

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

810-659-0800

FAX: 810-659-4212

PLANNING COMMISSION AGENDA

DATE: July 11, 2022

TIME: 7:00 P.M.

WEB ADDRESS <http://www.flushingtowship.com>

THIS MEETING WILL BE HELD AT NORTH FLUSHING BAPTIST CHURCH LOCATED AT 7500 MT. MORRIS ROAD, FLUSHING, MI 48433.

MEMBERS OF PLANNING COMMISSION

Chair – Vicki Bachakes

Ronald Voigt

Vice Chair – Christopher Czyzio

Craig Davis

Secretary – William Mills

Amy Barta-Bolin

Terry A. Peck – Board of Trustees Representative

Mandy Hemingway, Recording Secretary

I. CALL THE MEETING TO ORDER:

ROLL CALL

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

II. APPROVAL OF AGENDA:

III. APPROVAL OF PREVIOUS MINUTES:

June 13, 2022 Meeting

IV. PUBLIC COMMENTS FOR AGENDA ITEMS ONLY:

Each speaker limited to three minutes

V. UNFINISHED BUSINESS:

None

VI. NEW BUSINESS:

1. Motion to approve the Special Use Permit to place an Accessory Structure in the front yard at 7137 N. McKinley Road, Flushing, MI 48433, P.P. No. 08-10-400-010, pursuant to Article XVIII Special Use Permits, Sec. 20-1804 (A).

2. Public Hearing pursuant to a petition circulated and signed by residents along with the direction of the Board of Trustees to consider a possible amendment to Zoning Ordinance Article 18, Special Use Permits Article: Section 20-1804 Requirements for Permitted Special Land Uses (OO) Commercial Solar Energy Collector System (b) (2) The total area of ground-mounted solar energy collections shall be included in calculations to determine lot coverage and shall not exceed a maximum lot coverage of 25 percent regardless of the residing zoning district.
3. Discussion and possible motion regarding Zoning Ordinance Article 18, Special Use Permits Article: Section 20-1804 Requirements for Permitted Special Land Uses (OO) Commercial Solar Energy Collector System (b)(2) The total area of ground-mounted solar energy collections shall be included in Calculations to determine lot coverage and shall not exceed a maximum lot coverage of 25 percent regardless of the residing zoning district.

VII. PUBLIC COMMENTS:
Each speaker limited to three minutes

VIII. COMMISSION COMMENTS:

**IX. NEXT REGULAR SCHEDULED MEETING: ~~TUESDAY, JULY 11, 2022~~
MONDAY, AUGUST 8, 2022 AT 7:00P.M.**

X. ADJOURNMENT



DENNIS JUDSON, Zoning Administrator

DRAFT
CHARTER TOWNSHIP OF FLUSHING
6524 N. SEYMOUR ROAD
FLUSHING, MICHIGAN 48433

810-659-0800 FAX: 810-659-4212

MINUTES OF THE PLANNING COMMISSION MEETING

DATE: JUNE 13, 2022 TIME: 7:00 P.M.

WEB ADDRESS <http://www.flushingtowship.com>

MEMBERS OF PLANNING COMMISSION

Chair – Vicki Bachakes	Ronald Voigt
Vice Chair -Christopher Czyzio	Craig Davis
Secretary - William Mills	Amy Bolin
Terry A. Peck, Board of Trustees Representative	
Mandy Hemingway, Recording Secretary	

PRESENT: Vicki Bachakes, Christopher Czyzio, William Mills, Ronald Voigt, Craig Davis, Amy Bolin and Terry Peck

ABSENT: None

OTHERS PRESENT: Clerk Wendy Meinburg and sixty-five other individuals were present.

I. MEETING CALLED TO ORDER at 7:00 P.M. by Planning Commission Chairperson Bachakes with Roll Call and Pledge to the American Flag.

II. APPROVAL OF AGENDA:

COMMISSIONER PECK MOVED, supported by Commissioner Czyzio to approve the agenda as presented.

THE MOTION CARRIED UNANIMOUSLY.

III. APPROVAL OF PREVIOUS MINUTES:

COMMISSIONER PECK MOVED, supported by Commissioner Bolin to approve the minutes of the May 9, 2022 meeting.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Bachakes, Czyzio, Davis, Peck, Voigt, Bolin and Mills

NAYS: None

ABSENT: None

THE MOTION CARRIED UNANIMOUSLY.

IV. PUBLIC COMMENTS

OPEN FOR PUBLIC COMMENTS 7:02 P.M.

Twenty-two comments were made. Of those comments, twenty were in opposition to item #3 under New Business, the rezoning of P.P #08-23-200-015. The other two comments were regarding item #1 under New Business, one being in favor and one being against.

CLOSED FOR PUBLIC COMMENTS 7:28 P.M.

V. UNFINISHED BUSINESS

None

VI. NEW BUSINESS

1. Motion to approve the Special Use Permit to place an Accessory Structure in the front yard at 6367 Turner Road, Flushing, MI 48433, P.P. No. 08-16-501-003, pursuant to Article XVIII Special Use Permits, Sec. 20-1804 (A).

Ms. Holsinger, the applicant was in attendance and gave a brief description of her request. After hearing from the applicant and a short discussion, the following motion was made.

COMMISSIONER PECK MOVED, supported by Commissioner Davis to deny the request for a Special Use Permit to place an Accessory Structure in the front yard at 6367 Turner Road, Flushing, MI 48433, P.P. No. 08-16-501-003, pursuant to Article XVIII Special Use Permits, Sec. 20-1804 (A).

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Czyzio, Davis, Peck, Voigt, Bolin, Mills and Bachakes

NAYS: None

ABSENT: None

THE MOTION CARRIED UNANIMOUSLY.

2. Motion to approve the Special Use Permit to dig a pond at 6308 Johnson Road, Flushing, MI 48433, P.P. No. 08-13-100-039, pursuant to Special Use Permits Article XVIII, Section 20-1804 (BB) Ponds.

Mr. Macdermaid, the applicant was in attendance and gave an explanation of his intended plan for a pond. After hearing from the applicant and reviewing the application and support materials provided by the applicant, the following motion was made.

COMMISSIONER MILLS MOVED, supported by Commissioner Voigt to approve the Special Use Permit to dig a pond at 6308 Johnson Road, Flushing, MI 48433, P.P. No. 08-13-100-039, pursuant to Special Use Permits Article XVIII, Section 20-1804 (BB) Ponds.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Davis, Bachakes, Czyzio, Mills, Peck, Voigt and Bolin

NAYS: None

ABSENT: None

THE MOTION CARRIED UNANIMOUSLY.

3. Motion to approve The Rezoning of 8163 Coldwater Road, Flushing, MI 48433, P.P. No. 08-23-200-015 from RSA to RU-2, pursuant to Article XX Amendments Sec. 20-2000 (b).

Mr. Duffy, the applicant was in attendance, and gave an overview of his intent for the property at 8163 Coldwater Road which would require it to be rezoned from RSA to RU-2. Representatives from Atkins Fick Group Inc, Tom Atkins and Tim Fick were also in attendance further explained the potential plan to develop this property into 34-43 duplex condominiums.

After reviewing the application and support materials and a very lengthy discussion citing issues with potential water drainage problems and contradiction to the Master Plan for Flushing Township, the following motion was made.

COMMISSIONER PECK MOVED, supported by Commissioner Voigt to deny the request for Rezoning of 8163 Coldwater Road, Flushing, MI 48433, P.P. No. 08-23-200-015 from RSA to RU-2, pursuant to Article XX Amendments Sec. 20-2000 (b).

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Peck, Voigt, Bolin, Mills, Bachakes, Czyzio and Davis

NAYS: None

ABSENT: None

THE MOTION CARRIED UNANIMOUSLY.

VI. PUBLIC COMMENTS

OPEN FOR COMMENTS: 8:16 P.M.

Seven comments were made.

Clerk Meinburg also informed the members of the Planning Commission that at the Board of Trustees meeting on June 9, 2022, she received a petition that had been circulated by residents with 244 signatures, which she will certify, requesting an amendment to the zoning ordinance regarding commercial solar energy collector systems. Per this petition at the residents request, this ordinance will be coming back to the Planning Commission to discuss amending the language of the zoning ordinance at the July 11, 2022 meeting.

CLOSED FOR COMMENTS: 8:28 P.M.

VII. COMMISSION COMMENTS

Commissioner Davis commented there is a need for new housing with the right conditions.

Commissioner Czyzio reported that all meeting materials including agenda, minutes and packets are now available on the township's website.

Commissioner Peck reported the Board of Trustees passed an ordinance establishing a moratorium on any new commercial solar applications, and with this ordinance and the petition from the residents, the Board of Trustees will be asking the Planning Commission to review the ordinance for possible amendment. This will be coming back to the Planning Commission in July.

Commissioner Bolin commented on the need to follow the Master Plan.

**VIII. NEXT REGULAR SCHEDULED MEETING IS MONDAY,
JULY 11, 2022 AT 7:00 P.M.**

IX. ADJOURNMENT

With no further business, the meeting adjourned at 8:33 P.M.

VICKI BACHAKES, Chairperson

WILLIAM MILLS, Secretary

Date of Approval

Mandy Hemingway, Recording Secretary

JUNE 9/19

SPECIAL USE PERMIT REQUEST FORM

Special Use Permit Request Case No. _____
 Permit Fee: 300.00
 Date Paid: 6-9-2022
 Date Notice was Published: 6-23-22
 Date of Public Hearing: _____
 Affidavit Attached: _____

FLUSHING TOWNSHIP PLANNING COMMISSION SPECIAL USE PERMIT REQUEST

Required information from owner or person having interest in requesting Planning Commission (PC) review and opinion.

1. Name of applicant/owner requesting PC review and opinion.

A. Applicant

Name: _____
 Address: 7137 N. McKinley Road
Flushing, MI 48433
 Phone: _____

B. Owner of property if different than above

Name: Same as above
 Address: _____
 Phone: _____

2. Location of Property:

Street number and name: 7137 N. McKinley Road
 Property tax identification number: 08-10-400-010
 Legal description of property involved: Will provide a survey if re-
quested assuming one exists

List deed restrictions and easements: None

Present zoning of property: Residential

3. With all requests, a site plan must be submitted (see attached site plan form)

4. Answer the following questions of the affidavit:

a. What is the purpose of the request for a Special Use Permit?

To build a garage unattached northeast of existing home in "front yard". Due to flood zone in back of home, garage cannot be built there.

ACKNOWLEDGEMENT AND CERTIFICATION: It is hereby acknowledged that the applicant(s) has fully read and completed the above application. It is also understood that in case of cancellation or failure of the owner or his representative to appear at the hearing, I understand that all fees will be forfeited.

Signature of Applicant

TREBOSKE
BLG. CONST.

Signature of Owner
(If different than applicant)

PLANNING COMMISSION:

The Planning Commission (PC) having reviewed the submitted data do hereby:

() APPROVE () DISAPPROVE the application for the following reasons: _____

If approved, are there conditions? _____

Date: _____

Chairperson

Special Use Permit \$300.00

Site plan review checklist

This Form and any required site plan MUST be completed in full and turned into Flushing Township 25 DAYS BEFORE THE SCHEDULED Zoning Board of Appeals meeting date to insure all Board members have the necessary information:

Date of Next Meeting: June 11, 2022

Date Paid: 6-9-2022

Amount Paid: \$300

Receipt #: _____

Paperwork Due By: _____

SITE PLAN REVIEW CHECKLIST

Name of Applicant: Robert Trebtoske

Mailing Address: 10033 Hill Rd. Swartz Creek, Mi. 48473

Property Address: 7137 McKinley Rd.

Parcel Number: 08-10-400-010

Proposed Use: Garage

Existing Zoning: Residential

Section 20-1902 Site Plan Review Requirements:

Before any Building Permit shall be issued, a site plan drawn to a scale of one (1) inch equals twenty (20) feet, and at least two (2) copies of this site plan shall be submitted to the township clerk. **Such site plan drawing shall contain ALL of the following information:**

Submit by June 8th
Mrs July 11th Cathy

PLEASE PLACE AN ANSWER IN EVERY BOX UNDER PROPOSED.

DETERMINATION OF
ORDINANCE
COMMISSIONERS

PROPOSED

<p>(a) Statistical data including: number of dwelling units, size of dwelling units (e.g., one-bedroom, two-bedrooms, and three-bedrooms), if any, and total gross acreage involved. In all other cases, the location, type, horsepower, fuel, dimensions, and other data of all machinery to be used on the proposed site.</p>	<p>The proposed blq. is a 40' deep & 50' long free standing garage w/ storage loft, 2 to 3 overhead doors, 1 service door, 4 to 5 windows, concrete parking pad at front and architectural features & colors to (for the most part) compliment existing residence.</p>	
<p>(b) The location of principal and accessory buildings on the lot and the relationship of each structure to the other.</p>	<p>✓</p>	
<p>(c) Vehicular traffic and pedestrian circulation features within and without the site.</p>	<p>NA</p>	
<p>(d) The location and dimensions of all off-street parking areas including maneuvering lanes, service lanes, off-street loading spaces and other service areas within the development.</p>	<p>NA</p>	
<p>(e) The location, dimensions and proposed use of all on-site recreation areas, if any.</p>	<p>NA</p>	
<p>(f) The location of all proposed landscaping, fences or walls.</p>	<p>NA</p>	
<p>(g) The height and dimensions of all structures.</p>	<p>✓ See notes</p>	
<p>(h) Front, rear and side elevations of any typical structure proposed for development.</p>	<p>I. See attached Photos</p>	
<p>(i) The location and capacity of private or public water and sanitary services and solid waste disposal facilities servicing the site.</p>	<p>NA</p>	

Site plan review checklist

(j) The locations, dimensions and lighting of all signs.	NA	
(k) The location, intensity and orientation of all lighting.	Coach & Floodlights on front(s) elev. to illuminate immediate area only.	
(l) A location map indicating the relationship of the site to the surrounding land use for an area of not less than one (1) square mile.	See attached satellite photo labeled II II.	
(m) A physiographic map showing the natural topography, the soil types, and suitability for intended use, natural features such as wood lots, lakes, drains, streams, and ditches, and surface coverage data (such as paved areas and structures) related to storm water runoff characteristics.	See attached II II. Satellite photos and arrows on site plan. Note: Ground conditions are mostly level & flat from road to front of residence then begins to drop along ends of same toward west.	
(n) The site plan shall be sealed by a professional engineer, architect, landscape architect or community planner.	NA	
(o) Location and size of interior and exterior areas and structures to be used for storage use, loading/unloading, recycling, or disposal of hazardous substances.	NA	
(p) Location of all underground and above ground storage tanks for such uses as fuel storage, waste oil holding tanks, chemical storage, hazardous waste storage, collection of contaminated storm water or wash water, and all similar uses.	NA	
(q) Location of exterior drains, dry wells, catch basins, retention/detention areas, sumps and other facilities designed to collect, store to transport storm water or waste water. The point of discharge for all drains and pipes shall be specified on the site plan.	✓	
(r) Delineation of areas on the site which are known or suspected to be contaminated, together with a	NA	

Site plan review checklist

report on the status of site cleanup.		
(s) Submission of the "Hazardous Substances Reporting Form for Site Plan Review."	NA	
(t) Submission of the "State/County Environmental Permits Checklist."	Have app. do you need it sooner or at big permit app.	
(u) 100 year floodplain.		
(v) Topographic lines at 1' intervals.	?	
(w) Proposed and existing utilities including water, sewer, storm water and lighting.	✓	
(x) Driveway location.	✓	
(y) Current zoning of parcel and if the proposed use is not permitted in the district the parcel is zoned, an indication as to the proposed zoning. (Amended by adoption July 25, 2002).	Residential	
(z) Statement on the plan as to whether wetlands exist on the site. (Added by adoption July 25, 2002).		
(aa) Easements impacting property.	None	
(bb) Underground utilities present on property.	✓	

2018
 20, 2, 2
 app.
 X
 X

NOTE: Review Act XVIV for additional information.

ADDITIONAL COMMENTS:

Date Submitted: _____

Revised: 07/19/2018

ZONING PERMIT

CHARTER TOWNSHIP OF FLUSHING

6524 N. Seymour Road

Flushing, Michigan 48433

810-659-0800 Fax 810-659-4212

Receipt # _____

Date: _____

Permit Fee: _____

Initial: _____

APPLICANT TO COMPLETE ALL ITEMS IN SECTIONS. NOTE: SEPARATE APPLICATIONS MUST BE COMPLETED FOR BUILDING, PLUMBING, MECHANICAL, AND ELECTRICAL PERMITS SUBMITTED TO THE STATE OF MICHIGAN. SOIL EROSION PERMIT THROUGH GENESSEE CTY.

Parcel # 08-10-400-010

Estimated Value of Structure \$ 50,000.⁰⁰

LOCATION OF BUILDING

STREET LOCATION: 7137 N. McKinley Rd.
CITY: Flushing STATE: Mi ZIP 48433
between Mt. Morris Rd. and Stanley Rd.

ZONING DISTRICT: Residential
OWNERSHIP: Private Public
LOT SIZE: _____

TYPE OF IMPROVEMENT, RESIDENTIAL PROPOSED USE, NON-RESIDENTIAL PROPOSED USE

- | | | | |
|--|---|---|---|
| <input checked="" type="checkbox"/> NEW BUILDING | <input type="checkbox"/> ONE FAMILY | <input type="checkbox"/> AMUSEMENT | <input type="checkbox"/> LIBRARY |
| <input type="checkbox"/> ALTERATION | <input type="checkbox"/> TWO OR MORE FAMILY # UNITS | <input type="checkbox"/> CHURCH, RELIGION | <input type="checkbox"/> STORE, MERCANTILE |
| <input type="checkbox"/> DEMOLITION | <input type="checkbox"/> HOTEL, MOTEL # UNITS | <input type="checkbox"/> INDUSTRIAL | <input type="checkbox"/> TANKS, TOWERS |
| <input type="checkbox"/> FOUNDATION ONLY | <input type="checkbox"/> ADDITION <input type="checkbox"/> SIGN | <input type="checkbox"/> PARKING GARAGE | <input type="checkbox"/> PUBLIC UTILITY |
| <input type="checkbox"/> MOBILE HOME SET-UP | <input type="checkbox"/> POOL <input type="checkbox"/> FENCE | <input type="checkbox"/> SERVICE STATION | <input type="checkbox"/> HOSPITAL/INSTITUTE |
| <input type="checkbox"/> PRE-MANUFACTURE | <input checked="" type="checkbox"/> ATTACHED/DETACHED GARAGE | <input type="checkbox"/> OFFICE, BANK | <input type="checkbox"/> SIGN |
| <input type="checkbox"/> SPECIAL INSPECTION | <input type="checkbox"/> DECK <input type="checkbox"/> POND | <input type="checkbox"/> PROFESSIONAL | |
| <input type="checkbox"/> RELOCATION | <input type="checkbox"/> STORAGE SHED | <input type="checkbox"/> RETENTION AREA | |
| <input type="checkbox"/> ADDITION | <input type="checkbox"/> POLE BUILDING | | |
| <input type="checkbox"/> REPAIR | <input type="checkbox"/> OTHER _____ | | |

N/A

NON-RESIDENTIAL DESCRIBE IN DETAIL PROPOSED USE OF BUILDING, E.G. FOOD PROCESSION PLANT, MACHINE SHOP, LAUNDRY BUILDING, PARKING GARAGE FOR DEPARTMENT STORE. IF USE OF EXISTING BUILDING IS BEING CHANGED ENTER PROPOSED USE.

CHARACTERISTICS OF BUILDING

PRINCIPAL TYPE OF FRAMING	NUMBER OF OFF-STREET PARKING	RESIDENTIAL BUILDINGS ONLY
<input type="checkbox"/> Masonry (wall bearing)	Enclosed <u>2 to 3</u>	Number of Bedrooms <u>NA</u>
<input type="checkbox"/> Wood frame - <u>Pole bldg.</u>	Outdoors <u>2</u>	Number of bathrooms <u>NA</u>
<input type="checkbox"/> Structural steel	Other: _____	Number of partial bathrooms <u>NA</u>
<input type="checkbox"/> Reinforced concrete		

DIMENSIONS
No. of Stories 2 Total square feet of floor area 2000⁰⁰ Total land area square feet/acres 3.19 acres

IDENTIFICATION OF APPLICANT

APPLICANT IS RESPONSIBLE FOR ALL FEES APPLICABLE TO THIS APPLICATION AND MUST PROVIDE THE FOLLOWING INFORMATION:

OWNER OR LESSEE: ADDRESS: 7137 McKinley Rd.

CITY: Flushing STATE: Mi. ZIP: 48433 PHONE NUMBER: _____

CONTRACTOR: Robert P. Trebtske ADDRESS: 10033 Hill Rd.

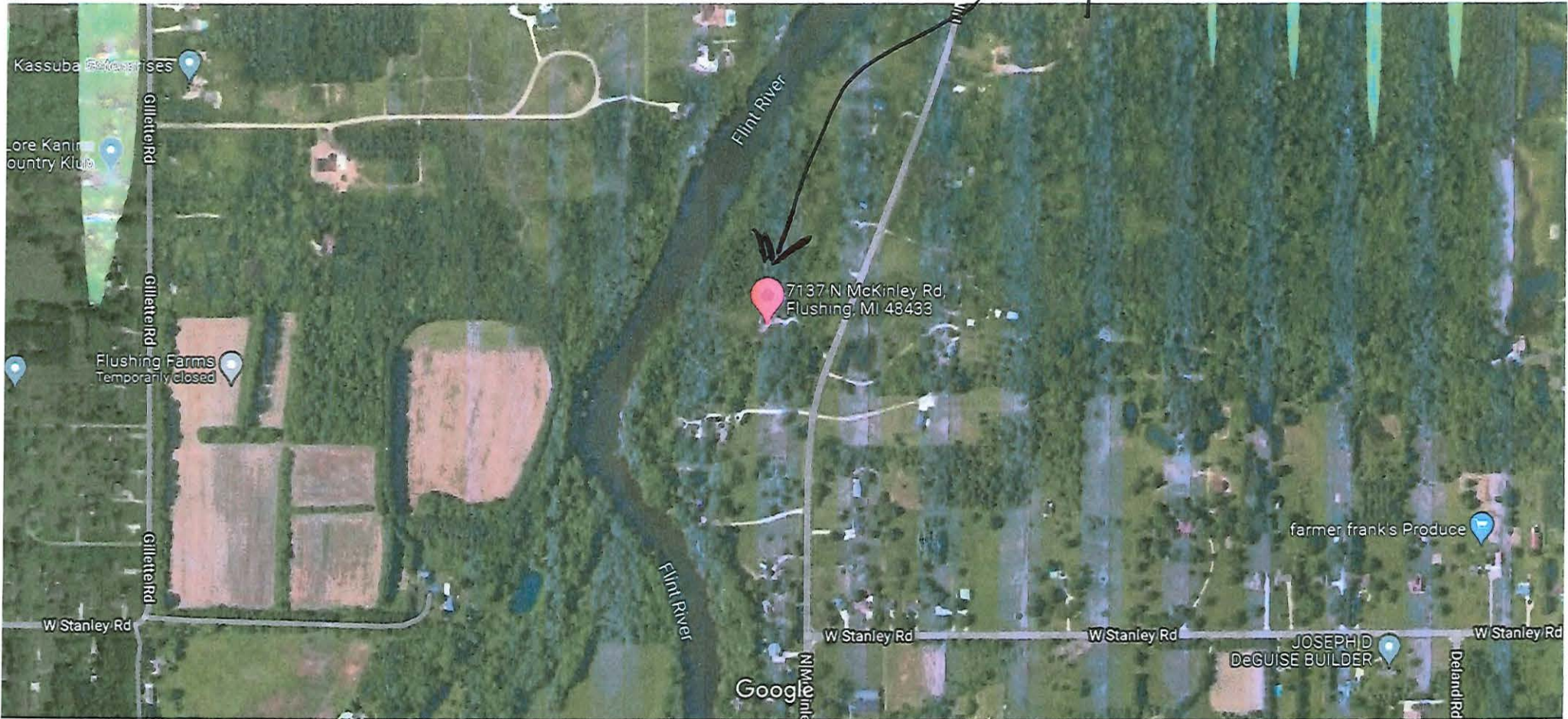
CITY: Sw. Creek STATE: Mi. ZIP: 48473 PHONE NUMBER: (810) 635-2003

CONTRACTORS LICENSE # T-613-745-676-002 EXPIRATION DATE: 1-1-25

I HEREBY CERTIFY THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER OF RECORD AND THAT I HAVE BEEN AUTHORIZED BY THE OWNER TO MAKE THIS APPLICATION AS HIS/HER AUTHORIZED AGENT, AND WE AGREE TO CONFORM TO ALL APPLICABLE LAWS OF THE STATE OF MICHIGAN, GENESSEE COUNTY AND THE TOWNSHIP OF FLUSHING, ALL INFORMATION SUBMITTED ON THIS APPLICATION ACCURATE TO THE BEST OF MY KNOWLEDGE.

NATURE OF APPLICANT: Robert Trebtske DATE: 6-8-22

Subject Property



II.



I.



I 0

7137
 n McKinley
 Flushing mi

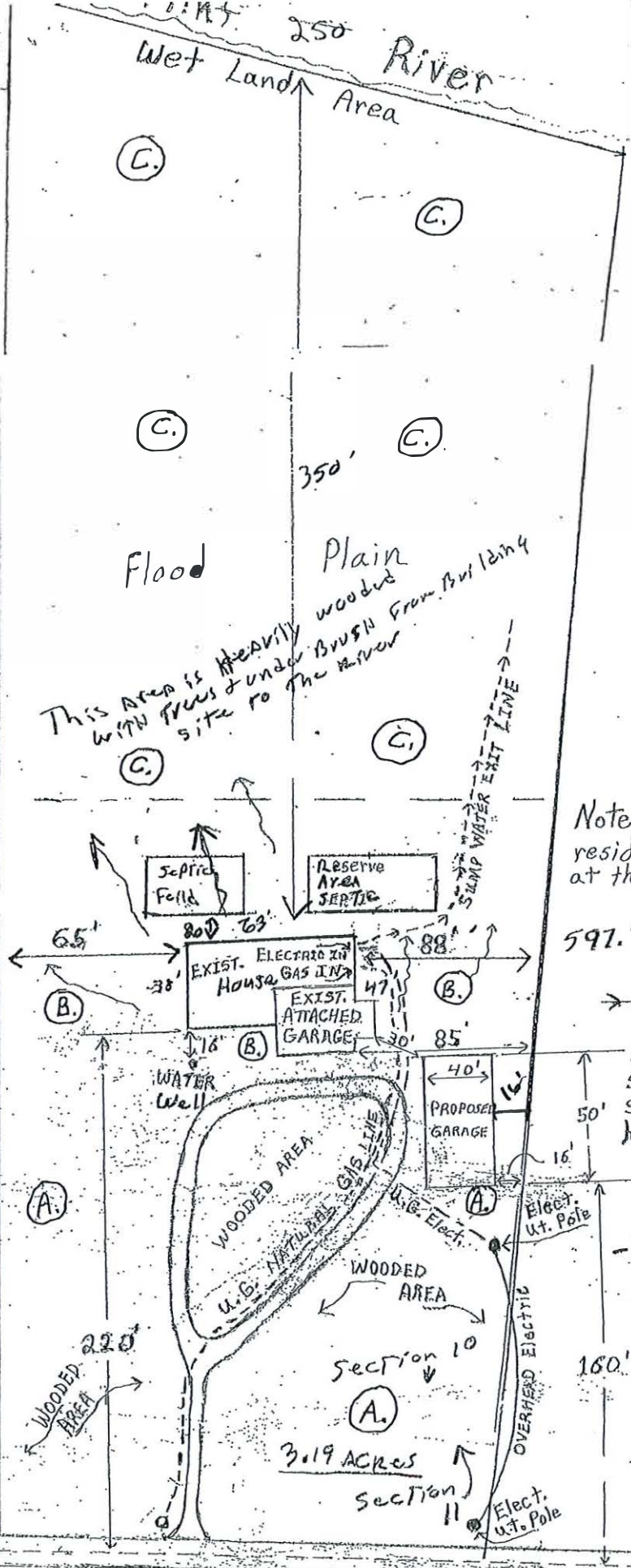
(C) 3" to 5"
 top soil
 over sand
 and bank
 run w/ rock and
 stone.

648⁸³

(B) 2" to 3"
 top soil
 over bank
 run w/ large
 and small stones

Note: Soil
 Types
 (A) East portion
 of property
 (B) Throughout
 area around
 house
 (C) West of
 house and
 continuing
 to river

(A) 2" to 3"
 top soil
 over light
 clay.



Note: Existing
 residence stands
 at the ht. of 32'.

597.49

→ N. →

Note: Proposed
 structure to
 stand at the
 ht. of 23' or -

- No stockpiling

7137 MCKINLEY RD.
 200'
 MR and MRS J. COOPER

Scale: 1" = 50'



Dykema Gossett PLLC
39577 Woodward Avenue
Suite 300
Bloomfield Hills, MI 48304
WWW.DYKEMA.COM
Tel: (248) 203-0700
Fax: (248) 203-0763
Stephen R. Estey
Direct Dial: (248) 203-0538
Direct Fax: (855) 232-1793
Email: SEstey@dykema.com

April 18, 2022

Flushing Township
c/o Zoning Board of Appeals
6524 N Seymour Rd
Flushing, MI 48433

**Re: REQUEST FOR ORDINANCE INTERPRETATION –
 SECTION 20-1804(OO)(B)(2)**

Dear Zoning Board of Appeal Members:

This letter and its accompanying materials are presented to the Flushing Township ("Township") Zoning Board of Appeals ("ZBA") for an interpretation of the Township's Zoning Ordinance ("Ordinance"), Section 20-1804(OO)(B)(2), as it relates to Confluence Solar, LLC's ("Applicant" or "Client") intention to construct a portion of 200 MWac Commercial Solar Energy Collector System (the "Project") in the Township.

Applicant believes that under Section 20-1804(OO)(B)(2) the phrase "the total area of ground-mounted solar energy collections" as used to calculate the maximum lot coverage, to be the total area covered by the solar array collectors (Ground-mounted solar energy collectors). Our Client has been informed by the Township Supervisor that the Township's Planning Consultant believes the lot coverage is to be calculated instead based on the entirety of the Project to the fence line, including the inverters, access roads, area between panels, and transformers. Applicant understands this to be incorrect as (1) it is inconsistent with the plain and unambiguous language of the Ordinance; and (2) to include the entire Project area to the fence line would render any Commercial Solar Energy Collector System in the Township unworkable, resulting in exclusionary zoning. There would not be sufficient square footage on the lots (due to the 25% maximum) to make a commercial solar collection system viable.

Under Michigan law, the ZBA is the authorized body to interpret the Ordinance. As such, the Applicant is seeking a ZBA interpretation of Section 20-1804(OO)(B)(2) confirming the phrase "the total area of ground-mounted solar energy collections" as used to calculate the maximum lot coverage, to be the total area covered by the solar array collectors (Ground-mounted solar energy collectors) only.

I. **Background**

It is anticipated the Project will be approximately 1,500 acres and utilize solar panels to be installed in both Montrose and Flushing Townships. Roughly 75% of the Project is anticipated to be located in the Township. The Project consists of photovoltaic (PV) arrays mounted to single-axis trackers. See attached **Exhibit 1**. The Project will include a handful of inverter stations located throughout the project site which are required to convert the electricity generated from DC-to-AC power. Individual panel rows will be spaced approximately 16-25' apart, which will minimize shading impacts, and also allows for vehicular access throughout the Project. The Project will be completely enclosed by a woven-wire fence with wooden posts, which is consistent with the rural and agricultural nature of the community. The Project will utilize existing and new internal access roads and the entire area underneath the panels will be planted with a permanent vegetative cover, which consists of a mixture of native grasses and pollinators.

II. **Jurisdiction of the Zoning Board of Appeals**

The Michigan Zoning Enabling Act of 2006 provides:

125.3603. Zoning board of appeals; powers; concurring vote of majority of members. Sec. 603.

(1) The zoning board of appeals shall hear and decide questions that arise in the administration of the zoning ordinance, including the interpretation of the zoning maps, and may adopt rules to govern its procedures sitting as a zoning board of appeals. The zoning board of appeals shall also hear and decide on matters referred to the zoning board of appeals or upon which the zoning board of appeals is required to pass under a zoning ordinance adopted under this act. It shall hear and decide appeals from and review any administrative order, requirement, decision, or determination made by an administrative official or body charged with enforcement of a zoning ordinance adopted under this act. For special land use and planned unit development decisions, an appeal may be taken to the zoning board of appeals only if provided for in the zoning ordinance.

(emphasis added)

Likewise, Section 20-2206 of the Ordinance further provides that the ZBA is granted the authority to interpret the provisions of the Ordinance as set forth in MCL 125.3603.

Section 20-2206. Duties.

(a) The Township Zoning Board of Appeals shall act upon all questions as they may arise in the administration of this chapter, including the interpretation of the zoning maps. It shall hear and decide appeals from and review any order, requirement, decision, or determination made by an administrative official charged with the enforcement of an ordinance

adopted pursuant to the township rural zoning act (MCL 125-271 et seq., MSA 5.2963(1) et seq.). It shall hear and decide all matters referred to it or upon which it is required to pass under this chapter.

(emphasis added)

As such, the ZBA is vested with the authority to interpret and make a finding that the phrase "the total area of ground-mounted solar energy collections" as used to calculate the maximum lot coverage under Section 20-1804(OO)(B)(2) is to be interpreted as the total area covered by the solar array collectors (Ground-mounted solar energy collectors) only.

III. Section 20-1804(OO)(B)(2) – The Total Area of Ground-Mounted Solar Energy Collections only Includes Solar Array Panels (Ground-mounted solar energy collectors) Under the Ordinance and Not All Land to the Fence Line.

Section 20-1804 Requirements for Permitted Special Land Uses

(OO) Commercial Solar Energy Collector System

- (b) All commercial solar energy collector systems that are ground-mounted shall follow the following requirements:
 - (1) Ground-mounted solar energy collectors shall not exceed 12 feet in height measured from the ground at the base of such equipment. The height of the ground-mounted solar energy collector shall be measured from ground level to the highest point of the solar panel.
 - (2) The total area of ground-mounted solar energy collections shall be included in calculations to determine lot coverage and shall not exceed a maximum lot coverage of 25 percent regardless of the residing zoning district.

Section 20-200 Definitions

Lot coverage means the part or percentage of the lot occupied by a building, including accessory buildings.

In interpreting ordinances, it is instructive to look to the law in Michigan as it relates to statutory construction. Courts give effect to the intent of the legislative body by reviewing the plain language of the statute itself. *In re MCI Telecommunications Complaint*, 460 Mich 396, 411; 596 NW2d 164 (1999). When reviewing a statute, one must consider the statutory language to determine if an ambiguity exists. *Western Michigan Univ Bd of Control v Michigan*, 455 Mich 531, 538; 565 NW2d 828 (1997). Where statutory language is ambiguous, judicial construction is permitted. *Deschaine v St Germain*, 256 Mich App 665, 669; 671 NW2d 79 (2003). Judicial construction is neither necessary nor permitted, however, where the statutory language is clear and unambiguous. *Detroit Int'l Bridge Co v Commodities Export Co*, 279 Mich App 662, 667; 760 NW2d 565 (2008). "In statutory interpretation, the primary goal must be to ascertain and give

effect to the Legislature's intent, and the judiciary should presume that the Legislature intended a statute to have the meaning that it clearly expresses." *McClellan v Collar* (On Remand), 240 Mich App 403, 409; 613 NW2d 729 (2000) (citation omitted).

Moreover, It is well established that in construing a law, a public body must endeavor to give meaning and effect to all statutory provisions. A construction which renders a provision meaningless or trivial is disfavored. *Nelson v Transamerica Ins Services*, 441 Mich. 508, 513-514; 495 N.W.2d 370 (1992); *Book-Gilbert v Greenleaf*, 302 Mich App 538, 541; 840 NW2d 743 (2013), quoting *In re Receivership of 11910 South Francis Rd*, 492 Mich 208, 222; 821 NW 2d 503 (2012). When a Township Board has passed an ordinance that unambiguously conveys its intent in the text, the text speaks for itself and there is no need for judicial construction; the proper role is simply to apply the terms of the ordinance to the circumstances in a particular case. *Turner v Auto Club Ins Ass'n*, 448 Mich. 22, 27; 528 N.W.2d 681 (1995).

Here, under Section 20-1804(OO)(B)(2), "total area of ground-mounted solar energy collections," as used to determine lot coverage, "shall not exceed a maximum lot coverage of 25 percent." The plain language of the Ordinance clearly states that the lot coverage calculation should only include the total area covered by the solar arrays (ground-mounted solar energy collectors). The Township staff, however, has determined that the "total area of ground-mounted solar energy" includes the entire Project area up to the fence line. This cannot be the case because (1) it is inconsistent with the plain language of the Ordinance; and (2) to interpret the Ordinance in this manner would restrict commercial utility grade solar projects to such a small area of land that the system would not generate enough electricity to be viable – thus resulting in exclusionary zoning.

For purposes of this discussion, the Applicant has created a sample solar project diagram, in order to demonstrate how various environmental features and zoning requirements may impact the overall design and engineering of the solar array panels layout. In this example, the sample Project utilizes approximately 532 solar arrays per acre. Applying the plain Ordinance language and the Applicant's interpretation of Section 20-1804(OO)(B)(2), the sample Project is able to utilize approximately 21,280 solar arrays (generating 8.4 Mwac) per 40 acres of land. Under the Township staff's interpretation of Section 20-1804(OO)(B)(2), however, the sample Project would only be able to utilize 5,320 solar arrays (generating 2.1 Mwac) per 40 acres of land, thus making the sample Project unworkable. See the attached diagram depicting this sample and showing the restrictive impact to the sample Project if it is determined that the "total area of ground-mounted solar energy" includes the entire Project area up to the fence line as **Exhibit 2**.

Under Michigan law, exclusionary zoning is prohibited. Thus, a Township cannot simply rely upon the fact that a particular use is not expressly delineated in its ordinance or interpret an ordinance in such a way that renders the use unviable. The prohibition against exclusionary zoning in Michigan was initially established through judicial declaration in *Kropf v. Sterling Heights*, 391 Mich. 139; 215 N.W.2d 179 (1974), and has now been codified by statute in Michigan's Zoning Enabling Act:

A zoning ordinance or zoning decision shall not have the effect of totally prohibiting the establishment of a land use within a local unit of government in the presence of a demonstrated need for that land use within either that local unit of government or the surrounding area within the state, unless a location within the local unit of government does not exist where the use may be appropriately located or the use is unlawful.

MCL 125.3207

There is a clear benefit and need within the State of Michigan for renewable energy. The Michigan Department of Agriculture & Rural Development ("MDARD") has expressly recognized the need to install solar arrays on agricultural land, including land enrolled in PA116. Agricultural land is the most compatible land for solar energy system projects as the land generally consists of large acreage and solar uses are low intensity. Solar energy systems also serve to supplement farming incomes and allow for nutrient and land recharge while supporting native vegetation and pollinator habitat species. Giving soil rest helps maintain soil quality and contributes to biodiversity of agricultural land to increase nutrient levels, enabling the land to successfully revert back to agricultural uses at the end of the operational life for solar installations.

Likewise, the development of Commercial Solar Energy Systems creates significant economic benefits for the Township, private landowners, and the community. According to preliminary projections prepared by Confluence Solar, the proposed 200 MWac Project will generate millions of dollars in new tax revenue over the Project's lifetime, including over \$2,000,000 in new tax revenue in the first year alone, based on current applicable tax code. This new tax revenue will provide critical funding for local schools, libraries, fire and police services, all of which will benefit the Township's residents. Given the passive nature of this type of development, the Project will not rely on municipal services, such as water, sewer, or new roads during Project operations, meaning that the Project will provide a net economic benefit to the Township and community.

Finally, Confluence Solar also estimates that the proposed 200 MWac Commercial Solar Energy Project will create over 250 in-demand construction jobs, many of which are able to be filled locally. As such, there is a demonstrated need for the Project and the Ordinance should be interpreted in a way so as not to result in exclusionary zoning.

IV. Conclusion

As discussed above, Applicant asks the ZBA to find that the phrase "the total area of ground-mounted solar energy collections" as used to calculate the maximum lot coverage under Section 20-1804(OO)(B)(2), means what it says; that is, to be the total area covered by the solar array collectors (Ground-mounted solar energy collectors). Any other interpretation is inconsistent with the plan language of the Ordinance and would result in exclusionary zoning.

Thank you for your consideration of this request. Should you have any questions, please do not hesitate to contact me.

Flushing Township
April 18, 2022
Page 6

Regards,

Dykema Gossett PLLC

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Stephen R. Estey

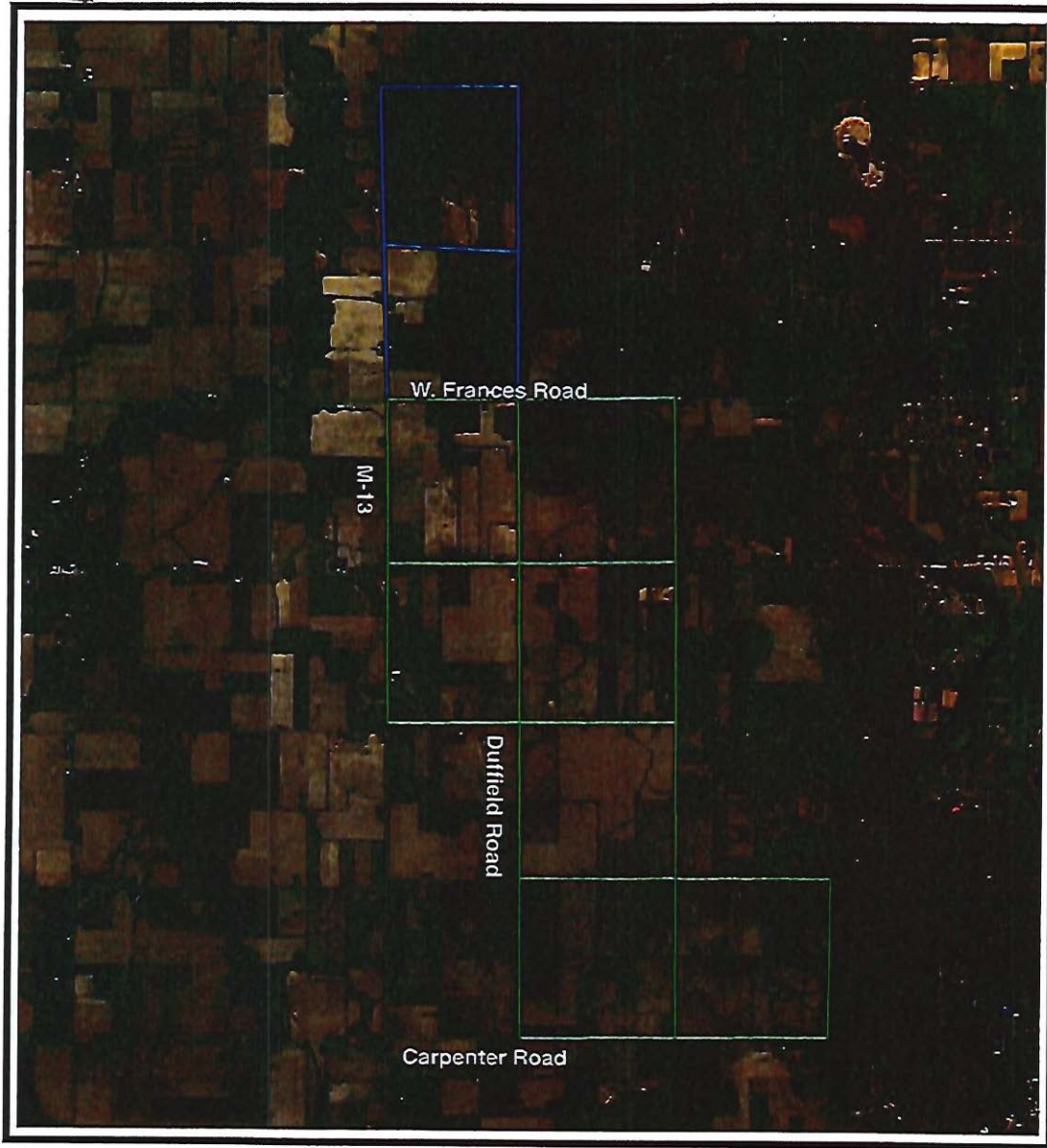
EXHIBIT 1



EXHIBIT 2



Anticipated Sections in Project Area*

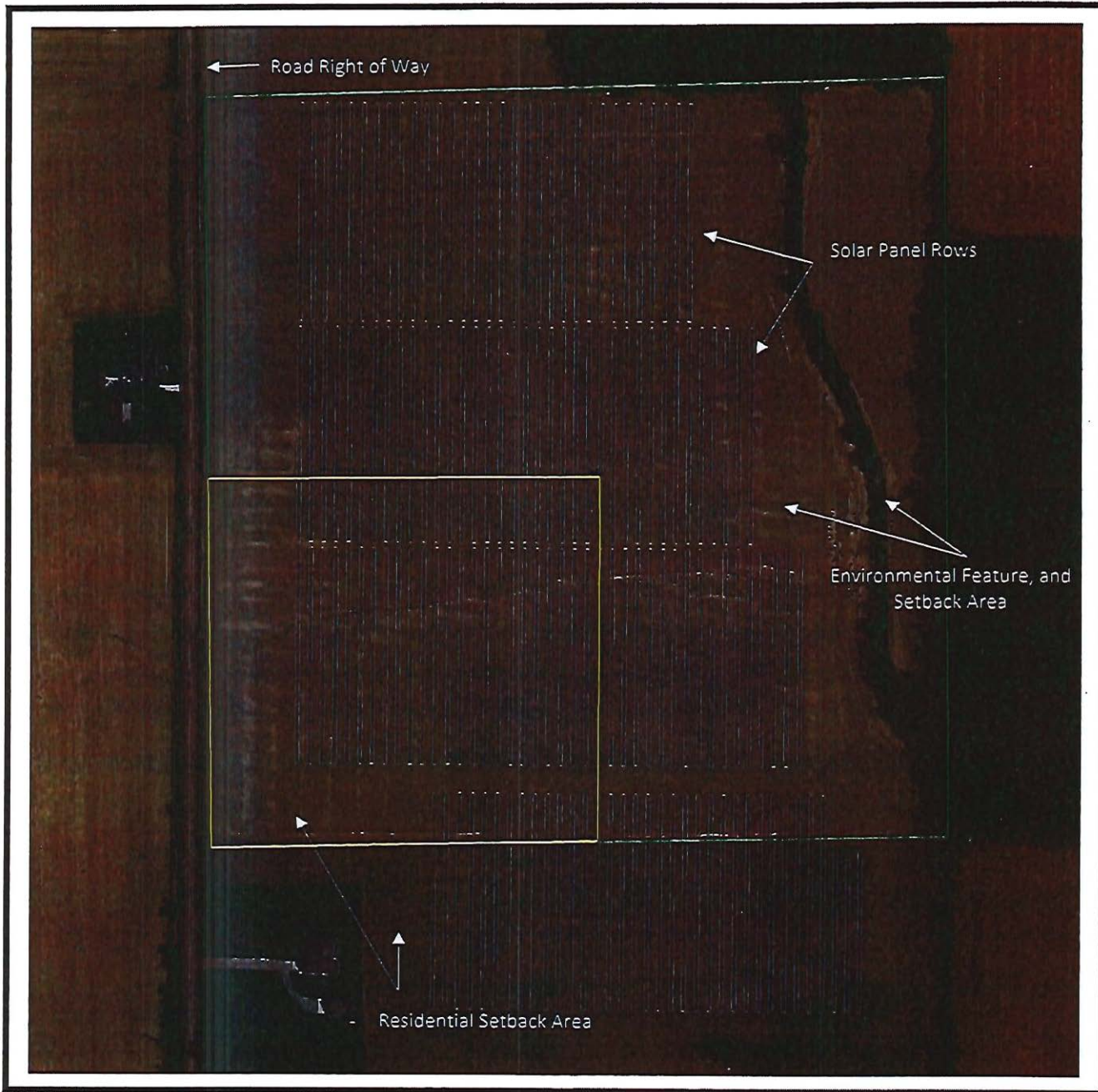




— Flushing Township Section Lines

— Montrose Township Section Lines

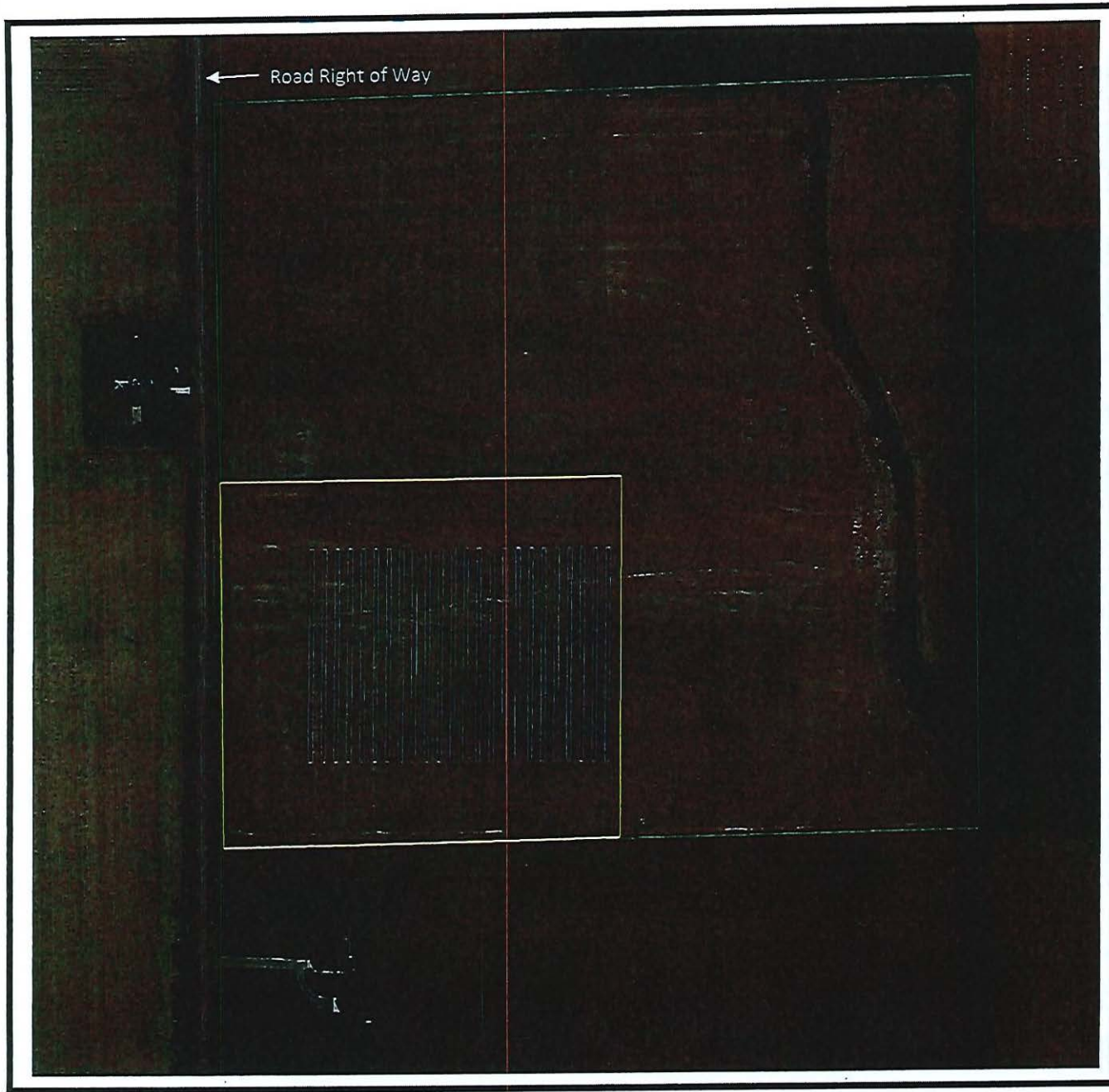
*Project area is subject to change. This map provided for discussion purposes only.







	25% utilization Area
	40-acre Parcel Boundary





	25% utilization Area
	40-acre Parcel Boundary





Memorandum

To: Flushing Township Planning Commission
From: Jason Ball AICP, Senior Planner
Date: May 10, 2022
RE: Interpretation of Section 20-1804

The applicant, Confluence Solar LLC has requested an interpretation of Section 20-1804 of the Flushing Township Zoning Ordinance, which establishes standards for Commercial Solar Energy Collector Systems.

The Zoning Board of Appeals (ZBA), per the Township's Zoning Ordinance and the Michigan Zoning Enabling Act, has the authority to interpret the zoning ordinance. In this role, the ZBA makes a final determination regarding the meaning of text in the ordinance, and based on that interpretation, the Planning Commission should continue with its responsibility of administering the ordinance.

RELEVANT ORDINANCE PROVISIONS

Section 20-184(OO)(b) states:

(b) All commercial solar energy collector systems that are ground-mounted shall follow the following requirements:

- (1) Ground-mounted solar energy collectors shall not exceed 12 feet in height measured from the ground at the base of such equipment. The height of the ground-mounted solar energy collector shall be measured from ground level to the highest point of the solar panel.*
- (2) The total area of ground-mounted solar energy collections shall be included in calculations to determine lot coverage and shall not exceed a maximum lot coverage of 25 percent regardless of the residing zoning district.*

In this case, there is an apparent error in the text, as the word "collections" in subsection (2) should likely be "collectors".

A ground-mounted solar energy collector is defined as:

GROUND-MOUNTED SOLAR ENERGY COLLECTOR: *A solar energy collector that is not attached to and is separate from any building on the parcel of land on which the solar energy collector is located (Figure 1).*

Flint, MI (HQ): 640 S. Saginaw Street, Suite 200, 48502 | Phone: (810) 341-7500

Civil Engineering | Surveying | Landscape Architecture | Aerial Imagery/Mapping | Planning

Flint, MI (HQ) | Lapeer, MI | Farmington Hills, MI | Kenosha, WI | Mt. Pleasant, MI | Grayling, MI | Myrtle Beach, SC | www.rowepco.com

Figure 1 from the definition of "Ground-Mounted Solar Energy Collector"

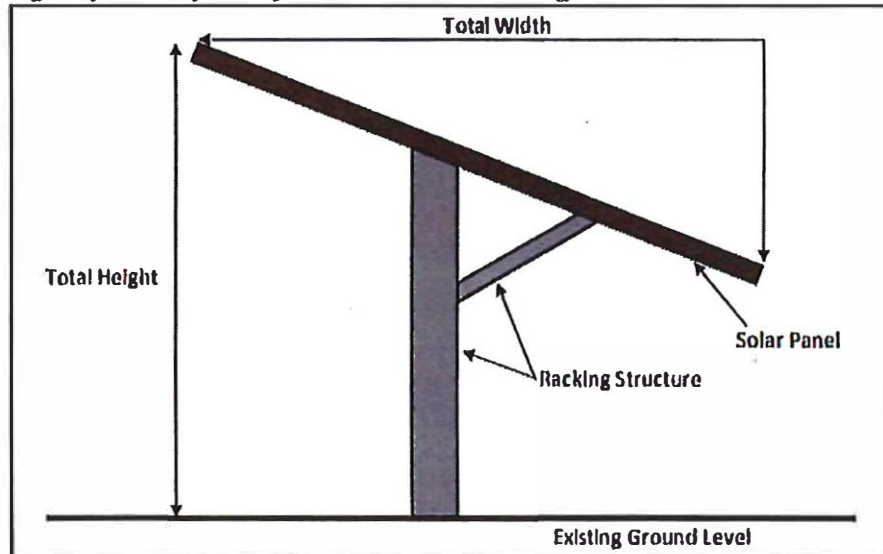


Figure 1

For the ZBA's information, the Flushing Township zoning ordinance also separately defines a *Commercial Solar Energy System* as:

COMMERCIAL SOLAR ENERGY SYSTEM: A utility-scale facility of solar energy collectors with the primary purpose of wholesale or retail sales of generated electricity. Commonly referred to as solar farms.

Finally, the zoning ordinance defines lot coverage as:

Lot coverage means the part or percentage of the lot occupied by a building, including accessory buildings.

INTERPRETATION QUESTION

The interpretation question in front of the ZBA is whether the ordinance text limits the total size of a *commercial solar energy system* to 25 percent coverage of a lot, or whether the 25 percent lot coverage requirement should apply only to the amount of the lot covered by *ground-mounted solar energy collectors*. In other words, should the 25 percent lot coverage standard be calculated based on the total area of the development, or on the amount of the land area covered by the ground-mounted solar energy collectors?

IMPACT OF ZBA ACTION

It is important to note that the ZBA is not being asked to act on approval of any commercial solar energy system or related project, rather it is interpreting an area of the ordinance that is in question. No site plan or special use permit application has been received by Flushing Township for a commercial solar energy system at this time.

It is common for communities to consider a zoning ordinance amendment to address ambiguity when an interpretation by the ZBA is requested. This is a best practice to ensure that in the future, other applicants are not faced with the same ambiguity, and to ensure the Planning Commission continues to administer the ordinance effectively. Any proposal for an amendment to the text of the zoning ordinance may be initiated by a qualified voter, along with a petition endorsed by at least 100 township electors, or the Flushing Township Board of Trustees or Planning Commission by resolution.

R:\Projects\22C0001\Docs\Planning and Zoning Services\Zoning Boards of Appeals\Interpretations\Solar Energy Collector Lot Coverage\Flushing Township ZBA Interpretation Memo.docx



To: Flushing Township Planning Commission and Board of Trustees

From: Ranger Power c/o Drew Vielbig, Development Manager

Date: June 6, 2022

Subject: Voluntary Commitments for the Confluence Solar Project and Additional Resources

Dear Members of the Flushing Township Planning Commission and Board of Trustees,

Over the past several months, Ranger Power has engaged in extensive community outreach work in association with the Confluence Solar Project ("Confluence" or "the Project"). We have received several questions, comments, and concerns pertaining to both the proposed Confluence Solar Project and the now-operational Assembly Solar Project located in Shiawassee County. Ranger Power prides itself on community-focused project development to ensure that our projects are a "win-win" for the community, its residents, and its stakeholders. We value the feedback we have received thus far and appreciate the community's interest and engagement in the Confluence Project.

To address this feedback, we would like to voluntarily commit to a handful of considerations related to the development, construction, and operations phases of the Confluence Solar project. These commitments go above and beyond the current requirements imposed on commercial-scale solar projects under the current Flushing Township Zoning Ordinance and will ensure that this project is developed in consideration of community input. We look forward to discussing these with you further and continuing to develop the Confluence Solar Project in a collaborative manner with both Flushing Township and its residents.

Regards,

A handwritten signature in black ink, appearing to read "D. Vielbig", with a stylized flourish at the end.

Drew Vielbig



Additional Resources

Several residents of Flushing Township have raised two specific questions about the Confluence Solar Project:

1. *"Will the Project impact the value of my home?"*
2. *"How will this project benefit my community?"*

To address these questions, we commissioned third-party studies to evaluate both the potential impacts the Project may have on neighboring property values and the economic impact the Project will have on the community. Below are summaries of the findings from each respective Study.

Property Value Impact Study

To specifically understand the potential impacts of the proposed Project on property values, Confluence Solar commissioned an independent real estate appraiser, CohnReznick, to conduct an analysis. The Property Value Impact Study concludes that there is "no measurable and consistent difference in property values for properties adjacent to solar farms when compared to similar properties locationally removed from their influence." The analysis also includes interviews with local real estate brokers and County and Township Assessors for areas where utility-scale solar projects are located. The real estate brokers and local assessors confirmed that there is no difference in price, marketing periods, or demand for the homes directly adjacent to the solar farm facilities. The study also includes a review of other studies prepared by real estate valuation experts that have similarly analyzed whether a solar project has any impact on adjacent property values. These studies similarly concluded there was no measurable or consistent impact on nearby property values. In summary, the analysis concludes that properties adjacent to operating solar projects "were not adversely affected by their proximity to the solar farm," and further, "that properties surrounding other proposed solar farms operating in compliance with all regulatory standards will similarly not be adversely affected, in either the short- or long-term period." This Study is attached hereto as Appendix A.

Economic Impact Study

To understand the potential economic benefits associated with the Confluence Solar Project, we retained an economics and public policy consulting firm, Anderson Economic Group, to conduct an Economic Impact Study. According to their findings, the Confluence Solar Project is projected to generate approximately \$2.8 million in total new tax revenue in the first year alone. This includes over \$850,000 to local schools and over \$350,000 to local police and fire services. Over the project's lifetime, they estimate \$25 million in new tax revenue to be generated. This Study is attached hereto as Appendix B.



Voluntary Commitments for the Confluence Solar Project

Setbacks and Landscaping, and other Design Considerations

1. Confluence will observe a minimum 200' setback from all adjacent non-participating habitable structures.
2. Confluence will work closely with the Flushing Township Planning Commission to develop a landscaping plan that exceeds the current landscaping requirements as defined in the Flushing Township Zoning Ordinance.
3. Confluence will attempt to meet with every adjacent neighbor to the proposed project to make an introduction, answer questions, and provide contact information for a project representative that will be available to assist with future inquiries.
4. Confluence will be designed not to cause glare or excessive sound. Glare and Sound Analyses will be provided to the Township as part of the project's application for a Special Use Permit.
5. Confluence will work with a vegetation and landscaping expert to develop a vegetation and pollinator species mix to be installed underneath the panel area of the Project which shall be maintained throughout the operations of the Project. Such plan shall be adequate to meet a minimum score of 76 on the Michigan State University Extension Pollinator Habitat Planning Scorecard.

Project Construction Considerations

1. Confluence will provide contact information to Flushing Township for one or more project representatives that will be immediately available to assist with Project construction-related inquiries or complaints.
2. Confluence will attempt to enter into a Road Use Agreement with the Genesee County Road Commission prior to the start of construction to establish a plan to address the Project's use of existing roadways, and, if required, post financial securities with the Road Commission to address any future road damage that may result from the Project's use of such roads. As part of this Agreement, Confluence will conduct a pre-construction survey in coordination with the Road Commission to determine the condition of existing roads and drainage districts. The survey shall include photographs and a written agreement to document the conditions of the public roads.
3. Confluence will propose dust control measures to be observed throughout the construction of the Project. Such measures will be provided to the Township as part of the project's application for a Special Use Permit.
4. Confluence will ensure that the Project site remains free of debris or trash throughout construction. Any inquiries or complaints related to the condition of the project site regarding debris or trash should be directed to a project representative.
5. Confluence will observe standard construction work hours and will not conduct work outside of these hours, unless in an emergency situation, or with prior approval from Flushing Township.



6. Confluence will locate construction laydown yards no closer than 500' from all adjacent non-participating habitable structures.
6. Confluence will observe all speed and weight requirements associated with the use of County roads. Such requirements will be discussed with the Genesee County Road Commission in conjunction with a Road Use Agreement.
7. Confluence will replace or repair any drain tiles on the Project property rendered nonfunctioning directly as a result of the construction or operation of the Project.
8. Confluence will make a good faith effort to hire local employees to construct the Project. The Project shall track and report annually to the Township the number of local employees hired.

Project Operations Considerations

1. Confluence will provide contact information to Flushing Township for one or more project representatives that will be immediately available to assist with Project operation-related inquiries or complaints.
2. Confluence will promptly replace any diseased or dead trees or shrubbery that were installed as a part of the Project landscaping plan. There will be an annual review of buffer trees and landscaping. Any landscaping-related inquiries from the Township or residents of the community should be promptly directed to a project representative.
3. Confluence will make a good faith effort to hire local employees to maintain the Project. The Project will track and report annually to the Township with the number of local employees hired.



**See Appendix A
Property Value Impact Study**



**See Appendix B
Economic Impact Study**



Memorandum

Date: April 21, 2022

To: Drew Vielbig, Development Manager, Ranger Power

From: Andrew Miller, Consultant

Re: Property tax impact of utility-scale solar development

Cc: Tyler Theile, Vice President & Director, Public Policy

Purpose

Ranger Power is a utility-scale energy developer that owns and operates renewable generation systems across the United States. Ranger Power plans to develop a utility-scale solar project in Genesee County, Michigan. Ranger Power retained Anderson Economic Group to determine the property tax impact the project will have on local taxing jurisdictions, including Genesee County, Flushing Township, Montrose Township, local schools, fire and police services, and others.

Project Overview

Ranger Power plans to construct a 200 megawatt solar project in Flushing and Montrose Townships. The project, known as the Confluence project, will be built on approximately 1,500 acres of land across the border of the two townships. The project will be completely enclosed by a woven-wire fence with wooden posts, in keeping with the rural and agricultural nature of the community. It will also utilize internal access roads and will feature vegetative landscaping in compliance with local ordinances. Project construction is expected to begin in the second half of 2023 and cost approximately \$200 million. Upon completion, anticipated by late 2024, the project will generate increased property tax revenues for local taxing jurisdictions.

Findings

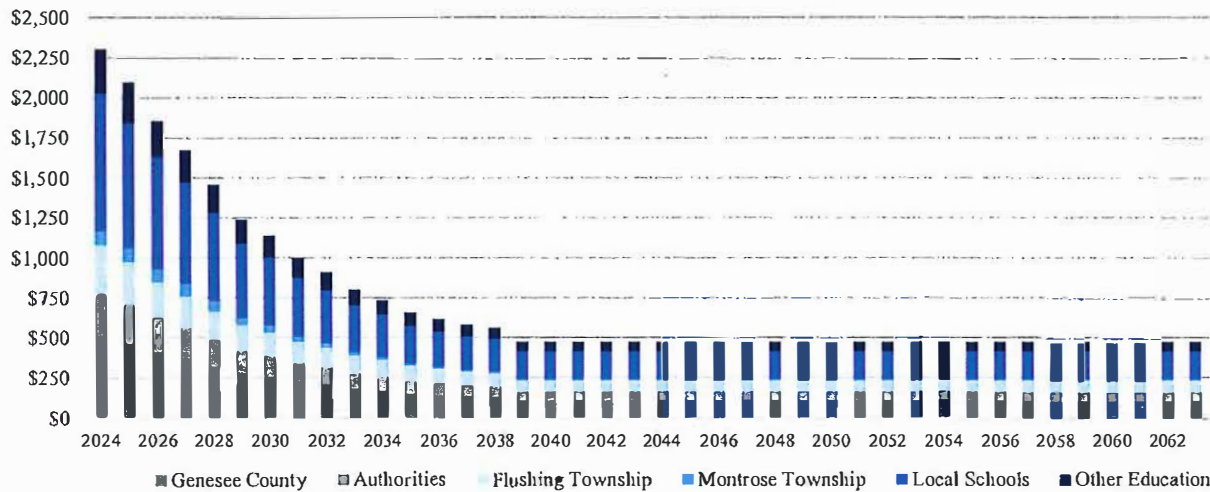
Our analysis shows that the Confluence project will generate \$26.9 million in personal property tax revenues over the next 25 years, and \$34.9 million in personal property tax revenues over the next 40 years.

Once built, the Confluence project will generate approximately \$26.9 million in personal property tax revenue over the next 25 years, and an additional \$8 million over the next 15 years for a total of \$34.9 million in personal property tax revenue over the next 40 years. The project will result in

increased personal property tax revenue for a number of local taxing jurisdictions, including Genesee County, Flushing and Montrose Townships, Flushing and Montrose schools, Genesee Intermediate School District, Mott Community College, and the local airport, library, and transportation authorities.

Below, we show the projected annual property tax revenues for each taxing jurisdiction by year in Figure 1. See Table 1 on page 6 for a detailed summary of personal property tax revenues for each taxing jurisdiction by year.

Figure 1. Confluence Project Annual Personal Property Tax Revenues by Taxing Jurisdictions, 2024-2063 (Thousands)



Source: Anderson Economic Group analysis using data from Ranger Power, Genesee County, and the State of Michigan
 Note: Genesee County includes county operations and health, senior, and library services;
 Authorities include local airport and library authorities as well as the Michigan Transportation Authority;
 Flushing and Montrose Townships include township operations and police and fire services;
 Local schools include Flushing and Montrose schools and Genesee Intermediate School District (ISD);
 Other education includes Mott Community College.

About Anderson Economic Group

Founded in 1996, Anderson Economic Group is a boutique research and consulting firm, with offices in East Lansing, Michigan, and Chicago, Illinois. The experts at AEG have particular expertise in conducting economic and fiscal impact studies, having worked for a wide range of clients. These clients include public and private utilities, wind and solar developers, state and local governments, nonprofit organizations, and corporations across the United States. A few of the relevant publications from our firm include:

- Economic and Fiscal Impact of an Offshore Wind Development, 2020.
- Economic and Fiscal Impact of Solar Developments in Three Michigan Counties, 2019.
- Economic and Fiscal Impact of St. Clair Power Plant in St. Clair County, Michigan, 2017.
- Economic and Fiscal Impact of Proposed Gas-Powered Plan in Niles, Michigan, 2017.
- Economic and Fiscal Impact of Proposed Wind Development in Tuscola County, Michigan, 2016.

For more information about Anderson Economic Group, please visit AndersonEconomicGroup.com.

About the Authors

Andrew Miller. Mr. Andrew Miller is a consultant in the public policy and economic analysis practice area at Anderson Economic Group. His work focuses on economic and fiscal impact analysis. Recent projects have included economic impact analyses of Fermi National Accelerator Laboratory, a large-scale renewable energy generation facility, and an interactive science learning center. Mr. Miller has also worked on projects involving housing policy, state economic indicators, and infrastructure funding. Mr. Miller holds a Master of Public Policy degree from the University of Chicago Harris School of Public Policy and a Bachelor of Arts degree in history from the University of Chicago.

Tyler Marie Theile. Tyler Theile is the vice president and COO at Anderson Economic Group. She serves as director of AEG's public policy and economic analysis project area. Ms. Theile's recent projects include an analyses of power transmission infrastructure projects, economic impact analysis for mixed-use real estate development, valuation for various beer distributors, and an economic impact related to legislation changes. Ms. Theile is a graduate of Michigan State University's James Madison College, where she received a BA in international relations with a specialization in political economy.

Appendix: Methodology

We constructed a custom property tax impact model to determine the impact of the Confluence project on relevant local entities. The model is based on our review of Michigan property assessment guidelines, and on assessments for other solar projects in the state. Our model projects the total property tax liability for the project's generation equipment (personal property). We describe our model below.

Personal Property Tax

In Michigan, solar generation equipment is considered personal property.¹ To determine the initial taxable value of the personal property associated with the project, we obtained construction cost data from Ranger Power and determined the property's initial taxable value. Based on our review of Michigan Department of Treasury guidance, we determined that the personal property associated with the Confluence project would be classified entirely as industrial personal property.²

After determining the initial taxable value of the personal property, we projected the future taxable value of the project's personal property using the proper depreciation schedule.³ Because the project will be assessed as industrial personal property, it will be exempt from the local school operating tax and State education tax. We spoke with the City of Watervliet assessor to confirm our assumptions regarding assessment of personal property for the Confluence project.

Property Tax Projection Limitations

The property tax revenue projections presented here are based on current assessment practices in Michigan and precedents set by the assessment of other solar projects in the state. The projections herein do not constitute tax advice, and are subject to limitations that include:

- Solar power is a nascent industry in Michigan, with many of the state's utility-scale projects coming online in the last five to ten years. The projections in this memorandum extend for 40 years—a length of time far exceeding the existence of any utility-scale solar project in Michigan.
- At some point over the next 40 years, it is possible that the State of Michigan will issue new guidance on how solar projects should be assessed. Our projections do not speculate on future regulatory changes or their impact on future property tax revenues.
- Our model assumes no increase in local taxing jurisdiction millage rates over the next 40 years. Our projections may differ from actual property tax revenues if local taxing jurisdictions raise their tax rates, or if Ranger Power builds additional capacity or brings new equipment onto the site at a later date.

1. See Michigan Department of Treasury memorandum, "Guidance Regarding Valuation and Assessment of Photovoltaic (Solar) Electric Generation Systems," April 5, 2022, www.michigan.gov/.

2. Ibid.

3. See Michigan Department of Treasury Form 5762, "2022 Solar Energy System Report (as of 12-31-2021)," www.michigan.gov/.

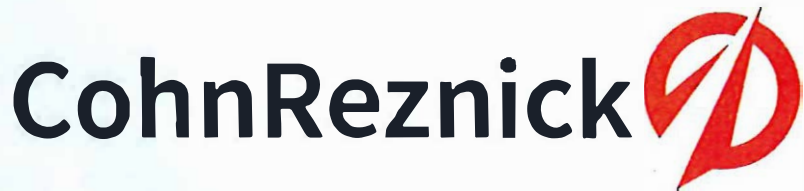
Sources Consulted

- Project construction costs from Ranger Power.
- Annual millage rates in Flushing and Montrose Townships from Genesee County.
- Michigan Department of Treasury Form 5762, “2022 Solar Energy System Report (as of 12-31-2021),” www.michigan.gov/documents/treasury/5762_draft_10-07-21_002_738242_7.pdf.
- Michigan Department of Treasury memorandum, “Guidance Regarding Valuation and Assessment of Photovoltaic (Solar) Electric Generation Systems,” April 5, 2022, https://www.michigan.gov/documents/treasury/Updated_Guidance_Regarding_Valuation_Assessment_of_Solar_Electric_Generation_Systems_750801_7.pdf.
- Michigan State Tax Commission, “State Tax Commission Guide to Basic Assessing,” 2018, www.michigan.gov/documents/treasury/Guide_to_Basic_Assessing_1-16_511508_7.pdf

Table 1. Confluence Project Personal Property Tax Revenue by Taxing Jurisdiction and Year

	Genesee County					Authorities			Flushing Township		Montrose Township			Local Schools			Other Education	Personal Property Tax Impact
	Genesee County	Health, Seniors, & Veterans Services	Culture	Parks	Other	Airport	Library	MTA	Flushing Township	Police	Montrose Township	Police	Fire	School Debt	Bldg & Site Sinking Fund	ISD	Mott CC	
2024	\$542,740	\$319,110	\$94,790	\$73,900	\$23,620	\$47,750	\$97,650	\$121,750	\$40,025	\$260,675	\$16,491	\$56,427	\$14,009	\$407,818	\$78,910	\$372,070	\$274,720	\$2,842,453
2025	\$531,885	\$289,738	\$86,065	\$67,098	\$21,446	\$43,355	\$88,662	\$110,544	\$35,622	\$232,001	\$16,161	\$55,298	\$13,729	\$375,526	\$71,991	\$337,823	\$249,433	\$2,626,376
2026	\$521,030	\$255,256	\$75,823	\$59,113	\$18,894	\$38,195	\$78,110	\$97,388	\$30,419	\$198,113	\$15,831	\$54,170	\$13,449	\$337,871	\$63,885	\$297,619	\$219,749	\$2,374,914
2027	\$493,893	\$229,083	\$68,048	\$53,051	\$16,956	\$34,279	\$70,101	\$87,402	\$26,817	\$174,652	\$15,007	\$51,348	\$12,748	\$306,754	\$57,566	\$267,102	\$197,216	\$2,162,022
2028	\$401,628	\$200,379	\$59,521	\$46,404	\$14,832	\$29,984	\$61,317	\$76,450	\$24,015	\$156,405	\$12,203	\$41,756	\$10,367	\$264,242	\$50,086	\$233,634	\$172,505	\$1,855,726
2029	\$287,652	\$171,683	\$50,997	\$39,759	\$12,708	\$25,690	\$52,536	\$65,502	\$21,614	\$140,764	\$8,740	\$29,906	\$7,425	\$218,825	\$42,416	\$200,176	\$147,801	\$1,524,192
2030	\$276,797	\$157,637	\$46,825	\$36,506	\$11,668	\$23,588	\$48,238	\$60,143	\$19,612	\$127,731	\$8,410	\$28,778	\$7,145	\$202,624	\$39,057	\$183,799	\$135,709	\$1,414,267
2031	\$206,241	\$139,143	\$41,332	\$32,223	\$10,299	\$20,821	\$42,579	\$53,087	\$18,011	\$117,304	\$6,266	\$21,442	\$5,323	\$173,742	\$34,140	\$162,236	\$119,788	\$1,203,977
2032	\$168,249	\$127,023	\$37,732	\$29,416	\$9,402	\$19,007	\$38,870	\$48,463	\$16,811	\$109,483	\$5,112	\$17,492	\$4,343	\$155,922	\$30,990	\$148,104	\$109,354	\$1,075,774
2033	\$130,258	\$112,349	\$33,373	\$26,018	\$8,316	\$16,811	\$34,380	\$42,865	\$15,210	\$99,056	\$3,958	\$13,542	\$3,362	\$135,420	\$27,246	\$130,995	\$96,721	\$929,878
2034	\$97,693	\$103,420	\$30,720	\$23,950	\$7,655	\$15,475	\$31,647	\$39,458	\$14,409	\$93,843	\$2,968	\$10,157	\$2,522	\$121,677	\$24,885	\$120,584	\$89,034	\$830,099
2035	\$70,556	\$92,574	\$27,499	\$21,438	\$6,852	\$13,852	\$28,328	\$35,320	\$13,208	\$86,023	\$2,144	\$7,335	\$1,821	\$106,650	\$22,127	\$107,938	\$79,696	\$723,361
2036	\$65,129	\$86,828	\$25,792	\$20,108	\$6,427	\$12,993	\$26,570	\$33,128	\$12,408	\$80,809	\$1,979	\$6,771	\$1,681	\$99,890	\$20,744	\$101,238	\$74,750	\$677,244
2037	\$65,129	\$81,719	\$24,274	\$18,925	\$6,049	\$12,228	\$25,007	\$31,178	\$11,607	\$75,596	\$1,979	\$6,771	\$1,681	\$94,527	\$19,557	\$95,282	\$70,352	\$641,860
2038	\$65,129	\$79,165	\$23,516	\$18,333	\$5,860	\$11,846	\$24,225	\$30,204	\$11,207	\$72,989	\$1,979	\$6,771	\$1,681	\$91,845	\$18,964	\$92,303	\$68,153	\$624,168
2039	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2040	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2041	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2042	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2043	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2044	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2045	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2046	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2047	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2048	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2049	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2050	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2051	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2052	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2053	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2054	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2055	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2056	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2057	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2058	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2059	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2060	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2061	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2062	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707
2063	\$65,129	\$66,392	\$19,722	\$15,375	\$4,914	\$9,935	\$20,317	\$25,331	\$9,206	\$59,955	\$1,979	\$6,771	\$1,681	\$78,437	\$15,997	\$77,411	\$57,157	\$535,707

Source: Anderson Economic Group analysis using data from Ranger Power, Genesee County, and the State of Michigan
 Note: Assumes future tax rates are constant



www.cohnreznick.com

REAL ESTATE ADJACENT PROPERTY VALUE IMPACT REPORT:

**Site Specific Analysis Addendum Report:
For the Proposed 200 MW Confluence Solar Project
To Be Located in Genesee County, Michigan**

Prepared For:

Mr. Drew Vielbig
Development Manager
Ranger Power, LLC
226 N. Morgan Street Suite 200
Chicago, IL 60607

Submitted By:

CohnReznick LLP
Valuation Advisory Services
200 S. Wacker Drive, Suite 2600
Chicago, Illinois 60606
(312) 508-5900

Patricia L. McGarr, MAI, CRE, FRICS
Andrew R. Lines, MAI
Erin C. Bowen, MAI

April 27, 2022



LETTER OF TRANSMITTAL

April 27, 2022

Mr. Drew Vielbig
Development Manager
Confluence Solar, LLC
226 N. Morgan Street, Suite 200
Chicago, IL 60607

SUBJECT: Addendum - Property Value Impact Report
Proposed 200 MW Confluence Solar Project
Genesee County, Michigan

Dear Mr. Vielbig:

This letter and associated report are considered an Addendum to the previously prepared property value impact report with an effective date of December 31, 2021 ("Primary Report"). All facts and circumstances surrounding the property value impact report that analyzes existing solar farm and any effect on adjacent property values are contained within the cited Primary Report. This Addendum cannot be properly understood without the cited Primary Report and should be reviewed in unison.

Per the client's request, we have researched the proposed solar farm on land located in Montrose and Flushing Townships, in Genesee County, Michigan. The proposed solar use called Confluence Solar will have a capacity of up to 200 MW AC (megawatts alternating current).

The purpose of this consulting assignment is to determine whether proximity to a renewable energy use (solar farm) has an impact adjacent property values. The intended use of our opinions and conclusions is to assist the client in addressing local concerns and to provide information that local bodies are required to consider in their evaluation of solar project use applications. We have not been asked to value any specific property, and we have not done so.

The client and intended users for the assignment are Confluence Solar, LLC, and Ranger Power, LCC. Additional intended users of our findings include Genesee County, and Michigan planning and zoning department officials. The report may be used only for the aforementioned purpose and may not be distributed without the written consent of CohnReznick LLP ("CohnReznick").

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

The assignment is intended to conform to the Uniform Standards of Professional Appraisal Practice (USPAP), the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, as well as applicable state appraisal regulations.

Based on the analysis in the accompanying report, and subject to the definitions, assumptions, and limiting conditions expressed in the report, our findings are as follows.

FINDINGS

- I. Academic Studies: CohnReznick reviewed and analyzed published academic studies that specifically analyzed the impact of solar facilities on nearby property values. These studies include multiple regression analyses of hundreds and thousands of sales transactions, and opinion surveys, for both residential homes and farmland properties in rural communities, which concluded existing solar facilities have had no negative impact on adjacent property values.

Peer Authored Studies: CohnReznick also reviewed studies prepared by other real estate valuation experts that specifically analyzed the impact of solar facilities on nearby property values. These studies found little to no measurable or consistent difference in value between the Test Area Sales and the Control Area Sales attributed to the proximity to existing solar farms, and noted that solar energy uses are generally considered a compatible use.

- II. CohnReznick Studies: Further, CohnReznick has performed 26 studies in over 15 states, of both residential and agricultural properties, in which we have determined that the existing solar facilities have not caused any consistent and measurable negative impact on property values.

For this Project, we have included 10 of these studies which are most similar to the subject in terms of general location and size, summarized as follows:

CohnReznick - Existing Solar Farms Studied					
#	Solar Farm	County	State	MW AC	Acreage
1	North Star Solar	Chisago	MN	100.00	±1,000
2	Dominion Indy Solar III	Marion	IN	8.60	129.04
3	Dougherty Solar	Dougherty	GA	120.00	1,280.93
4	Miami-Dade Solar Energy Center	Miami-Dade	FL	74.50	465.61
5	Barefoot Bay Solar Energy Center	Brevard	FL	74.50	504.75
6	Innovative Solar 42	Bladen & Cumberland	NC	71.00	413.99
7	Rutherford Farm	Rutherford	NC	61.00	488.84
8	Elm City Solar	Wilson	NC	40.00	354.00
9	Woodland Solar	Isle of Wight	VA	19.00	211.12
10	DTE Lapeer Solar	LaPeer	MI	48.28	365.68

It is noted that proximity to the solar farms has not deterred sales of nearby agricultural land and residential single-family homes nor has it deterred the development of new single-family homes on adjacent land.

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.



This report also includes four “Before and After” analyses, in which sales that occurred prior to the announcement and construction of the solar farm project were compared with sales that occurred after completion of the solar farm project, for both adjoining and non-adjoining properties. No measurable impact on property values was demonstrated.

- III. Market Participant Interviews: Our conclusions also consider interviews with over 45 County and Township Assessors, who have at least one solar farm in their jurisdiction, and in which they have determined that solar farms have not negatively affected adjacent property values.

With regards to the Project, we specifically interviewed:

- Ted Droeste, assessor of Delta Township has the Delta Solar Power facility in his district that was completed in 2018. He indicated that he has been actively tracking sales of properties surrounding the solar facility and stated that properties have sold fast, at market or above market and he had no evidence of declining value. Mr. Droeste stated that they have not adjusted assessed values for properties surrounding the solar panels.
- Anne Pence of National Realty Centers in Lapeer, Michigan reported that "the Lapeer Solar Farms did not have any effect on the sale of this [Test Sale] home. The buyers did not care one bit about the solar field in the back yard. The fact is that you know no one is going to be behind you when they develop a solar farm in your back yard. And there they put up trees to block the view. My in-laws also actually live at end of that street, even though they haven't sold or put their house on market, they don't mind the solar panels either. Its not an eyesore. And another house sold on that block, a raised ranch home, and it sold with no problems."
- Renee Voss of Coldwell Banker in Lapeer, Michigan noted the home she sold that backed to a solar farm sold quickly with multiple offers.
- Josh Holbrook of The Brokaw Group in Lapeer, Michigan said that solar farms had no impact on value, and in Lapeer, the community takes pride in the solar farm.

To give us additional insight as to how the market evaluates farmland and single-family homes with views of solar farms, we interviewed numerous real estate brokers and other market participants who were party to actual sales of property adjacent to solar; these professionals also confirmed that solar farms did not diminish property values or marketability in the areas they conducted their business.

- IV. Solar Farm Factors on Harmony of Use: In the course of our research and studies, we have recorded information regarding the compatibility of these existing solar facilities and their adjoining uses, including the continuing development of land adjoining these facilities.

CONCLUSION

Considering all of the preceding, the data indicates that solar facilities do not have a negative impact on adjacent property values.

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service.

Very truly yours,

CohnReznick LLP



Andrew R. Lines, MAI
Principal - Valuation Advisory Services
Certified General Real Estate Appraiser

Ohio License No. 2019001053
Expires 3/25/2022
Illinois License No. 553.001841
Expires 9/30/2023
Indiana License No. CG41500037
Expires 6/30/2022
Florida License No. RZ3899
Expires 11/30/2020



Patricia L. McGarr, MAI, CRE, FRICS
National Director - Valuation Advisory Services
Certified General Real Estate Appraiser

Indiana License No. CG49600131
Expires 6/30/2022
North Carolina License No. A8131
Expires 6/30/2021
Virginia License No. 4001016998
Expires 3/31/2022
Michigan License No. 1201072979
Expires 7/31/2022



Erin C. Bowen, MAI
Senior Manager
Certified General Real Estate Appraiser
Arizona License No. 32052
Expires 12/31/2022

TABLE OF CONTENTS

LETTER OF TRANSMITTAL2

 FINDINGS 3

 CONCLUSION 4

SCOPE OF WORK 7

 CLIENT 7

 INTENDED USERS..... 7

 INTENDED USE 7

 PURPOSE 7

 DEFINITION OF VALUE..... 7

 EFFECTIVE DATE & DATE OF REPORT 8

 PRIOR SERVICES 8

 INSPECTION..... 8

IDENTIFICATION AND DESCRIPTION OF THE PROPOSED PROJECT 9

OVERVIEW OF THE SURROUNDING AREA OF THE PROJECT 12

 TRAFFIC PATTERNS AND CONNECTIVITY..... 13

 DEMOGRAPHIC FACTORS..... 13

 CONCLUSION..... 14

MICHIGAN SOIL PRODUCTIVITY AND VALUE TRENDS 15

 NCCPI PRODUCTIVITY INDEX 15

 AREA VALUE TRENDS - CROPLAND 19

 AREA VALUE TRENDS – RESIDENTIAL HOMES 20

LOCAL LAND DEVELOPMENT TRENDS 22

SUMMARY AND FINAL CONCLUSIONS 23

CERTIFICATION 25

ASSUMPTIONS AND LIMITING CONDITIONS 27

ADDENDUM A: APPRAISER QUALIFICATIONS 31

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.



SCOPE OF WORK

CLIENT

The clients for this assignment are Confluence Solar, LLC, and Ranger Power, LLC.

INTENDED USERS

Confluence Solar, LLC and Ranger Power, LLC, Genesee County, Michigan planning and zoning department officials, members of the Genesee County community and various project stakeholders; other intended users may include the client's legal and site development professionals.

INTENDED USE

The intended use of our findings and conclusions is to address certain criteria required for the granting of approvals for the proposed solar energy center use in Genesee County, Michigan. We have not been asked to value any specific property, and we have not done so. The report may be used only for the aforementioned purpose and may not be distributed without the written consent of CohnReznick LLP ("CohnReznick").

PURPOSE

The purpose of this consulting assignment is to determine whether proximity to the proposed solar facility will result in an impact on adjacent property values.

DEFINITION OF VALUE

This report utilizes Market Value as the appropriate premise of value. Market value is defined as:

"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market.
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and

The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."¹

¹ Code of Federal Regulations, Title 12, Chapter I, Part 34.42[h]

EFFECTIVE DATE & DATE OF REPORT

April 27, 2022 (Paired sale analyses contained within each study in the Primary Report are periodically updated.)

PRIOR SERVICES

USPAP requires appraisers to disclose to the client any services they have provided in connection with the subject property in the prior three years, including valuation, consulting, property management, brokerage, or any other services.

We have not previously evaluated the Project site.

INSPECTION

Patricia L. McGarr, MAI, CRE, FRICS, Andrew R. Lines, MAI, and Erin C. Bowen, MAI have viewed the exterior of all comparable data referenced in this report in person, via photographs, or aerial imagery.

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

IDENTIFICATION AND DESCRIPTION OF THE PROPOSED PROJECT

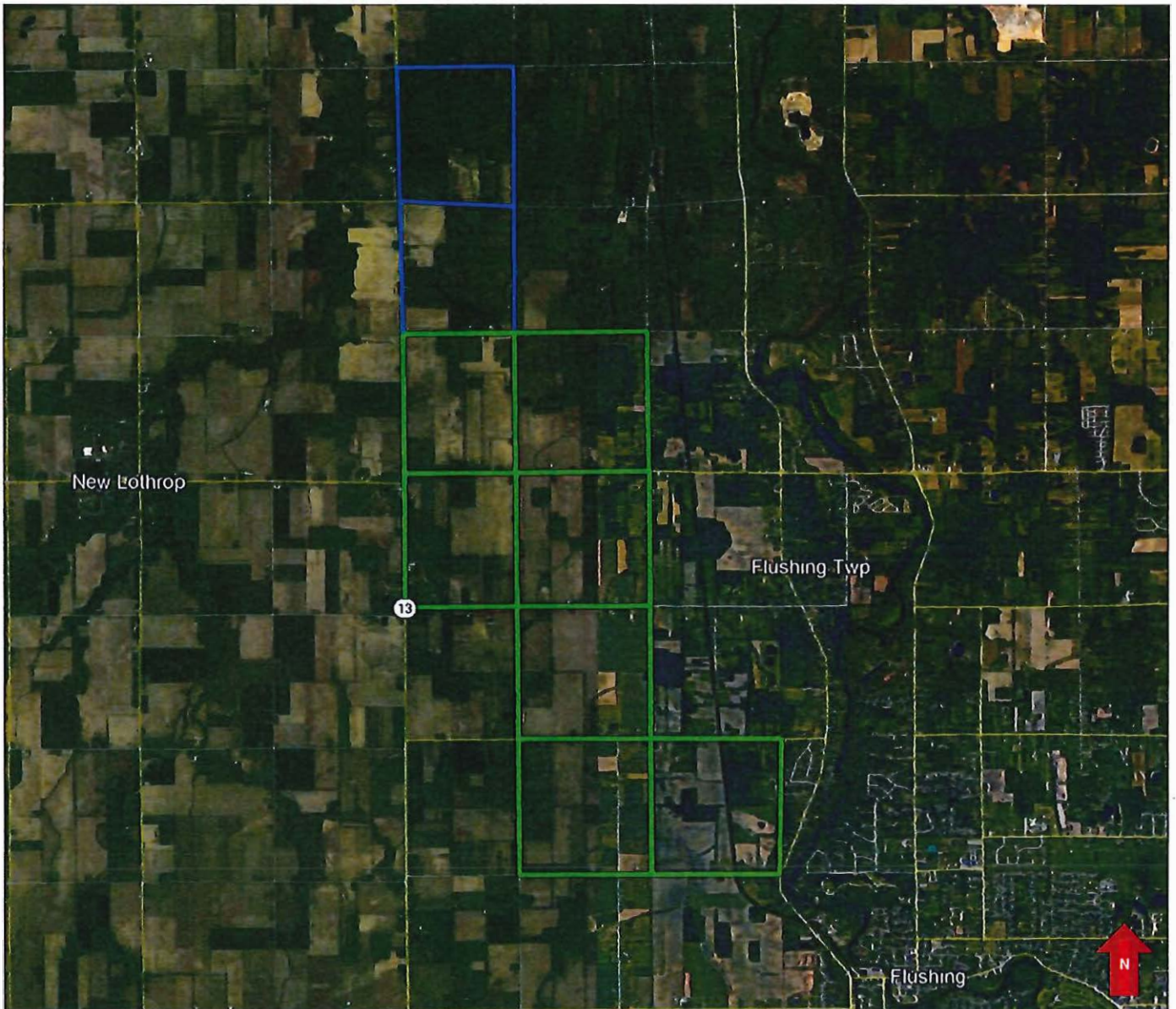
The Confluence Solar Project (“Confluence Solar” or “the Project”) is to be located on land along Michigan Highway 13, with the highway serving as the sites western border for two thirds of the area. The property is bordered at its further point north by Wilson Road, and its further point south at W Pierson Road. The properties eastern border differs across three separate location with Duffeld Road at the northern end of the project, and the corner of Seymour Road and Carpenter Road at the southern end. The project spans across Montrose and Flushing Townships in Genesee County, Michigan.

Based on development plan descriptions from the client, the proposed 200-megawatt solar energy center project would generally consist of photovoltaic arrays mounted to single-axis trackers, and a handful of inverter stations located throughout the project site to convert the electivity generated from DC-to-AC power. The project is estimated to power approximately 30,000 homes. The site will utilize internal access roads throughout the project area, some of which are existing.

The electric generation facility will be surrounded by woven-wire fencing with wooden posts that meets the National Electrical Code (NEC) Article 110 requirements. The project will install vegetative landscaping as required per the Township's ordinance requirements. The project will also utilize existing natural vegetation to the extent possible.

The Project will be located on approximately 1,500 combined acres of connected properties in Genesee County in a rural environment. The Project will be situated on land parcels utilized for agricultural purposes and is illustrated on the following page by the outlined polygons. The Project parcels are bordered by agricultural farmland and rural homesteads.

As provided by Ranger Power as of this report date, a map showing the general location of the proposed solar facility is identified on the following page. The map outlines the Sections within the Flushing and Montrose Townships where the facility is intended to be developed; however, the map does not specifically outline each participating parcel.



Proposed Confluence Solar Project parcel area outline in blue and green above, as provided by Ranger Power, LLC

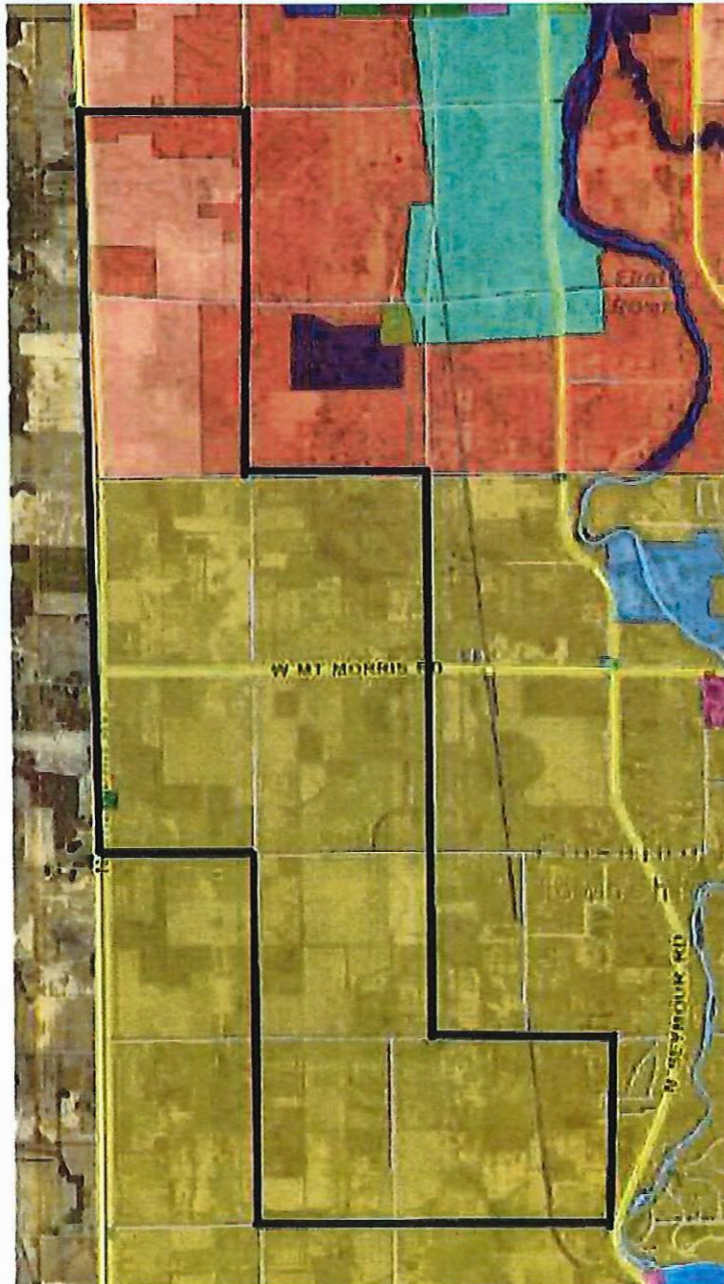
ZONING REGULATIONS AND FUTURE LAND USE

Genesee County has a five-year comprehensive plan for 2020-2024. The plan includes a number of considerations including housing development and density, affordability, education, transit and infrastructure, agriculture and climate mitigation. However, the plan tends to discuss the “downtown” areas of Flint and surrounding smaller cities in Montrose, Flushing, and Fenton. The area immediately surrounding the project is not directly discussed and does not appear to be garnering any sort of zoning intensity upgrade in the five-year period. The Project Area currently has three zoning designations across both Flushing and Montrose townships.

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

Below is a map outlining the Proposed Project Area zoning in black. The area shaded in yellow to the south is zoned "Residential Suburban Agricultural District." The areas shaded in light red are zoned "Agricultural" and those in darker red, "Residential Farm." Although the property contains several distinct zonings, each of them permits similar uses including the current agricultural or open space use of the property.

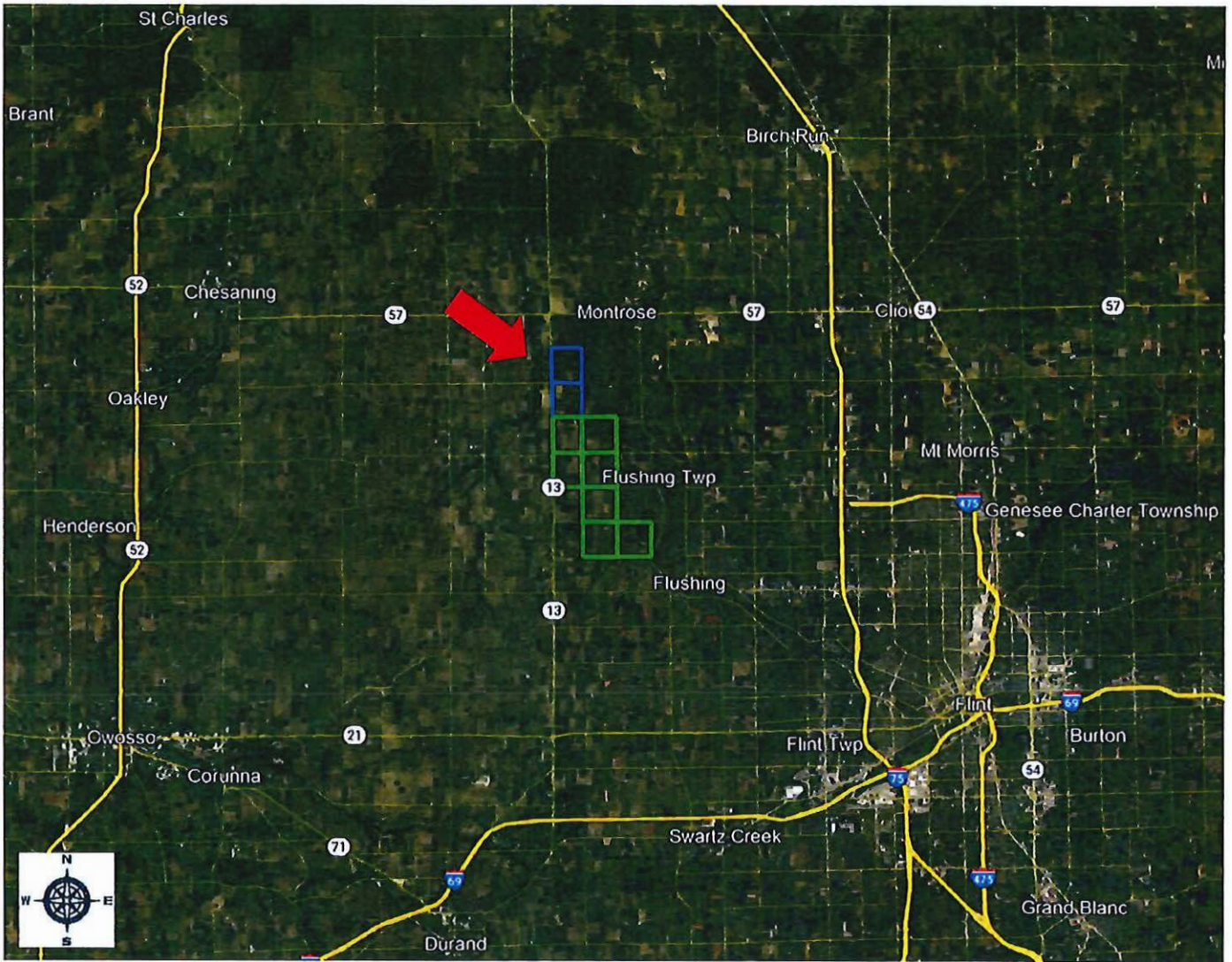
The property will be developed including a security fence consistent with local, federal, and state code regulations and landscape buffers consisting of shrubbery and trees or to be determined buffers.



Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

OVERVIEW OF THE SURROUNDING AREA OF THE PROJECT

The Project consists of a utility-scale, solar energy use in Montrose and Flushing Townships, in Genesee County, Michigan known as the 200 MW Confluence Solar Project. A surrounding area map indicating the location of the Project (red arrow) is presented below.



Aerial imagery of site area provided by Google Earth, dated December 2020.

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

TRAFFIC PATTERNS AND CONNECTIVITY

The Project is located west of Interstate 75 and North of Interstate 69, while running along Michigan Highway 13 and just south of Michigan Highway 57.

Each of these highways are major arterials in this region. Michigan Highway 13 runs North to South connecting the rural areas of the region to Interstate 69 to the South and the city of Saginaw to the North. Interstate 75 also runs North to South connecting Detroit, Flint, and Saginaw before extending across the U.S. from Canada to Florida. Michigan Highway 57 runs east to west connecting the rural regions North of Flint and Grand Rapids to both cities. Interstate 69 also runs East to West further south of the property, connecting the region to Lansing and Port Huon before extending beyond Michigan into Indiana. The nearest major cities to the Project are Flint about 11 miles Southeast, Lansing, about 40 miles Southwest, and Saginaw, about 18 miles North.

DEMOGRAPHIC FACTORS

Demographic data is presented below, as compiled by ESRI, which indicates a slightly declining population in the area surrounding the project, township, and county. The state is increasing in population at a small rate over time. The area surrounding the Project is predominantly owner-occupied. Median household income is higher at the local level than the state and county levels. Overall, these characteristics indicate a stable albeit, slightly declining, economic base.

DEMOGRAPHIC PROFILE			
	Subject Area*	Genesee County	Michigan
Population			
2026 Projection	22,291	408,289	10,211,228
2021 Estimate	22,621	414,842	10,105,078
2010 Census	22,823	425,790	9,883,640
Growth 2021 - 2026	-1.46%	-1.58%	1.05%
Growth 2010 - 2021	-0.89%	-2.57%	2.24%
Total Land Area	66 sq. miles	650 sq. miles	96,716 sq. miles
Population Density	342.74/sq. mi,	638.22/sq. mi,	104.48/sq. mi,
Households			
2026 Projection	8,824	164,729	4,051,868
2021 Estimate	8,913	166,855	3,999,335
2010 Census	8,821	169,202	3,872,508
Growth 2021 - 2026	-1.00%	-1.27%	1.31%
Growth 2010 - 2021	1.04%	-1.39%	3.28%
2021 Owner Occupied (%)	76.50%	60.90%	61.10%
2021 Renter Occupied (%)	16.30%	25.50%	24.10%
2021 Med. Household Income	\$59,428	\$50,805	\$58,537
2021 Avg. Household Income	\$75,624	\$67,851	\$81,310

*Includes Townships of Flushing and Montrose

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.



CONCLUSION

Land uses in the area surrounding the Project can be categorized as predominantly farmland and some residential homesteads. The factors presented previously indicate that the proposed Project would not be incompatible with surrounding uses and would not negatively impact surrounding properties.

MICHIGAN SOIL PRODUCTIVITY AND VALUE TRENDS

NCCPI PRODUCTIVITY INDEX

Crop yields have been the basis for establishing a soil productivity index, and are used by county assessors, farmers, and market participants in assessing agricultural land. While crop yields are an integral part in assessing soil qualities, it is not an appropriate metric to rely on because “yields fluctuate from year to year, and absolute yields mean little when comparing different crops. Productivity indices provide a single scale on which soils may be rated according to their suitability for several major crops under specified levels of management, such as an optimum level.”² The productivity index, therefore, not crop yields, is best suited for applications in land appraisal and land-use planning.

The United States Department of Agriculture’s (USDA) National Resources Conservation Services (NRCS) developed and utilizes the National Commodity Crop Productivity Index (NCCPI) as a national soil interpreter and is used in the National Soil Information System (NASIS), but it is not intended to replace other crop production models developed by individual states.³ The focus of the model is on identifying the best soils for the growth of commodity crops, as the best soils for the growth of these crops are generally the best soils for the growth of other crops.⁴ The NCCPI model describes relative productivity ranking over a period of years and not for a single year where external influences such as extreme weather or change in management practices may have affected production. At the moment, the index only describes non-irrigated crops, and will later be expanded to include irrigated crops, rangeland, and forestland productivity.⁵

Yields are influenced by a variety of different factors including environmental traits and management inputs. Tracked climate and soil qualities have been proven by researchers to directly explain fluctuations in crop yields, especially those qualities that relate to moisture-holding capacity. Some states such as Illinois have developed a soil productivity model that considers these factors to describe “optimal” productivity of farmed land. Except for these factors, “inherent soil quality or inherent soil productivity varies little over time or from place to place for a specific soil (map unit component) identified by the National Cooperative Soil Survey (NCSS).”⁶ The NRCS Web Soil Survey website has additional information on how the ratings are determined. The state of Michigan does not have its own crop production model and utilizes the NCCPI.

The solar energy project is located in Genesee County, in the eastern-central area of the state. An excerpt of a soil productivity map is presented on the following page as retrieved from the USDA Web Soil Survey, which provides an illustration of the variation in soil productivity across the local area that is based on the NCCPI. The approximate site area for the Project is within the boundary delineated in the image below. Note, numerical labels

2 Bulletin 811: Optimum Crop Productivity of Illinois Soils. University of Illinois, College of Agricultural, Consumer and Environmental Sciences, Office of Research. August 2000.

3 Agricultural land rental payments are typically tied to crop production of the leased agricultural land and is one of the primary reasons the NCCPI was developed, especially since the model needed to be consistent across political boundaries.

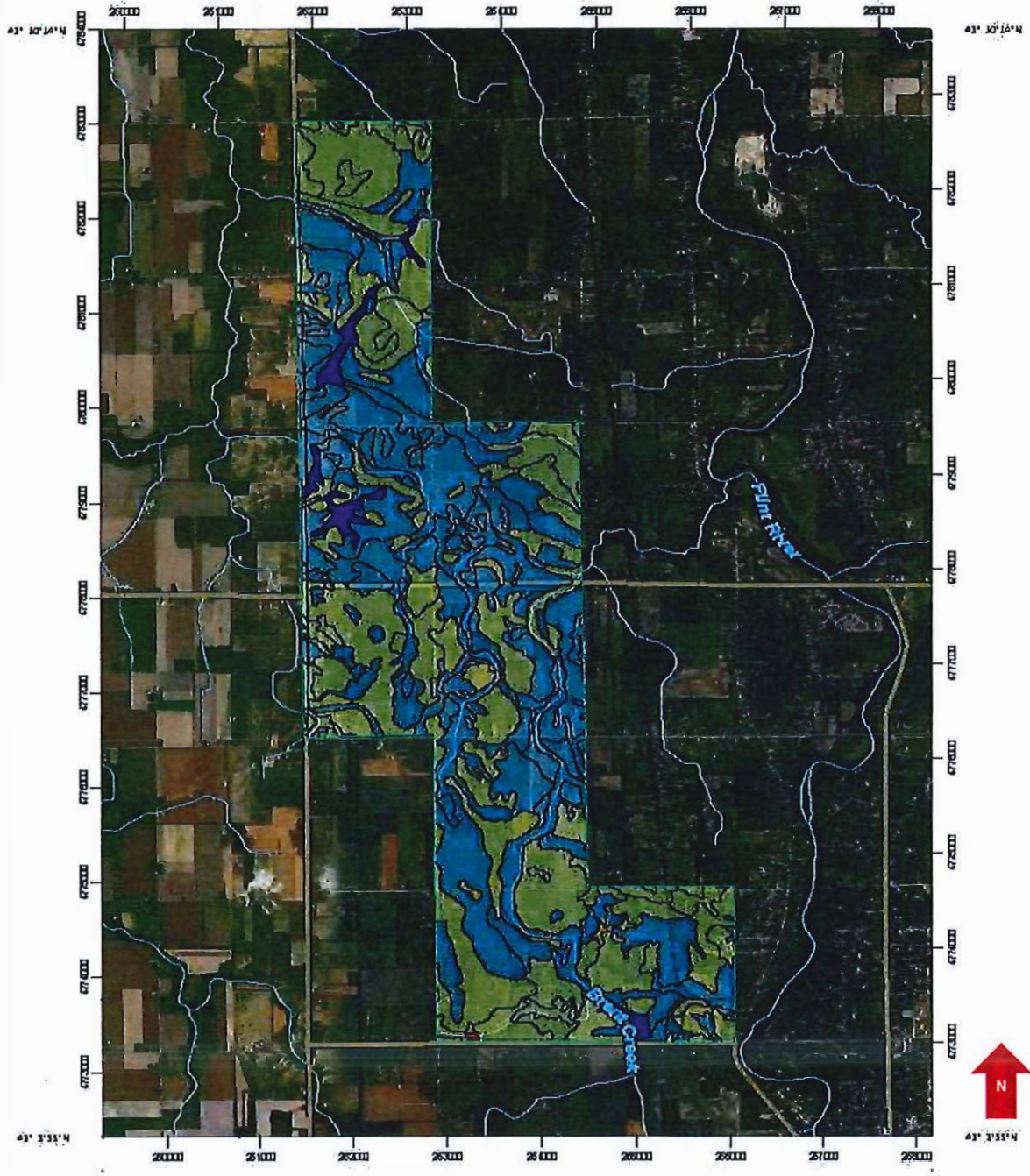
4 Per the User Guide for the National Commodity Crop Productivity Index, the NCCPI uses natural relationships of soil, landscape and climate factors to model the response of commodity crops in soil map units. The present use of the land is not considered in the ratings.

5 AgriData Inc. Docs: [http://support.agridatainc.com/NationalCommodityCropProductivityIndex\(NCCPI\).ashx](http://support.agridatainc.com/NationalCommodityCropProductivityIndex(NCCPI).ashx)

6 USDA NRCS’s User Guide National Commodity Crop Productivity Index (NCCPI)

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

correspond to soil type, not productivity index, and the area spans two "survey areas" which, "may have been mapped at different scales, with a different land use in mind, at different times, or at different levels of detail. This may result in map unit symbols, soil properties, and interpretations that do not completely agree across soil survey area boundaries," according to the USDA Web Soil Survey Site notes.



National Commodity Crop Production Index Map of the Project Area

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

National Commodity Crop Productivity Index--Genesee County, Michigan, Saginaw County, Michigan, and Shiawassee County, Michigan

MAP LEGEND		MAP INFORMATION
Area of Interest (AOI) □ Area of Interest (AOI)	■ Moderately low inherent productivity	The soil surveys that comprise your AOI were mapped at scales ranging from 1:12,000 to 1:20,000.
Soils	■ Moderate inherent productivity	Please rely on the bar scale on each map sheet for map measurements.
Soil Rating Polygons	■ Moderately High Inherent productivity	Source of Map: Natural Resources Conservation Service Web Soil Survey URL: Coordinate System: Web Mercator (EPSG:3857)
■ Low inherent productivity	■ High Inherent productivity	Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.
■ Moderately low inherent productivity	□ Not rated or not available	This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.
■ Moderate inherent productivity	Water Features	Soil Survey Area: Genesee County, Michigan Survey Area Date: Version 17, Sep 2, 2021
■ Moderately high inherent productivity	— Swamps and Canals	Soil Survey Area: Saginaw County, Michigan Survey Area Date: Version 21, Sep 1, 2021
■ High inherent productivity	Transportation	Soil Survey Area: Shiawassee County, Michigan Survey Area Date: Version 19, Sep 2, 2021
□ Not rated or not available	— Rails	Your area of interest (AOI) includes more than one soil survey area. These survey areas may have been mapped at different scales, with a different land use in mind, at different times, or at different levels of detail. This may result in map unit symbols, soil properties, and interpretations that do not completely agree across soil survey area boundaries.
Soil Rating Lines	— Interstate Highways	Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.
— Low inherent productivity	— US Routes	Date(s) aerial images were photographed: Jun 25, 2016—Aug 12, 2020
— Moderately low inherent productivity	— Major Roads	The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.
— Moderate inherent productivity	— Local Roads	
— Moderately high inherent productivity	Background	
— High inherent productivity	■ Aerial Photography	
□ Not rated or not available		
Soil Rating Points		
■ Low inherent productivity		

Per the NCCPI, soil productivity is measured on both a numerical scale from 0 to 100, with 0 being the worst and 100 being the best,⁷ and by qualitative ratings. The qualitative rating classifications below are determined by the USDA NRCS and provide general comments on the productivity of the soil.

High inherent productivity indicates that the soil, site, and climate have features that are very favorable for crop production. High yields and low risk of crop failure can be expected if a high level of management is employed.

Moderately high inherent productivity indicates that the soil has features that are generally quite favorable for crop production. Good yields and moderately low risk of crop failure can be expected.

Moderate inherent productivity indicates that the soil has features that are generally favorable for crop production. Good yields and moderate risk of crop failure can be expected.

⁷ Quantitative ratings are also shown in ranges of 0.00 to 1.00. AgriData Inc. presents the NCCPI index rating multiplied by 100 in a range of 0.00 to 100.00 to show up to four significant figures.

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

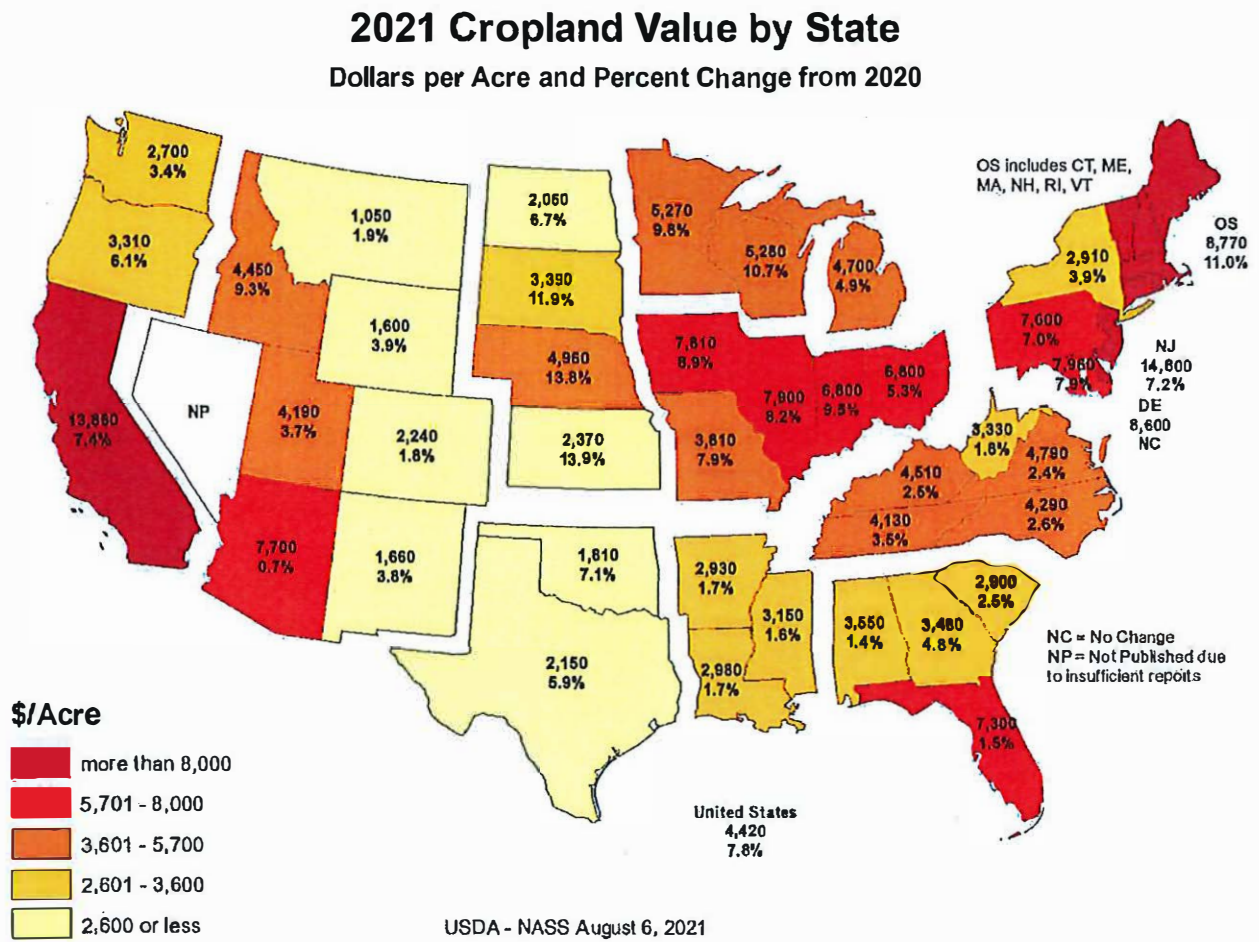
Moderately low inherent productivity indicates that the soil has features that are generally not favorable for crop production. Low yields and moderately high risk of crop failure can be expected.

Low inherent productivity indicates that the soil has one or more features that are unfavorable for crop production. Low yields and high risk of crop failure can be expected.

The weighted average soil productivity for the general area was determined to be approximately 61.83. A numerical scale that corresponds to the indicated qualitative ratings above was not available for the NCCPI; however, the soil productivity for this area is higher than the middle of the range, aligning with the “moderately high inherent productivity” category. According to the qualitative scale above, land with the moderately high inherent productivity classification is generally quite favorable for crop production with good yields.

AREA VALUE TRENDS - CROPLAND

Agricultural land values are heavily influenced by relative crop production yields. The following exhibit compiled by the USDA National Agricultural Statistics Service (NASS) provides an illustration of how regional conditions such as weather conditions, geographies, and soil conditions can affect farm real estate values.



Per the NASS report, the average value of cropland in Michigan for 2021 is \$4,700 per acre, which is an increase of 4.9 percent from 2020. In addition, the report indicated that the average annual growth rate for farmland values in Michigan from 2017 to 2021 was 1.46 percent.⁸

⁸ https://www.nass.usda.gov/Publications/Todays_Reports/reports/land0821.pdf

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

AREA VALUE TRENDS – RESIDENTIAL HOMES

The proposed Project is to be located in Genesee County, between Flint and Saginaw, Michigan. There has been a bevy of home sale activity in the area surrounding the proposed Project in the past year.

We researched sales in the surrounding area, from mid-March 2021 through mid-March 2022, and identified 65 market transactions of single-family homes. The properties which sold in the surrounding area tended to be rural in nature.

The sales are summarized in the table below.

Home Sales Surrounding Proposed Project Area (March 2021 through March 2022)

	Median			
Single Family	Living Area	Min. Sale	Max. Sale	Median Sale
	(SF)	Price	Price	Price PSF
Subject Area*	1,520	\$100,000	\$445,000	\$173,000

* Includes Homes within proximity to the project in Flushing and Montrose Townships

We surveyed the surrounding area of the proposed site to identify any transactions of homes adjacent to the site. Please note that we were not provided with exact boundaries for the project, therefore we will be analyzing two sets of properties, those which fall within the rough section lines, and those which border the approximated section lines. The project was not formally announced but some conversations about the Project occurred within the community as early as March 2021, thus we examined transactions after March 2021. There were approximately 15 sales of single family residences that sold in the project's proposed location, ranging from \$77,000 to \$360,000, with a median sale price of \$214,376, reflecting a slightly higher median sale price when compared to homes that sold in the general surrounding area.

The table below illustrates residential home value trends for the proposed Project's Genesee County location. The source is the Federal Housing Finance Agency's (FHFA) House Price Index (HPI), which is a weighted, repeat-sales index measuring changes in single-family house prices.

FHFA House Price Index Genesee County, Michigan		
Year	Annual Change (%)	HPI
2001	4.71	371.90
2002	2.81	382.34
2003	1.54	388.22
2004	2.47	397.79
2005	3.69	412.47
2006	-2.17	403.54
2007	-5.73	380.40
2008	-9.41	344.61
2009	-13.34	298.64
2010	-9.41	270.55
2011	-4.99	257.05
2012	-1.46	253.28
2013	5.90	268.24
2014	9.94	294.91
2015	6.03	312.69
2016	5.69	330.47
2017	7.52	355.32
2018	6.80	379.48
2019	5.03	398.57
2020	3.81	413.74
2021	12.87	466.97
Annual Average Compounded % Change	1.14%	

Based on the data shown above, the trend in residential home values in Genesee County have increased at an average annual rate of 1.14 percent, over the past twenty years. The housing values in the county are considered to be stable.

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

LOCAL LAND DEVELOPMENT TRENDS

Land values can be driven by a site's proximity to the path of development. The closer a property is to the path of development, and without natural barriers to development, the more value a property may have in the future; however, the path of development in the local area is the small downtown of Montrose, to the north of the proposed Project area, as well as the slightly larger downtown of Flushing, growing the Southeast. The Project area has remained agricultural in nature since 2005.



Aerial Imagery dated October 2005



Aerial Imagery dated December 2020

According to the images above, there has been little new development in the local area over the past 15 years. Generally, any undeveloped agricultural land is considered to be an interim use as the intensity of uses grows in step with macroeconomic factors.

SUMMARY AND FINAL CONCLUSIONS

The Project is located in a stable area that is predominantly agricultural in nature with some residential homesteads. The combined population quotient (persons per square mile) for Montrose and Flushing area is 343, which reflects a rural environment. Local development has not been robust over the past 15 years in the area immediately surrounding the Project, and the abutting land parcels are generally used for agricultural purposes. Based on our analysis of real estate taxes in the Primary Report, solar farm uses incur anywhere from 131% to $\pm 1,000\%$ increase in real estate tax revenue for the local area, feeding back into essential services and schools. Local land and residential home prices have remained stable over the past five years, with a growth uptick in 2021 in line with current and future national macroeconomic changes. Overall, the proposed Project is considered a locally compatible use.

The purpose of the Primary Report and this addendum is to determine whether the presence of a solar farm has caused a measurable and consistent impact on adjacent property values. Under the identified methodology and scope of work, CohnReznick reviewed published methodology for measuring impact on property values as well as published reports that analyzed the impact of solar farms on property values. These studies found little to no measurable and consistent difference between Test Area Sales and Control Area Sales attributed to the solar farms.

The chosen existing solar farms analyzed in the Primary Report reflected sales of property adjoining an existing solar farm (Test Area Sales) in which the unit sale prices were effectively the same or higher than the comparable Control Area Sales that were not near a solar farm. The conclusions support that there is no negative impact for improved residential homes adjacent to solar, nor agricultural acreage. This was confirmed with market participants interviews, which provided additional insight as to how the market evaluates farmland and single-family homes with views of the solar farm.

It can be concluded that since the Adjoining Property Sales (Test Area Sales) were not adversely affected by their proximity to the solar farm, that properties surrounding other proposed solar farms operating in compliance with all regulatory standards will similarly not be adversely affected, in either the short or long term periods.

Based upon the examination, research, and analyses of the existing solar farm uses, the surrounding areas, and an extensive market database, we have concluded that **no consistent negative impact has occurred to adjacent property values that could be attributed to proximity to the adjacent solar farm**, with regard to unit sale prices or other influential market indicators. Additionally, in our workfile we have retained analyses of additional existing solar farms, each with their own set of matched control sales, which had consistent results, indicating no consistent and measurable impact on adjacent property values. This conclusion has been confirmed by numerous county assessors who have also investigated this use's potential impact on property values.

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service.

Respectfully submitted,

CohnReznick LLP



Andrew R. Lines, MAI
Principal - Valuation Advisory Services
Certified General Real Estate Appraiser

Ohio License No. 2019001053
Expires 3/25/2022
Illinois License No. 553.001841
Expires 9/30/2023
Indiana License No. CG41500037
Expires 6/30/2022
Florida License No. RZ3899
Expires 11/30/2020



Patricia L. McGarr, MAI, CRE, FRICS
National Director - Valuation Advisory Services
Certified General Real Estate Appraiser

Indiana License No. CG49600131
Expires 6/30/2022
North Carolina License No. A8131
Expires 6/30/2021
Virginia License No. 4001016998
Expires 3/31/2022
Michigan License No. 1201072979
Expires 7/31/2022



Erin C. Bowen, MAI
Senior Manager
Certified General Real Estate Appraiser
Arizona License No. 32052
Expires 12/31/2022

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

CERTIFICATION

We certify that, to the best of our knowledge and belief:

1. The statements of fact and data reported are true and correct.
2. The reported analyses, findings, and conclusions in this consulting report are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, findings, and conclusions.
3. We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
4. We have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
5. We have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
6. Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
7. Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value finding, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this report.
8. Our analyses, findings, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, which includes the Uniform Standards of Professional Appraisal Practice (USPAP).
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
10. Patricia L. McGarr, MAI, CRE, FRICS, Andrew R. Lines, MAI and Erin C. Bowen, MAI have viewed the exterior of the Project and of all comparable data referenced in this report in person, via photographs, or aerial imagery.
11. We have not relied on unsupported conclusions relating to characteristics such as race, color, religion, national origin, gender, marital status, familial status, age, and receipt of public assistance income, handicap, or an unsupported conclusion that homogeneity of such characteristics is necessary to maximize value.
12. Sonia K. Singh, MAI and Sean Twomey provided consulting assistance to the persons signing this certification, including data verification, research, and administrative work all under the appropriate supervision.
13. We have experience in reviewing properties similar to the subject and are in compliance with the Competency Rule of USPAP.
14. As of the date of this report, Patricia L. McGarr, MAI, CRE, FRICS, Andrew R. Lines, MAI, and Erin C. Bowen, MAI have completed the continuing education program for Designated Members of the Appraisal Institute.

If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service.

Respectfully submitted,

CohnReznick LLP



Andrew R. Lines, MAI
Principal - Valuation Advisory Services
Certified General Real Estate Appraiser

Ohio License No. 2019001053

Expires 3/25/2022

Illinois License No. 553.001841

Expires 9/30/2023

Indiana License No. CG41500037

Expires 6/30/2022

Florida License No. RZ3899

Expires 11/30/2020



Patricia L. McGarr, MAI, CRE, FRICS
National Director - Valuation Advisory Services
Certified General Real Estate Appraiser

Indiana License No. CG49600131

Expires 6/30/2022

North Carolina License No. A8131

Expires 6/30/2021

Virginia License No. 4001016998

Expires 3/31/2022

Michigan License No. 1201072979

Expires 7/31/2022



Erin C. Bowen, MAI
Senior Manager
Certified General Real Estate Appraiser

Arizona License No. 32052

Expires 12/31/2022

ASSUMPTIONS AND LIMITING CONDITIONS

The fact witness services will be subject to the following assumptions and limiting conditions:

1. No responsibility is assumed for the legal description provided or for matter pertaining to legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated. The legal description used in this report is assumed to be correct.
2. The property is evaluated free and clear of any or all liens or encumbrances unless otherwise stated.
3. Responsible ownership and competent management are assumed.
4. Information furnished by others is believed to be true, correct and reliable, but no warranty is given for its accuracy.
5. All engineering studies are assumed to be correct. The plot plans and illustrative material in this report are included only to help the reader visualize the property.
6. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for obtaining the engineering studies that may be required to discover them.
7. It is assumed that the property is in full compliance with all applicable federal, state, and local and environmental regulations and laws unless the lack of compliance is stated, described, and considered in the evaluation report.
8. It is assumed that the property conforms to all applicable zoning and use regulations and restrictions unless nonconformity has been identified, described and considered in the evaluation report.
9. It is assumed that all required licenses, certificates of occupancy, consents, and other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
10. It is assumed that the use of the land and improvements is confined within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in this report.
11. The date of value to which the findings are expressed in this report apply is set forth in the letter of transmittal. The appraisers assume no responsibility for economic or physical factors occurring at some later date which may affect the opinions herein stated.
12. Unless otherwise stated in this report, the existence of hazardous materials, which may or may not be present on the property, was not observed by the appraisers. The appraisers have no knowledge of the existence of such substances on or in the property. The appraisers, however, are not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, radon gas, lead or lead-based products, toxic waste contaminants, and other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

- responsibility is assumed for such conditions or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.
13. The forecasts, projections, or operating estimates included in this report were utilized to assist in the evaluation process and are based on reasonable estimates of market conditions, anticipated supply and demand, and the state of the economy. Therefore, the projections are subject to changes in future conditions that cannot be accurately predicted by the appraisers and which could affect the future income or value projections.
 14. Fundamental to the appraisal analysis is the assumption that no change in zoning is either proposed or imminent, unless otherwise stipulated. Should a change in zoning status occur from the property's present classification, the appraisers reserve the right to alter or amend the value accordingly.
 15. It is assumed that the property does not contain within its confined any unmarked burial grounds which would prevent or hamper the development process.
 16. The Americans with Disabilities Act (ADA) became effective on January 26, 1992. We have not made a specific compliance survey and analysis of the property to determine if it is in conformance with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect on the value of the property. Unless otherwise noted in this report, we have not been provided with a compliance survey of the property. Any information regarding compliance surveys or estimates of costs to conform to the requirements of the ADA are provided for information purposes. No responsibility is assumed for the accuracy or completeness of the compliance survey cited in this report, or for the eventual cost to comply with the requirements of the ADA.
 17. Any value estimates provided in this report apply to the entire property, and any proration or division of the total into fractional interests will invalidate the value estimate, unless such proration or division of interests has been set forth in this report.
 18. Any proposed improvements are assumed to have been completed unless otherwise stipulated; any construction is assumed to conform with the building plans referenced in this report.
 19. Unless otherwise noted in the body of this report, this evaluation assumes that the subject does not fall within the areas where mandatory flood insurance is effective.
 20. Unless otherwise noted in the body of this report, we have not completed nor are we contracted to have completed an investigation to identify and/or quantify the presence of non-tidal wetland conditions on the subject property.
 21. This report should not be used as a basis to determine the structural adequacy/inadequacy of the property described herein, but for evaluation purposes only.
 22. It is assumed that the subject structure meets the applicable building codes for its respective jurisdiction. We assume no responsibility/liability for the inclusion/exclusion of any structural component item which may have an impact on value. It is further assumed that the subject property will meet code requirements as they relate to proper soil compaction, grading, and drainage.

23. The appraisers are not engineers, and any references to physical property characteristics in terms of quality, condition, cost, suitability, soil conditions, flood risk, obsolescence, etc., are strictly related to their economic impact on the property. No liability is assumed for any engineering-related issues.

The evaluation services will be subject to the following limiting conditions:

1. The findings reported herein are only applicable to the properties studied in conjunction with the Purpose of the Evaluation and the Function of the Evaluation as herein set forth; the evaluation is not to be used for any other purposes or functions.
2. Any allocation of the total value estimated in this report between the land and the improvements applies only to the stated program of utilization. The separate values allocated to the land and buildings must not be used in conjunction with any other appraisal and are not valid if so used.
3. No opinion is expressed as to the value of subsurface oil, gas or mineral rights, if any, and we have assumed that the property is not subject to surface entry for the exploration or removal of such materials, unless otherwise noted in the evaluation.
4. This report has been prepared by CohnReznick under the terms and conditions outlined by the enclosed engagement letter. Therefore, the contents of this report and the use of this report are governed by the client confidentiality rules of the Appraisal Institute. Specifically, this report is not for use by a third party and CohnReznick is not responsible or liable, legally or otherwise, to other parties using this report unless agreed to in writing, in advance, by both CohnReznick and/or the client or third party.
5. Disclosure of the contents of this evaluation report is governed by the by-laws and Regulations of the Appraisal Institute has been prepared to conform with the reporting standards of any concerned government agencies.
6. The forecasts, projections, and/or operating estimates contained herein are based on current market conditions, anticipated short-term supply and demand factors, and a continued stable economy. These forecasts are, therefore, subject to changes with future conditions. This evaluation is based on the condition of local and national economies, purchasing power of money, and financing rates prevailing at the effective date of value.
7. This evaluation shall be considered only in its entirety, and no part of this evaluation shall be utilized separately or out of context. Any separation of the signature pages from the balance of the evaluation report invalidates the conclusions established herein.
8. **Possession of this report, or a copy thereof, does not carry with it the right of publication, nor may it be used for any purposes by anyone other than the client without the prior written consent of the appraisers, and in any event, only with property qualification.**
9. The appraisers, by reason of this study, are not required to give further consultation or testimony or to be in attendance in court with reference to the property in question unless arrangements have been previously made.

10. Neither all nor any part of the contents of this report shall be conveyed to any person or entity, other than the appraiser's client, through advertising, solicitation materials, public relations, news, sales or other media, without the written consent and approval of the authors, particularly as to evaluation conclusions, the identity of the appraisers or CohnReznick, LLC, or any reference to the Appraisal Institute, or the MAI designation. Further, the appraisers and CohnReznick, LLC assume no obligation, liability, or accountability to any third party. If this report is placed in the hands of anyone but the client, client shall make such party aware of all the assumptions and limiting conditions of the assignment.
11. This evaluation is not intended to be used, and may not be used, on behalf of or in connection with a real estate syndicate or syndicates. A real estate syndicate means a general or limited partnership, joint venture, association or similar organization formed for the purpose of, and engaged in, an investment or gain from an interest in real property, including, but not limited to a sale or exchange, trade or development of such real property, on behalf of others, or which is required to be registered with the United States Securities and Exchange commissions or any state regulatory agency which regulates investments made as a public offering. It is agreed that any user of this evaluation who uses it contrary to the prohibitions in this section indemnifies the appraisers and the appraisers' firm and holds them harmless from all claims, including attorney fees, arising from said use.

**ADDENDUM A:
APPRAISER QUALIFICATIONS**

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.



Patricia L. McGarr, MAI, CRE, FRICS, CRA
Principal and CohnReznick Group –
Valuation Advisory National Director

200 S. Wacker Drive, Suite 2600
Chicago, IL 60606
312-508-5802
patricia.mcgarr@cohnreznick.com

Patricia L. McGarr, MAI, CRE, FRICS, CRA, is a principal and National Director of the CohnReznick Valuation Advisory Services practice. Pat's experience includes market value appraisals of varied property types for acquisition, condemnation, mortgage, estate, ad valorem tax, litigation, zoning, and other purposes. Pat has been involved in the real estate business since 1980. From June 1980 to January 1984, she was involved with the sales and brokerage of residential and commercial properties. Her responsibilities during this time included the formation, management, and training of sales staff in addition to her sales, marketing, and analytical functions. Of special note was her development of a commercial division for a major Chicago-area brokerage firm.

Since January 1984, Pat has been exclusively involved in the valuation of real estate. Her experience includes the valuation of a wide variety of property types including residential (SF/MF/LIHTC), commercial, industrial, and special purpose properties including such diverse subjects as quarries, marinas, riverboat gaming sites, shopping centers, manufacturing plants, and office buildings. She is also experienced in the valuation of leasehold and leased fee interests. Pat has performed appraisal assignments throughout the country, including the Chicago Metropolitan area as well as New York, New Jersey, California, Nevada, Florida, Utah, Texas, Wisconsin, Indiana, Michigan, and Ohio. Pat has gained substantial experience in the study and analysis of the establishment and expansion of sanitary landfills in various metropolitan areas including the preparation of real estate impact studies to address criteria required by Senate Bill 172. She has also developed an accepted format for allocating value of a landfill operation between real property, landfill improvements, and franchise (permits) value.

Over the past several years, Pat has developed a valuation group that specializes in the establishment of new utility corridors for electric power transmission and pipelines. This includes determining acquisition budgets, easement acquisitions, corridor valuations, and litigation support. Pat has considerable experience in performing valuation impact studies on potential detrimental conditions and has studied properties adjoining solar farms, wind farms, landfills, waste transfer stations, stone quarries, cellular towers, schools, electrical power transmission lines, "Big Box" retail facilities, levies, properties with restrictive covenants, landmark districts, environmental contamination, airports, material defects in construction, stigma, and loss of view amenity for residential high rises. Most recently, the firm has studied property values adjacent to Solar Farms to address criteria required for special use permits across the Midwest.

Pat has qualified as an expert valuation witness in numerous local, state, and federal courts.

Pat has participated in specialized real estate appraisal education and has completed more than 50 courses and seminars offered by the Appraisal Institute totaling more than 600 classroom hours, including real estate transaction courses as a prerequisite to obtaining a State of Illinois Real Estate Salesman License.

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

Pat has earned the professional designations of Counselors of Real Estate (CRE), Member of the Appraisal Institute (MAI), Fellow of Royal Institution of Chartered Surveyors (FRICS) and Certified Review Appraiser (CRA). She has also been a certified general real estate appraiser in 21 states (see below).

Education

- North Park University: Bachelor of Science, General Studies

Professional Affiliations

- National Association of Realtors
- CREW Commercial Real Estate Executive Women
- IRWA International Right Of Way Association

Licenses and Accreditations

- Member of the Appraisal Institute (MAI)
- Counselors of Real Estate, designated CRE
- Fellow of Royal Institution of Chartered Surveyors (FRICS)
- Certified Review Appraiser (CRA)
- Alabama State Certified General Real Estate Appraiser
- California State Certified General Real Estate Appraiser
- Connecticut State Certified General Real Estate Appraiser
- Colorado State Certified General Real Estate Appraiser
- District of Columbia Certified General Real Estate Appraiser
- Illinois State Certified General Real Estate Appraiser
- Indiana State Certified General Real Estate Appraiser
- Louisiana State Certified General Real Estate Appraiser
- Maryland State Certified General Real Estate Appraiser
- Massachusetts Certified General Real Estate Appraiser
- Michigan State Certified General Real Estate Appraiser
- North Carolina State Certified General Real Estate Appraiser
- New Jersey State Certified General Real Estate Appraiser
- Nevada State Certified General Real Estate Appraiser
- New York State Certified General Real Estate Appraiser
- Pennsylvania State Certified General Real Estate Appraiser
- South Carolina State Certified General Real Estate Appraiser
- Tennessee State Certified General Real Estate Appraiser
- Texas State Certified General Real Estate Appraiser
- Virginia State Certified General Real Estate Appraiser
- Wisconsin State Certified General Real Estate Appraiser

Appointments

- Appointed by two Governors of Illinois to the State Real Estate Appraisal Board (2017 & 2021)
- Chairperson of the State of Illinois Real Estate Appraisal Board (2021)

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.



Andrew R. Lines, MAI
Principal, CohnReznick Advisory

200 S. Wacker Drive, Suite 2600
Chicago, IL 60606
312-508-5892
andrew.lines@cohnreznick.com

Andrew R. Lines is a principal in CohnReznick's Valuation Advisory Services practice where he specializes in Real Estate, Affordable Housing, Cannabis and Renewable Energy. Andrew leads a group of appraisers across the country performing valuations on a wide variety of real estate property types including residential, commercial, industrial, hospitality and special purpose properties: landfills, waste transfer stations, marinas, hospitals, universities, self-storage facilities, race tracks, CCRCs, and railroad corridors. Affordable Housing experience includes Market Studies, Rent Compatibility Studies and Feasibility Analysis for LIHTC and mixed-income developments. Cannabis assignments have covered cultivation, processing and dispensaries in over 10 states, including due diligence for mergers and acquisitions of multi-state operational and early stage companies. Renewable Energy assignments have included preparation of impact studies and testimony at local zoning hearings in eight states.

He is experienced in the valuation of leasehold, leased fee, and partial interests and performs appraisals for all purposes including financial reporting, litigation, and gift/estate planning. Andrew is a State Certified General Real Estate Appraiser in the states of Illinois, Indiana, Maryland, Georgia, Florida, Ohio, New York, New Jersey, Arizona, Kentucky, and the District of Columbia.

Before joining CohnReznick, Andrew was with Integra Realty Resources, starting as analyst support in 2002 and leaving the firm as a director in late 2011 (including two years with the Phoenix chapter). His real estate experience also includes one year as administrator for the residential multifamily REIT Equity Residential Properties Trust (ERP), in the transactions department, where he performed due diligence associated with the sale and acquisition of REIT properties and manufactured home communities.

Education

- Syracuse University: Bachelor of Fine Arts
- MAI Designation (Member of the Appraisal Institute)

Professional Affiliations

- Chicago Chapter of the Appraisal Institute
 - Alternate Regional Representative (2016 - 2018)
 - MAI Candidate Advisor (2014 - Present)
- International Real Estate Management (IREM)
- National Council of Real Estate Investment Fiduciaries (NCREIF)

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

Community Involvement

- Syracuse University Regional Council – Active Member
- Syracuse University Alumni Association of Chicago, Past Board member
- Chicago Friends School – Treasurer & Board Member

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.



Erin Bowen, MAI

Senior Manager, Valuation Advisory Services

858-349-8854
erin.bowen@cohnreznick.com

Erin Bowen is a senior manager in CohnReznick's Valuation Advisory Services practice. Ms. Bowen supports CohnReznick's 20 national locations virtually from Phoenix. Ms. Bowen's work in commercial real estate valuation spans over 10 years. Ms. Bowen specializes in lodging, seniors housing, cannabis, large scale retail and multifamily properties. Lodging work includes all hotel property types and brand segments including limited, full service and resort properties, seniors housing assignments include assisted living, skilled nursing facilities and rehabilitation centers. Retail work encompasses power centers, lifestyle centers, outlet centers and malls. She has appraised numerous additional properties including office, medical office, industrial, churches, fraternity houses, schools, rehabilitation centers and vacant land. Ms. Bowen has experience working with a variety of valuation problems, including proposed properties, ground leases, tax abatements, fractional interests, property conversions, Impact studies and purchase price allocations. Ms. Bowen is also proficient in ARGUS software.

Education

- University of California, San Diego: Bachelor of Arts in Psychology and Theater; College Honors

Professional Affiliations

- Appraisal Institute, Designated Member

Licenses

- Certified General Real Estate Appraiser licensed in New Mexico, Arizona, California, and Nevada

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.



Sonia K. Singh, MAI

Director – Valuation Advisory Services

7501 Wisconsin Avenue, Suite 400E
Bethesda, Maryland 20814
301-280-5193
sonia.singh@cohnreznick.com

Sonia K. Singh, MAI is a director in CohnReznick's Valuation Advisory Services practice and based in the Bethesda office. For the past ten years, she has engaged in real estate valuation and other real estate consulting services and valued over \$5 billion in real property.

Sonia is adept at valuing a variety of commercial real estate across the United States, including the following complex property types: athletic clubs; full-service hotels and beach resorts; marinas; historic redevelopment projects; recycling facilities; single-family rental home portfolios; master planned communities; and for-sale residential units or subdivisions. She has also performed real estate appraisals involving leasehold interests, air rights ownership, and right-of-way fee simple and easement acquisitions for utility corridors. She has performed these and other appraisals others for purposes including financial reporting, estate planning, gift and estate tax, bond and conventional financing, litigation (eminent domain), and asset management, with the ability to handle appraisals of large portfolios in expedited timeframes. With significant experience in the appraisal of senior living facilities including continuing care retirement communities, skilled nursing facilities, assisted living and memory care facilities, as well as age-restricted housing, Ms. Singh has elevated the firm's modelling of complex healthcare property ownership structures to help illuminate debt/income and lease coverage ratios for federal courts, resulting in millions of dollars in recovered credits for clients.

Additionally, Sonia is experienced in purchase price allocations (GAAP, IFRS, and IRC 1060) for financial reporting, including the early adoption of ASU 2017-01. She has also provided valuation services related to highest and best use analysis, market feasibility studies, and useful life analysis. She has prepared Impact studies measuring the possible detrimental impact of economic and environmental influences on property values, including those related to high-voltage transmission lines, distribution warehouses, wind farms, and solar farms. She has provided expert witness testimony at local county zoning hearings for proposed solar energy uses and their potential detrimental impacts on adjacent property values.

Education

- University of Illinois: Bachelor of Science, Actuarial Science

Professional Affiliation, Licenses, and Exams

- MAI - Appraisal Institute, Designated Member
- Urban Land Institute, Associate Member
- Certified General Real Estate Appraiser with Active Licenses in DC and the States of MD, MO, and VA
- Successful completion of the following actuarial exams: Probability (1/P), Financial Mathematics (2/FM), and Models for Financial Economics (3/MFE)

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

Awards and Recognitions

- 2019 National Association of Certified Valuators and Analysts (NACVA) and the Consultants Training Institute (CTI) 40 Under Forty Honoree

Disclaimer: This report is limited to the intended use, intended users (Confluence Solar, LLC and Ranger Power, LLC, Genesee County, and Michigan planning and zoning department officials as it relates to the evaluation of the Project), and purpose stated within. No part of this report may otherwise be reproduced or modified in any form, or by any means, without the prior written permission of CohnReznick LLP.

CHARTER TOWNSHIP OF FLUSHING

6524 North Seymour Road
Flushing, Michigan 48433
(810) 659-0800 Fax (810) 659-4212
www.flushingtownship.com

Supervisor- Frederick R. Thorsby
Clerk – Wendy D. Meinburg
Treasurer –Terry A. Peck

Trustees
William Bain
Linda Minarik
William L. Westenbarger
Sharilynn K. Willette

June 16, 2022

Stephen R. Etsey
Dykema Gossett
39577 Woodward Avenue, Suite 300
Bloomfield Hills, MI 48304

Re: Confluence Solar, LLC/Charter Township of Flushing

Dear Mr. Etsey:

At the meeting of the Flushing Township Zoning Board of Appeals held June 14, 2022, the Board of Appeals, on a 4-1 vote, rendered the following decision on the request of Confluence Solar for an interpretation of Section 20-1804(OO)(b)(2) of the Township's Zoning Ordinance.

"... The ZBA determines there is no ambiguity in the existing language of 20-1804(OO)(b)(2) and, consequently, the interpretation of that provision is that the 25% lot coverage applicable to commercial solar farms takes into account the surface area of the solar collectors."

Section 20 -200 of the Zoning Ordinance states "Lot coverage means the part or percentage of the lot covered by a building, including accessory buildings." Applying the ZBA's decision to the definition of lot coverage applicable to a commercial solar energy system, only the portions of a lot occupied by a building or ground mounted solar collectors are included in calculating the 25% lot coverage limitation stated in subsection (b)(2).

Pursuant to the Zoning Enabling Act and the Zoning Ordinance, an interested party aggrieved by a decision of the Zoning Board of Appeals has 30 days from issuance of the decision to file an appeal with the Genesee County Circuit Court.

Yours very truly,



Steven W. Moulton, Chairperson
Zoning Board of Appeals
Charter Township of Flushing
6524 N. Seymour Road
Flushing, MI 48433



Memorandum

To: Flushing Charter Township Planning Commission
From: Jason Ball, AICP
Senior Planner
Date: July 5, 2022
RE: Solar Energy Ordinance Amendments

At the request of township staff, ROWE has completed a review of the existing Solar Energy Zoning Ordinance Provisions document to clarify language in the document, ensure it meets the original intent of the ordinance, and clarifies the lot coverage requirement for commercial solar energy systems.

Like many communities, when Flushing Township adopted its solar energy ordinance provisions in 2018, commercial solar farm development was not a major consideration, and the primary focus was on effectively permitting residential solar energy systems. However, that trend has changed significantly in the past few years. ROWE has reviewed the ordinance adopted in 2018 and identified several changes to generally clarify ordinance provisions and also address recent issues related to commercial solar energy systems in the township.

Attached is a PDF document that displays recommended changes to the current version of the ordinance available on the township's website. Nearly all of the changes are for clarification of language and do not significantly change the meaning of the ordinance. However, there are three recommended changes that would be substantive:

1. Combine the definitions of "On-Site" and "Solar Energy System" into a new term that is "On-Site Solar Energy System". This will create two types of solar energy systems in the ordinance, "On-Site" and "Commercial" which are regulated differently. This will help to clarify which standards apply to each type of system.
2. Edit Subsection 20-1804(OO)(b)(2) as follows and include an illustration to clarify the regulation.
 - (2) The total area of ~~ground-mounted solar energy collections~~ **the commercial solar energy system** shall be included in calculations to determine lot coverage and shall not exceed a maximum lot coverage of 25 percent, regardless of the residing zoning district.
3. Review the provisions of Subsection 20-1804(OO)(g) related to the decommissioning plan to ensure there is adequate detail and that the provisions are reasonable.

Flint, MI (HQ): 540 S. Saginaw Street, Suite 200, 48502 | Phone: (810) 341-7500

Civil Engineering | Surveying | Landscape Architecture | Aerial Imagery/Mapping | Planning

Flint, MI (HQ) | Lapeer, MI | Farmington Hills, MI | Kentwood, MI | Mt. Pleasant, MI | Grayling, MI | Myrtle Beach, SC | www.rowepsc.com

Flushing Charter Township Planning Commission
July 5, 2022
Page 2

We have attached provisions from the pending Forest Township zoning ordinance that provide greater specificity regarding the decommissioning process for the planning commission's review.

Attachments:

Recommended Changes to Flushing Township Solar Ordinance
Sample Decommissioning Plan Provisions

R:\Projects\22C0001\Docs\Planning and Zoning Services\Zoning Ordinance and Map\Text Amendment\Solar Amendment\Solar Energy Ordinance Memo.docx

Flushing Township Solar Energy Zoning Ordinance Provisions

Article 2 DEFINITIONS

ROOF-MOUNTED SOLAR ENERGY COLLECTOR: A solar energy collector that is attached to a building's roof on the parcel of land including solar shingles.

COMMERCIAL SOLAR ENERGY SYSTEM: A utility-scale facility of solar energy collectors with the primary purpose of wholesale or retail sales of generated electricity. Commonly referred to as solar farms.

GROUND-MOUNTED SOLAR ENERGY COLLECTOR: A solar energy collector that is not attached to and is separate from any building on the parcel of land on which the solar energy collector is located (Figure 1).

ON-SITE: A solar energy system designed to help meet the electrical needs within the limits of the area encompassed by the tract area or parcel of record on which the activity is conducted.

RACKING: Racking is any structure or building material used in the mounting of a solar panel (Figure 1).

"On-Site
Solar
Energy
System"

"Solar Collectors"

Add an
additional
illustration
to clarify
definition
of Solar
Energy
System
versus
"collectors"

"Solar Energy
Collector"

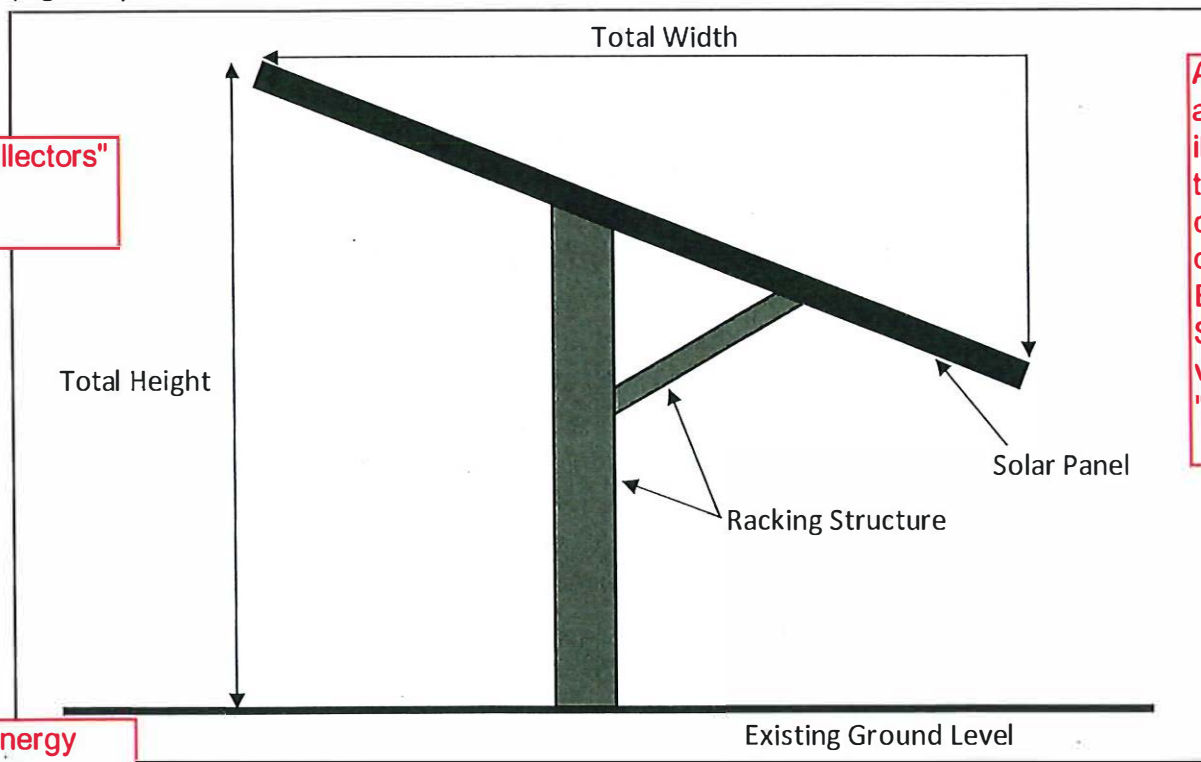


Figure 1

SOLAR COLLECTOR: A device or combination of devices, structure, or part of a device or structure that transforms direct solar energy into thermal, chemical, or electrical energy and that contributes significantly to a structure's energy supply.

SOLAR ENERGY: Radiant energy (direct, diffuse, and reflected) received from the sun.

Combine with "On-Site" Definition.

SOLAR ENERGY SYSTEM: A solar collector or other device or structural design feature of a structure that relies upon sunshine as an energy source and is capable of collecting, distributing, and storing (if appropriate to the technology) the sun's radiant energy for a beneficial use.

Remove solar shingles definition.

SOLAR PANEL: A panel consisting of an array of solar cells used to generate electricity directly from sunlight.

SOLAR SHINGLES: A roofing product made by combining thin film solar technology (which converts sunlight to electricity) with a durable backing to provide a structural roof shingle comparable to traditional roofing shingles.

Article 4 Site Regulations

Sec. 20-419 On-Site Solar Energy Regulation

(a) All Solar Energy Collectors

- (1) The installation of any solar panel (on-site or commercial) shall not negatively impact adjacent properties with additional or excessive storm water runoff and/or drainage.
- (2) It shall be shown that all panels are adequately secured to the surface upon which they are mounted and that the mounting structure has the capability of supporting the panels.
- (3) All panels shall have tempered, non-reflective surfaces.
- (4) Solar energy ~~equipment~~ shall be repaired, replaced, or removed within three months of becoming nonfunctional.
- (5) Each system shall conform to applicable industry standards including those of the American National Standards Institute (ANSI).
- (6) Solar energy collectors shall be installed, maintained, and used only in accordance with the manufacturer's directions. Upon request, a copy of such directions shall be submitted to the building inspector prior to installation. Building inspector approval is required.
- (7) Solar energy collectors ~~and~~ installation and uses shall comply with construction code, electrical code, and other state requirements.

collectors

(b) On-Site Roof-Mounted Solar Energy Collector **Collectors**

- (1) ~~Solar energy collectors~~ shall be such a weight to be safely supported by the building. Building inspector approval is required.
- (2) ~~Solar energy collectors~~ shall be considered part of the building and meet all the required building height and setback requirements.
- (3) ~~Solar energy collectors~~ shall not project more than 2 feet above highest point of roof or exceed maximum building height limitations allowed in that zoning district.
- (4) ~~Solar energy collectors~~ shall not be located within 3 feet of any peak, eave, or valley to maintain adequate accessibility.

Collectors

(c) On-Site Ground-Mounted Solar Energy Collector

- (1) ~~Ground-mounted solar energy systems~~ are only permitted in the side and rear yards, unless permitted in front yard by issuance of a discretionary special use permit pursuant to Section 20-1804(A) of the Ordinance.
- (2) ~~Ground-mounted solar energy systems~~ may not extend into the side-yard or rear setback when oriented at any designed tilt angle.
- (3) ~~Ground-mounted solar energy collectors~~ shall not exceed 12 feet in height measured from the ground at the base of such equipment. The height of the ground-mounted solar energy collector shall be measured from ground level to the highest point of the solar panel.
- (4) ~~There~~ shall be a minimum of 25 feet from all-natural features ~~including water~~ courses, wood lots, wetlands, and 100-year floodplains.
- (5) The total area of ground-mounted ~~solar energy collections~~ ~~shall be included in~~ calculations to determine lot coverage and shall not exceed the maximum lot coverage.
- (6) For the RU-1, RU-2, RU-4, RSA, C-1, C-2, C-3, M-1, and M-2 zoning districts, ground-mounted ~~solar energy collectors~~ requesting a lot coverage of 15 percent or less be considered an accessory use. A Discretionary Special Use Permit ~~may~~ ~~be considered~~ for ground-mounted solar energy collectors requesting a lot coverage over 15 percent.
- (7) Ground-mounted ~~solar energy collectors~~ shall meet the requirements of Sec. 20-400 Accessory Structures.

on-site solar energy systems

"shall be considered"

"is required"

on-site solar energy systems

on-site solar energy systems

Article 7 District Regulations

Section 20-701 Zoning District Uses

ZONING DISTRICT USES									
SCHEDULE OF USES (Uses Permitted by Right (P), Uses Permitted by Non-Discretionary Special Use Permits (NS), Uses Permitted by Discretionary Special Use Permit (DS), Accessory Uses and Buildings (A))									
TYPE OF USES	DISTRICTS								
	RSA	RU-1	RU-2	RU-4	C-1	C-2	C-3	M-1	M-2
ACCESSORY USES, STRUCTURES, AND BUILDINGS									
On-Site Roof-Mounted Solar Energy Collector	A	A	A	A	A	A	A	A	A
On-Site Ground-Mounted Solar Energy Collector (15 percent Lot Coverage or Less)	A	A	A	A	A	A	A	A	A
On-Site Ground-Mounted Solar Energy Collector (Over 15 percent of Lot Coverage)	DS	DS	DS	DS	DS	DS	DS	DS	DS
INDUSTRIAL AND RELATED USES									
Commercial Solar Energy Collector	DS							DS	DS

Article 18 Special Use Permits Article

Section 20-1804 Requirements for Permitted Special Land Uses

(OO) Commercial Solar Energy ~~Collector~~ System

- (a) The commercial solar energy ~~collector~~ system must meet all requirements in Sec. 20-419(a) all solar energy collectors ~~and (b) roof-mounted solar energy collectors.~~
- (b) All commercial solar energy ~~collector~~ systems that ~~are ground-mounted~~ shall follow the following requirements:
- (1) Ground-mounted solar energy collectors shall not exceed 12 feet in height measured from the ground at the base of such equipment. The height of the ground-mounted solar energy collector shall be measured from ground level to the highest point of the solar panel.
 - (2) The total area of ~~ground-mounted solar energy collections~~ shall be included in calculations to determine lot coverage and shall not exceed a maximum lot coverage of 25 percent regardless of the residing zoning district.
- (c) Required to be on lots larger than 2 acres.
- (d) Any commercial solar energy ~~collector~~ system adjoining any residential development shall be provided with a buffer of at least 60 feet along the adjacent property line. Such buffer shall be planted with evergreen and other suitable plantings and used for no other purposes. A landscaped planting area of at least 60 feet shall also be provided along all street frontage. The Planning Commission may approve ~~to substitute~~ the above described greenbelt for an obscuring fence, wall, and other protective barriers as long as it meets requirements in Sec. 20-408.
- (1) The planting of native ground covers that shall be maintained on site during the operation, until the site is decommissioned.
 - (2) Provide verification that adequate infrastructure exists to transport the electricity generated into the larger grid system.
 - (3) Power and communication lines running between the banks of the solar panels may be placed above ground, provided the lines are placed no higher than top of the solar panels.
 - (4) Power and communication lines to electric substations or interconnections with buildings shall be buried underground.
- (e) Exception for underground power communication lines:
- (1) Where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines.
 - (2) When required by the utility company.
 - (3) Unless otherwise determined by the Planning Commission.
- (f) The installation of the solar energy collectors shall not disturb the existing topography.
- (g) A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life. Decommissioning of ~~solar panels~~ must occur in the event ~~they are~~ not in use for 90 days. The plan shall include provisions for removal of all structures,

Add an additional illustration to clarify lot coverage.

Commercial solar energy systems

These four subsections should be lettered, not numbered.

"power and..."

90 days is a short amount of time. It is important to differentiate between "nonfunctional" and "not in use".

the commercial solar energy system.

the substitution of

it is

the commercial solar energy system.

foundations, electrical equipment and internal or perimeter access roads, restoration of soil and vegetation, and a plan ensuring financial resources will be available to fully decommission the site. The applicant shall submit a financial guarantee in the form of a bond in favor of Flushing Township equal to 125 percent of the costs to meet the requirements of the decommissioning plan. The type of guarantee is subject to the Planning Commission's approval.

R:\Projects\17C0091\Docs\Planning and Zoning Services\Zoning Ordinance\2017\Text Amendment\Solar Energy\Township Board Adopted Draft.docx

SAMPLE

Decommissioning.

1. Any commercial solar energy system that is not operated or found to be inoperable due to disrepair for a continuous period of six months shall be considered abandoned. If it is found abandoned, the Planning Commission, upon notice by the Zoning Administrator, shall provide written notice to the applicant/owner/operator of a hearing before the Planning Commission to hear evidence that the commercial solar energy system should not be decommissioned.
2. If a commercial solar energy system is repaired, a Professional Engineer (hired at the expense of the owner or operator) shall certify its safety prior to the resumption of operation.
3. Within 90 days of the hearing where the Planning Commission has determined that a commercial solar energy system is abandoned, the owner/operator shall obtain a permit from the township, and any other necessary entities to remove all structures and equipment, consistent with the approved decommissioning plan.
4. Failure to obtain necessary permits within the 90-day period provided in this subsection shall be grounds for the township to remove the commercial solar energy system at the Owner's expense, consistent with the decommissioning plan.
5. Decommissioning shall include removal of all equipment, including all materials above and below ground, up to four feet in depth. The site shall be restored to a condition that reflects the specific character of the site including topography, vegetation, soils, drainage, and any unique environmental features.
 - i. The restoration shall include road repair and hazardous waste cleanup, if any, all re-grading, soil stabilization, and re-vegetation necessary to return the subject property to a stable condition consistent with conditions existing prior to establishment of the commercial solar energy system.
 - ii. The restoration process shall comply with all state, county, or local erosion control, soil stabilization and/or runoff requirements or ordinances and shall be completed within one year.
 - iii. Extensions may be granted upon request to the Planning Commission prior to expiration of the one-year requirement for completed decommissioning.

Decommissioning Plan. Prior to site plan approval, a commercial solar energy system shall have a plan approved by the township for decommissioning the site. A Decommissioning Plan shall be submitted for review and approval detailing the expected duration of the project, how the improvements will be decommissioned, a Professional Engineer's estimated cost of decommissioning, the financial resources to be used to accomplish decommissioning, and the surety bond holder, or other similar financial instrument with which the financial resources shall be deposited. The decommissioning plan shall address all applicable items in the previous subsection as well as the following.

1. The financial resources for decommissioning shall be in the form of a surety bond or similar financial instrument with a replenishment obligation and shall be deposited by an agent acceptable to the township.
2. The financial resources for decommissioning shall be 125 percent of the estimated removal and restoration cost. The Planning Commission shall require independent verification of the adequacy of this amount from a Professional Engineer.
3. The Planning Commission shall annually review the amount deposited for removal, site restoration, and administration cost to ensure it is adequate for these purposes. If the Planning Commission determines that these amounts are not adequate, the township shall require the owner/operator to make additional deposits to increase the amount of the surety bond to cure such inadequacy.
4. If decommissioning is not completed by the applicant within one year of the end of project life, inoperability of solar farm or facility abandonment, the township shall have access to the financial resources for decommissioning for the expressed purpose of completing

SAMPLE

decommissioning. Funds may be used for administrative fees and costs associated with decommissioning.

5. The township is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.
6. The township is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the township's right to seek reimbursement from the applicant or applicant's successor for decommissioning costs in excess of the amount provided for in the decommissioning plan and to file a lien against any real estate owned by applicant or applicant's successor, or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce said lien.