applicant, owner and/or operator may be required to post an additional bond, security, or escrow to pay for the annual inspections and reports.

19. Decommissioning. If a Data Center is abandoned or otherwise nonoperational for a period of one year, the property owner or the operator must notify the Township and must remove the system or provide a repurposing plan, acceptable to the Township, within six (6) months after the date of abandonment.

    a. Financial Security. To ensure proper decommissioning of a Data Center upon abandonment, the applicant must post financial security in the form of a security bond or escrow payment in an amount equal to 125% of the total estimated cost of decommissioning, code enforcement, and reclamation, which cost estimate must be approved by the Township. The operator and the Township will review the amount of the financial security every two (2) years to ensure that the amount remains adequate. This financial security must be posted within fifteen (15) business days after approval of the special use application.

    b. Removal requires receipt of a demolition permit from the Building Official and full restoration of the site to the satisfaction of the Zoning Administrator. The site must be filled and covered with topsoil and restored to a state compatible with the surrounding vegetation. The requirements of this subsection also apply to a Data Center that is never fully completed or operational if construction has been halted for a period of one (1) year.

    c. Repurposing requires an evaluation of the structural integrity and capacity of the buildings to support another industrial use, an evaluation of the utilities ability to support another industrial use, an environmental site assessment, a “clean building” certification proving all hazardous materials have been fully remediated, and an approved zoning permit transferring the Data Center to another approved industrial use.

20. Transfer of Ownership or Operational Control. No permit, facility, or land use authorized under this Section shall be transferred, assigned, or leased to a new owner or operator without prior written notification to and approval by the Township.
    a. Notice Requirement: The current owner or proposed transferee shall submit a formal transfer application to the Zoning Administrator and Township Clerk at least sixty (60) days prior to any contemplated transfer.
    b. Submission Requirements: The proposed transferee shall demonstrate, to the Township's satisfaction, that:
        i. All existing bonds, decommissioning funds, financial assurances, escrow accounts, and insurance policies required under this Section are fully executed, funded, and assumed by the transferee in forms acceptable to the Township; and
        ii. The transferee agrees in writing to assume all ongoing conditions of approval, obligations, and liabilities associated with the facility.
    c. Review Fees: The transferee shall reimburse the Township for all reasonable legal, technical, and administrative costs incurred in reviewing and processing the transfer request.
21. Insurance Requirements. Prior to site plan approval, issuance of any building permit, or commencement of operations, the applicant, owner, and operator of a Data Center facility shall obtain and maintain, at their sole expense, insurance coverage meeting or exceeding the requirements of this Section. Coverage shall remain continuously in force throughout the operational life of the facility and through the completion of any required decommissioning or site restoration.

    Facility scale shall be determined by the total maximum design power capacity (in Megawatts, MW) approved under the site plan, including all planned expansion phases.
    a. Tiered Minimum Coverage Schedule. Insurance minimums shall be maintained in accordance with the facility capacity tiers set forth in Table B.1 below:

Table B.1: Required Insurance Minimums by Facility Scale (MW)

Facility Tier	Power Capacity (MW)	Commercial General Liability (Per Occ / Agg)	Environmental & Pollution Liability (Per Occ / Agg)	Excess / Umbrella Liability (Per Occ / Agg)
Tier 1: Small / Edge	Less than 10 MW	$2,000,000 / $5,000,000	$5,000,000 / $5,000,000	$10,000,000
Tier 2: Mid-Scale	10 MW up to 50 MW	$5,000,000 / $10,000,000	$10,000,000 / $10,000,000	$25,000,000
Tier 3: Hyperscale	50 MW up to 100 MW	$10,000,000 / $20,000,000	$20,000,000 / $20,000,000	$50,000,000
Tier 4: Mega-Hyperscale	100 MW or greater	$10,000,000 / $20,000,000	$35,000,000 / $35,000,000	$100,000,000

b. Standard Coverage Requirements. In addition to the tiered coverage minimums established in Table B.1, all facilities regardless of size shall maintain the following coverages issued by carriers licensed in Michigan with an A.M. Best rating of A- VII or better:

i. Environmental & Pollution Liability Scope: Must explicitly cover first- and third-party claims for bodily injury, property damage, environmental cleanup, containment, and site remediation resulting from sudden, accidental, or gradual releases of pollutants, diesel fuel, battery hazardous substances (including lithium-ion thermal event contaminants), or chemical cooling agents.

ii. Commercial Automobile Liability: Minimum $2,000,000 combined single limit for bodily injury and property damage covering all owned, hired, and non-owned vehicles. Must comply with statutory requirements under the Michigan No-Fault Insurance Act.

iii. Workers' Compensation & Employer's Liability: Workers' Compensation: Statutory limits under the Michigan Workers' Disability Compensation Act (PA 317 of 1969, as amended). Employer's Liability: Minimum $1,000,000 per accident / $1,000,000 disease policy limit / $1,000,000 disease each employee.

c. Property & Decommissioning Casualty Coverage: Special Form / All Risk property insurance covering 100% of the full replacement cost of all structures, equipment, and on-site improvements. Policy proceeds shall be dedicated to site restoration or reconstruction in the event of major casualty.

d. Mandatory Policy Endorsements All required insurance policies shall include the following provisions:

    i. Additional Insured Status: The Township, including its elected and appointed officials, officers, employees, agents, and contractors, shall be named as an Additional Insured on a primary and non-contributory basis on CGL, Auto, Environmental, and Excess/Umbrella policies.

    ii. Waiver of Subrogation: The insurer shall waive all rights of subrogation against the Township and its officials for losses arising from operations.

    iii. Notice of Cancellation: Each policy shall contain an endorsement requiring written notice to the Zoning Administrator and Clerk at least thirty (30) calendar days prior to policy cancellation, non-renewal, or material reduction in coverage (or 10 days for non-payment of premium).

e. Administration & Compliance

    i. Initial Proof of Coverage: Certificates of Insurance (ACORD form) verifying all required coverages shall be submitted to the [Zoning Administrator] prior to final site plan signature or building permit issuance.

    ii. Annual Compliance Certification: The facility owner or operator shall submit updated Certificates of Insurance annually to the Zoning Administrator and Clerk no later than January 15th of each calendar year.

iii. Facility Expansion Re-evaluation: If a facility increases its power capacity (MW) into a higher tier, updated insurance certificates reflecting the higher coverage thresholds shall be submitted prior to the installation or energization of the expanded capacity.

iv. Lapse in Coverage: Failure to maintain required insurance constitutes a violation of this Ordinance and grounds for summary revocation of the Special Land Use Permit or Certificate of Occupancy.

22. Indemnity. The applicant shall provide an attestation that the applicant will indemnify and hold the Township harmless from any costs or liability arising from the approval, installation, construction, maintenance, use, repair, or removal of the Data Center, which is subject to the Township's review and approval.
23. Proof of environmental compliance, including compliance with Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act; (MCL 324.3101 et. seq.; Part 91, Soil Erosion and Sedimentation Control (MCL 324.9101 et. seq.) and any corresponding County ordinances; Part 301, Inland Lakes and Streams, (MCL 324.30101 et. seq.); Part 303, Wetlands (MCL 324.30301 et. seq.); Part 365, Endangered Species Protection (MCL324.36501 et. seq.); and any other applicable laws and rules in force at the time the Township considers the application.
24. Extraordinary Events. If the Data Center experiences a failure, fire, leakage of hazardous materials, personal injury, or other extraordinary or catastrophic event, the applicant or operator must notify the Township within 24 hours.
25. Compliance with Other Laws. The design, construction, operation use and decommissioning of a data center shall comply with all applicable provisions of this Ordinance and all other applicable local, state or federal laws or regulations, including but not limited to laws or regulations regarding the environment, pollution, and mitigation of potential impacts on threatened or endangered species.
26. Remedies. If an applicant or operator fails to comply with this Ordinance, the Township may pursue any remedy or enforcement, including but not limited to the removal of any Data Center pursuant to the

Zoning Ordinance or as otherwise authorized by law. Additionally, the Township may pursue any legal or equitable action to abate a violation and recover any and all costs, including the Township's actual attorney fees and costs.

C. Small-Scale Data Centers

1. A small-scale data center is only permitted as a special land use only in the Industrial zoning district(s).
2. A small-scale data center shall comply with Section ####.B – General Requirements and all applicable sections of this Ordinance.
3. Minimum Lot Area: 20 acres
4. Setbacks: All buildings and structures shall comply with Industrial District setbacks.
    a. The Planning Commission may increase setbacks if necessary to ensure compliance with requirements of this section or other applicable provisions of this Ordinance.

D. Large-Scale Data Centers

1. A large-scale data center is only permitted as a special land use only in the Industrial zoning district(s).
2. A large-scale data center shall comply with Section ####.B – General Requirements and all applicable sections of this Ordinance.
3. Minimum Lot Area Requirements. 40 acres
5. Setbacks. All buildings and structures shall comply with Industrial District setbacks.
    a. The Planning Commission may increase setbacks if necessary to ensure compliance with requirements of this section or other applicable provisions of this Ordinance.
6. Location Requirements: Large-scale data centers shall be located on a lot that abuts a highway or roads able to service the construction and use of the data center.
7. Fiscal Impact Analysis (FIA) Requirements. A comprehensive Fiscal Impact Analysis (FIA) shall be submitted with any application for a large-scale data center.

The purpose of the FIA is to evaluate the direct, indirect, and long-term financial impacts of the proposed development on the Township local emergency service providers, road authorities, and public utility systems, ensuring the development does not create an unmitigated financial deficit for local taxpayers.

a. Consultant Qualifications & Peer Review Escrow
    i. Preparation: The FIA shall be prepared at the applicant's sole expense by an independent qualified economist, municipal finance consultant, or urban planning professional possessing demonstrated experience in municipal fiscal modeling.
    ii. Independent Peer Review: The Township reserves the right to select and retain an independent third-party municipal finance consultant to review and evaluate the applicant's FIA submittal. The applicant shall deposit funds into a municipal escrow account, as established by resolution of the Township Board, to cover all expenses associated with the independent peer review.

b. Required Scope and Methodology. The FIA shall cover a minimum projection period of fifteen (15) years from the anticipated date of project commissioning. The analysis shall utilize conservative, baseline financial assumptions and explicitly detail the following components:
    i. Real Property Taxes: Tax revenues generated by real property improvements based on taxable value projections.
    ii. Personal Property Taxes: Projected personal property tax revenue, explicitly factoring in all applicable state or local tax exemptions, depreciation schedules, and statutory incentive programs (e.g., PA 198 Industrial Facilities Exemption or state-level data center personal property tax exemptions).
    iii. Utility & Service Fees: Anticipated municipal water, sewer, or franchise fees generated by the facility.
    iv. Special Assessments & Local Fees: Any applicable building permit fees, site plan review fees, or local development fees.

c. Public Expenditure & Cost Projections. An itemized annual projection of all direct and indirect public operating and capital expenditures incurred by local units of government to service the facility, including:

    i. Public Safety & Emergency Services: Operational and capital costs for the local Fire Department, Police/Sheriff, and EMS, including specialized high-voltage and hazard training, dedicated equipment acquisition, and additional personnel demands.

    ii. Transportation Infrastructure: Projected impact on local municipal roads, including road wear, baseline pavement degradation from heavy construction/equipment transport, and necessary intersection or signalization upgrades.

    iii. Municipal Water & Wastewater Utilities: Capital upgrade costs, ongoing operational maintenance, and capacity consumption impacts on municipal water treatment and sewer infrastructure.

    iv. Administrative & Code Enforcement: Projected costs for ongoing ordinance administration, environmental monitoring, building inspections, and noise/performance standard compliance enforcement.

d. Employment & Economic Multipliers

    i. Direct construction-phase employment, timeline, and estimated payroll.

    ii. Long-term permanent full-time equivalent (FTE) employment, job classifications, and average wage scales.

    iii. Secondary economic impacts (indirect and induced spending) evaluated separately from direct municipal cash flows.

e. Net Fiscal Impact Summary. A year-by-year comparative schedule calculating the Net Fiscal Impact (Total Projected Revenues minus Total Projected Public Expenditures). The report shall include sensitivity analyses evaluating:

    i. Best-Case Scenario: Full project buildout and maximum tax generation.

ii. Incentive/Abatement Scenario: Projected revenues assuming the granting of maximum requested tax abatements or state tax exemptions.

iii. Phase-In/Delay Scenario: Delayed construction or partial buildout scenarios.

f. Fiscal Mitigation Agreement. If the FIA or the independent peer review indicates that the proposed data center will result in a net negative fiscal impact (operational or capital deficit) on the Township or local emergency service districts during any point in the 15-year projection period, the applicant shall be required to enter into a legally binding Development and Fiscal Mitigation Agreement as a condition of Special Land Use approval. Mitigation measures may include, but are not limited to:

i. Annual Payments-in-Lieu-of-Taxes (PILOT) or host community impact fees to offset projected revenue shortfalls.

ii. Capital cost contributions or upfront funding for specialized fire/EMS equipment, station expansions, or public utility infrastructure upgrades.

iii. Pre-funding of dedicated municipal code enforcement and monitoring escrow accounts.

8. Mandatory FIA Updates and Re-evaluation Triggers. After initial Special Land Use or Site Plan approval, an updated Fiscal Impact Analysis (FIA) shall be submitted to the [Township / City / Village] prior to municipal consideration or approval of any of the following events:

a. Major Facility Expansion. An updated FIA shall be required whenever the applicant, owner, or operator proposes a facility expansion, site modification, or additional development phase that meets or exceeds any of the following thresholds:

i. An increase in total design electrical capacity by ten percent (10%) or five (5) Megawatts (MW), whichever is less, beyond the capacity approved in the baseline FIA;

ii. An increase in total gross building floor area by fifteen percent (15%) or twenty thousand (20,000) square feet, whichever is less; or

iii. The addition of major high-demand physical infrastructure not analyzed in the baseline FIA, such as new on-site utility substations, utility-scale Battery Energy Storage Systems (BESS), or expanded backup generator fuel storage facilities.

b. Subsequent Applications for Tax Abatements or Exemptions. If the baseline FIA was evaluated under the assumption of standard, non-abated tax assessments, an updated FIA shall be required prior to municipal review or recommendation of any subsequent tax incentive request filed after initial site plan or Special Land Use approval. This includes, but is not limited to:

i. Applications for an Industrial Facilities Exemption Certificate under Public Act 198 of 1974 (MCL 207.551 et seq.);

ii. Requests for local or state personal property tax exemptions, Commercial Redevelopment Act exemptions, or Renaissance Zone designations; or

iii. Any statutory tax relief request or modified assessment agreement that reduces projected annual municipal revenues below the baseline revenue figures accepted in the original FIA.

c. Review Procedure & Peer-Review Escrow

i. Escrow Deposit: Submittal of an updated FIA shall be accompanied by the establishment or replenishment of a peer-review escrow account pursuant to Section ####.D.7.a to cover all third-party legal, financial, and planning review costs.

ii. Review Body: The updated FIA and third-party peer review report shall be submitted to the Planning Commission for recommendation and to the Township Board for final review.

d. Mandatory Mitigation Adjustment. If the updated FIA demonstrates that the proposed facility expansion or requested tax abatement/exemption creates a net negative fiscal impact (operational or capital deficit) on the Township, emergency service districts, or road authorities:

i. The applicant shall execute an amended or supplemental Development and Fiscal Mitigation Agreement (which may include annual Payment-in-Lieu-of-Taxes [PILOT] schedules, host community fees, or dedicated capital contributions) to fully neutralize the projected fiscal deficit.

ii. Approval of the amended Fiscal Mitigation Agreement shall be a mandatory prerequisite prior to:

1. The issuance of any building permits or site plan signatures for the facility expansion; or
2. The adoption, endorsement, or approval of any municipal resolution granting or recommending a tax abatement, exemption, or incentive agreement.

9. Air Quality and Water Quality. The equipment, including but not limited to any power generators, used in the operation of the large-scale data center use shall minimize air pollutant emissions and water pollutant discharges and meet or exceed applicable state and federal laws regarding emissions and discharges. An owner or operator or applicant for a data center shall provide affirmative proof of EGLE approval or EPA approval upon request of the Township.
10. Construction Plan:
    a. A project development timeline, including information regarding how the applicant will inform adjacent property owners and members of the community regarding the status of the project, shall be provided.
    b. A transportation plan for construction and operation phases, including any applicable agreements with the County Road Commission and Michigan Department of Transportation, which is subject to the Township's review and approval.
    c. Construction Phasing Requirements. The construction of large-scale data centers are subject to special construction restrictions. The construction must be conducted in phases and only during such days of the week and hours as may be specifically approved by the Planning Commission

as part of special land use approval. The construction shall not take place in a way which allows for unreasonable noise, dust or other negative impacts on nearby or adjoining properties or lands or water. In addition, although the construction is not subject to the operational noise restrictions for data centers and digital mining uses, the Planning Commission may place special noise restrictions on each phase of the construction.

11. Special Escrows. In addition to all of the escrows provided herein, the owner and operator of any large-scale data center shall pay or reimburse the Township for all inspections, analyses, reports and expenses incurred by the Township in not only monitoring the construction of the large-scale data center, but also the ongoing cost of inspections and monitoring and enforcement, including decommissioning, of the large-scale. In addition to the escrows provided elsewhere in the Zoning Ordinance, the Township may establish separate and special escrows to cover these costs and expenses.

MEEGAN ZICKUS for state rep — ALL OF 89th DISTRICT

11833 78th Avenue
Allendale, Michigan 49401

RECEIVED
OCT 07 2026
CHESTER TOWNSHIP

October 1, 2026

Dear Community Leaders and Constituents,

My name is Meegan Zickus, and I'm running for Michigan's 89th House District. For 25 years, Allendale has been more than my address—it's where I've raised my family, cared for loved ones, and helped shape our schools and neighborhoods. Now I want to take that same commitment to Lansing and put it to work for the people of this district.

My spouse and I have been married 32 years. We raised three daughters here in Allendale—one through open adoption—and for 25 years we cared for my grandmother-in-law in our home. Those years taught me something simple but powerful: strong communities are built when people show up for each other, across generations, with responsibility and compassion.

I've also lived with—and survived—a chronic and rare illness. That experience gave me a front-row seat to what families go through when life takes a hard turn. It made me even more convinced that good leadership must be practical and careful with every dollar, while still being thoughtful, accessible, and genuinely humane.

Everything I stand for comes down to three simple C's—costs, care, and class—because those are the things that actually touch people's daily lives.

- Costs: Families, seniors, schools, and local businesses are all feeling the squeeze. I believe every tax dollar should be treated with real care—clear priorities, less waste, and investments that actually deliver lasting value for the people who live here.
- Care: Every public decision lands on real people. Good leaders listen first, weigh the human impact, and treat every resident with dignity. That means policies that support safe neighborhoods, strong schools, smart development, and services people can actually count on.
- Class: Every student deserves a strong public education. I'll fight for safe classrooms,

- great teachers, responsible funding, and the tools kids need to thrive. My ten years on the Allendale School Board showed me that when we get public schools right, everything else in a community gets stronger—families, the local economy, and our shared future.

I'm running to put that experience to work for the people of the 89th District. In Lansing, I will push for responsible spending, policies that put people first, and strong public schools—always remembering that public service is about people, not politics or personalities.

As an attorney and bioethics professor, I've spent my career working through complex questions and finding practical, principled solutions. Those roles taught me to dig into the facts, ask hard questions, listen carefully, and explain decisions in plain language.

I also bring real public-service experience. I served two terms—ten years—on a school board, dealing with budgets, educational priorities, and community expectations. And I spent ten years as a planning commissioner, thinking carefully about land use, development, infrastructure, and the long-term character of the places we call home.

I'd welcome the chance to listen to what matters most to you, the leaders and constituents of our communities. I would like to answer your questions. If you're open to it, I'd be grateful for the opportunity to earn your consideration and support. My campaign is straightforward: control costs, lead with care, and strengthen public education in every classroom. That's the work I'm ready to do.

Sincerely,

Meegan Zickus

Meegan Zickus
Candidate for Michigan's 89th House District

The Committee to Elect Meegan Zickus
(616) 690-4734 Zickusfor89th@gmail.com
Facebook: Zickusfor89th Instagram: Zickus for 89th TikTok: Zickusfor89th Zickusfor89thh@bsky.social

Paid for by The Committee to Elect Meegan Zickus

TOWNSHIP OF RAVENNA

3770 Blackmer Road, Ravenna, MI 49451
Phone 231-853-6205 Fax 231-853-5155

RECEIVED
SEP 30 2026
CHESTER TOWNSHIP

Chester Township

3509 Sehler Street

P.O. Box 115

Conklin, MI 49403

September 22, 2026

Re: Adoption of Master Plan

At the August 17, 2026, meeting of the Ravenna Township Planning Commission, the 2026 Ravenna Township Master Plan was formally adopted. Please allow this letter to serve as our formal notification of that adoption pursuant to the Michigan Planning Enabling Act, PA 33 of 2008, as amended.

You may find a copy of the final document at the Township website:
https://www.freshcoastplanning.com/ravennatownship

Printed copies will be available upon request.

On Behalf of Ravenna Township,

Kevin Yeomans

Ravenna Township Zoning Administrator

Chester Township

3509 Sehler St. P.O. Box 115 Conklin, MI 49403

"Chester Township is an Equal Opportunity Provider"

Zoning Administrator **September 2026** Report

Zoning Permits

The following are zoning permits that were granted in August of 2026:

Mark Chartrand	22961 32nd Ave	40 x 60 Pole Barn
Tom Kolenda	1360 Hoover St.	2550 sf New Home
David Brown	22541 24th Ave	30' x 40' Pole Barn

Zoning Enforcement

Gritter	270 Hoover St.	No permits-Accessory building and pool

ZBA

None.

Aaron Bigelow
Planner & Zoning Administrator