

NEWBERG TOWNSHIP

COUNTY OF CASS

STATE OF MICHIGAN

Resolution No. 2026-09

A RESOLUTION TO ADOPT A TEMPORARY NON-ZONING MORATORIUM REGULATORY ORDINANCE REGARDING DATA CENTERS, BATTERY ENERGY STORAGE SYSTEMS, ALL RELATED DATA INFRASTRUCTURE FACILITIES AND ACCESSORY BUILDINGS AND USES WHILE THE TOWNSHIP BOARD IS UNDERGOING A REVIEW OF NEW DATA AND INFORMATION TO CREATE UPDATED ORDINANCES TO ADDRESS DATA CENTERS, BATTERY ENERGY STORAGE SYSTEMS, AND ALL RELATED DATA INFRASTRUCTURE FACILITIES AND ACCESSORY BUILDINGS AND USES.

At a meeting of the Newberg Township Board of Trustees held at the Newberg Township Fire Department, 11900 McKinley Street, Jones, MI 49061, on May 11, 2026, at 7:00 p.m.:

PRESENT: Duff, Griffiths, Blackburn, Harvey

ABSENT: none

Newberg Township ("Township") hereby resolves:

WHEREAS, Data Centers, Data Infrastructure Facilities, and all related accessory buildings and uses may present unique and significant land use considerations, including but not limited to increased electrical demand, water usage, stormwater management, noise, heat discharge, building scale, noise, vibrations, visual impacts, public safety concerns, and long-term effects and impacts on a sited project and surrounding properties and infrastructure; and

WHEREAS, Battery Energy Storage Systems ("BESS") and all related infrastructure and accessory buildings and uses present unique and significant land use considerations, including but not limited to

electrical demand, stormwater management, noise, heat discharge, building visual impacts, public safety concerns, and long-term effects and impacts on a sited project and surrounding properties and infrastructure; and

WHEREAS, the Township Board has received substantial comments and information from the public raising public health, safety, and welfare concerns about the impacts of Data Centers, BESS, and the related infrastructure, accessory buildings, and accessory uses on the residents and property owners of the Township; and

WHEREAS, the Township's existing regulations and land use policies may not adequately or specifically address the siting, scale, intensity, and operational impacts of Data Center Systems, BESS projects, the related infrastructure, and accessory buildings and uses within the Township; and

WHEREAS, the Township Board finds that additional time is necessary to study Data Centers, BESS uses, and all their related infrastructure and accessory buildings and uses, to review best practices from other jurisdictions, evaluate infrastructure capacity, and consider whether updates to the Township's Ordinances, including adoption of new zoning ordinances, a Master Plan, or other regulatory tools are warranted; and

WHEREAS, a temporary non-zoning police power zoning moratorium regulatory ordinance on new Data Center applications and new BESS applications, along with all related infrastructure and accessory buildings and uses, allows the Township to conduct this review in a deliberate and transparent manner without prejudicing future development decisions; and

WHEREAS, the Township Board recognizes that a temporary moratorium is a useful planning tool intended to preserve the status quo while thoughtful policy review and regulatory evaluation are undertaken; and

WHEREAS, the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, authorizes local units of governments, including townships, to provide for the creation of a Planning Commission and adoption of zoning ordinances regulating the use of land within its territorial boundaries; and

WHEREAS, a Township Board wishes to study, evaluate, and consider submitting recommendations concerning land use planning, zoning, and orderly development within the Township related to Data Centers and BESS applications, along with all related or associated uses; and

NOW, THEREFORE, BE IT RESOLVED, that the Newberg Township Board of Trustees hereby adopts Ordinance No. 2026-09, a Non-Zoning Police Power Regulatory Ordinance, titled, "An Ordinance to Enact a Temporary Moratorium on Data Centers and Battery Energy Storage Systems," attached hereto as **Exhibit A** in order to address public interests and provide sufficient time for the Township to study Data Centers, BESS, and all related accessory buildings, infrastructure, and land uses, and to consider a potential Zoning Ordinance, Master Plan, and related policies to ensure compatibility with community goals, infrastructure capacity, and public health, safety, and welfare.

BE IT FURTHER RESOLVED, that the Township Board of Trustees is hereby authorized to research and to study Data Centers, BESS, and all related accessory buildings, infrastructure, and land uses, and consider potential amendments to the Township's current ordinances, creation of a new Zoning Ordinance and potential amendments, adoption of a Master Plan and related policies to ensure compatibility with community goals, infrastructure capacity, and to ensure the public health, safety, and welfare, and to discuss recommendations to the citizens of the Township at a public meeting.

BE IT FURTHER RESOLVED, that the purpose of Ordinance No. 2026-09 and the intent of the Township Board of Trustee is to preserve the status quo while the Township conducts research on Data Centers, BESS, all related infrastructure facilities, accessory buildings, and similar land uses within the Township, and update its ordinances to provide for the general health, safety, and welfare of its residents.

The forgoing resolution offered by Board Member Duff and seconded by Board Member Griffiths.

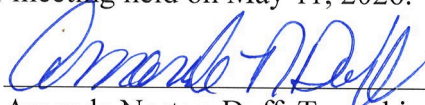
AYES: Duff, Griffiths, Harvey, Blackburn

NAYS: _____

The Clerk declared the resolution adopted.

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Trustees of Newberg Township at a regular meeting held on May 11, 2026.


Amanda Norton-Duff, Township Clerk