

## REDWOOD COUNTY PLANNING COMMISSION

### MINUTES

Meeting Date: November 30, 2015

A meeting of the Redwood County Planning Commission convened on Monday, the 30<sup>th</sup> day of November, 2015, at the Redwood County Government Center.

The following members of the Redwood County Planning Commission were present: Mark Madsen, Mike Scheffler, John Rohlik, Jr., Kent Runkel, Dave Mattison and Commissioner Lon Walling. Also present were the following individuals: Redwood County Environmental Director Scott Wold, Redwood County Land Use & Zoning Supervisor Nick Brozek, DNR Area Hydrologist Lucas Youngsma, Lower Sioux Community Environmental Director Deb Dirlam, Lower Sioux Community Environmental Specialist Amanda Strick, Kristy Zajac from the Redwood County Soil and Water Conservation District, and Citizens: Wayne Van Hout, Adam Brookins, Roger Anderson, Rick Dilts, Jake Barkley, Arnold Iffert, Betty Lecy, Joey Lecy, Todd Anderson, Rick Maurer, Deidra Lecy, Mike Preuss, Tammy Huseby, Jeff Huseby, and Joyce Lecy.

At approximately 1:00 p.m., Chair Madsen called the meeting to order and read the meeting rules aloud to those present.

At approximately 1:01 p.m., Chair Madsen called to order a public hearing on Application for Conditional Use Permit #21-15 submitted by Adam Brookins of Kasota Stone Fabricators o/b/o landowner Roger Anderson.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding Brookins' permit application (see September 28<sup>th</sup> meeting minutes for a copy of the information provided prior to the original hearing):

1. The Kasota application was originally considered at the September 28<sup>th</sup> Planning Commission meeting, at which time it was tabled until November 30<sup>th</sup>, in order to gather more information.
2. To recap, Kasota stone is requesting to reopen an old granite quarry (Echo Quarry) located on the Yellow Medicine/Redwood County line, partly in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 18, Swedes Forest Township. The property is owned by Roger and Zayna Anderson, of Belview. Kasota proposes to operate the quarry to produce dimensional granite, which will be trimmed for shipping on site, and then shipped off site for fabrication into finished product. On site, the stone will be removed via drills and wet saws. Inferior or unusable material will be blasted. Kasota proposes to crush some of the "grout pile" – the old material left from when the quarry was previously operating – to produce aggregate which can be used on site for site improvements.

3. As quarrying progresses, the newly created grout will be used to re-slope the quarry walls, as active quarrying moves across the area to be quarried. The term of the permit is 10 years, from 4-1-2016 to 4-1-2026. At the end of the permit term, the quarry and grout pile will be re-sloped and seeded.
4. Kasota is currently seeking a CUP from Yellow Medicine County, as well as from Redwood County.
5. At the September meeting, various concerns were brought up by members of the public, in connection with the proposed quarrying. These included, but were not limited to, the following:
  - Environmental concerns regarding skink and eagle habitat
  - Environmental concerns regarding ground and surface water quality and wells
  - Noise levels from drilling, blasting, sawing, and operating machinery
  - Public safety from increased traffic on the roadway
6. Information was gathered by staff to address these concerns, from various sources, including the DNR and Soil & Water:
  - a. Noise:
    - i. Kasota representatives stated at the hearing that they had taken decibel (dB) readings of their saws. They found that the decibel rating at 5 feet from the saw was 84 dB. At 20 feet this was reduced to 71 dB. According to WebMD, normal conversation is generally 60 dB, an average vacuum cleaner or radio is 75 dB, and a lawn mower is 90 dB. Noise starts to become harmful at 85 dB.
    - ii. Additionally, a subcommittee of the Planning Commission visited a similar quarry to observe its operation.
  - b. General Environment:
    - i. DNR Area Hydrologist Lucas Youngsma provided a letter naming some environmental concerns in connection with the quarry site. The area around the site is known for lotus milkvetch, which is on the watch list, and the common five-lined skink. Additionally, the area has been identified as a site of biodiversity significance of high quality.
    - ii. Youngsma recommends limiting any mining to south of the existing quarry pit and going through the Wetland Conservation Act (WACA) permitting process.
    - iii. Additionally, Zajac pointed out that the grass mixture proposed for reclamation of the site is invasive to the area. Instead, a mixture using local grasses should be used.

- iv. Finally, Zajac notes that there are several wetlands, of varying sizes, around the site. She also recommends a wetland delineation and WACA proceedings.

c. Skink:

- i. According to the DNR website, the common five-lined skink is listed as a species of special concern. This means they are extremely uncommon, but not endangered or threatened. Careful monitoring of their status and unique habitat requirements is needed. Skinks were placed on the endangered list in 1984, but were moved to special concern after the discovery of skink populations in three additional counties (for a total of six counties in MN having known skink populations). The primary threat to the skink is from habitat destruction.
- ii. Kristy Zajac, from the Redwood Soil & Water Conservation District, visited the quarry site. While there she discovered a five-lined skink, and noted there have been four other confirmed skink sightings within one mile of the site.
- iii. Lisa Gelvin-Innvaer, the DNR Non-game Specialist, provided a written statement regarding the habitat on the site. According to her, skinks utilize disconnected “islands” of granite outcrops, a rare and declining habitat. Consequently, destruction of any outcroppings could eliminate the skink population in that location. Furthermore, habitat loss cannot be mitigated via creation of new habitat elsewhere.
- iv. Gelvin-Innvaer also noted that management of red cedar and other trees, to prevent shading of the outcrops, can be a benefit to the skink. She also said that, though habitat cannot be replaced, Kasota could potentially pay for a conservation protection easement to preserve a currently unprotected outcrop site.

d. Eagles:

- i. The US Fish and Wildlife Service drafted National Bald Eagle Management Guidelines in 2007. The guidelines are based on the Bald and Golden Eagle Protection Act of 1940, which requires, among other things, that eagles not be “disturbed.” Disturb means to “agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment...”
- ii. Eagles are particularly sensitive during the breeding season, which in Minnesota is approximately from December to June, including nest building (Dec. to Feb.), egg laying (Feb. to April) and hatching/rearing (Feb. to June). The nest building phase is the most sensitive, and nest abandonment is worse in territory newly settled by eagles.

- iii. Methods of avoiding nest site disturbances include 1) distance buffers (preferably forested), and 2) avoiding auditory impacts (loud noises) during breeding season. The recommended buffer for mining is 660 feet.

e. DNR Water Permit:

- i. Dakota Granite, from who Kasota will sublease, has a DNR water appropriations permit in place for the site. The permit is good through 10/21/2019. It allows for dewatering of the quarry up to 2,000,000 gallons per year, via portable pump. Pumping is limited to no more than 200 gallons per minute.
- ii. The water is to be pumped from the Echo White Granite Quarry, where Kasota proposes to quarry granite, to the Echo Red Granite Quarry, another old quarry to the north. From the Echo Red Granite Quarry, the water will flow according to its natural drainage patterns, though the permit requires that these be protected, or “armored” if necessary to prevent erosion.
- iii. A flow meter, or other method, must be used to calculate flows, and monthly reports must be made.
- iv. The permit includes a condition titled “Rare and endangered species” which references the skink and where to find more information about conservation. However, no specific action is required in the condition.

f. Wells:

- i. Studies were conducted by the DNR regarding quarries and gravel pits effect on water quality. These findings were described in a 2005 document titled “Hydraulic Impacts of Quarries and Gravel Pits.” The quarries studied were limestone quarries, which are much different geologically from granite quarries. Additionally, the limestone quarry process is an aggregate process, rather than dimensional stone, meaning that blasting is used as the primary stone removal method, which is not the case here. Consequently, the paper is not directly applicable to granite quarrying, though it does touch on potential effects of blasting on domestic wells.
- ii. The study found that blasting at some (not all) quarries causes increased turbidity in spring water (springs attached to the quarry). However, the turbidity from blasting was about 10 times less than that from rainfall. The paper did not study the effect on wells, but noted that blasting “could provide turbidity spikes in domestic wells,” and that homeowners in the area had complained about that in the past. However, additional study would need to be done to specifically address that issue. Normal quarrying operations did not affect turbidity.

g. Road safety:

- i. Redwood County Highway Engineer Willy Rabenberg visited the site and recommends signage at the following locations warning drivers of trucks:
    1. At the top of the hill, west of the site entrances
    2. West of the site, between the intersection the township road and the west quarry entrance
    3. East of the quarry site entrances
  - ii. Rabenberg stated that the existing drives are grandfathered in for usage purposes, so he cannot deny their use to the applicants.
  
7. A site visit was undertaken to view a similar, but larger, granite quarry in Milbank, SD. Madsen, Scheffler, Walling, and Brozek attended the site visit and can report thereon.

Adam Brookins was present at the meeting to explain the project. He opened the hearing by stating the following:

- Kasota wants to move ahead with the Redwood County application, even though their application for a Conditional Use Permit from Yellow Medicine County was denied.
- Brookins had previously submitted a new map showing the location of the quarry pit on the Redwood side only, which Brozek distributed to the Planning Commissioners. The location shown on the map corresponds to the location proposed to be quarried on the Redwood side in Kasota's permit application. It's 60 feet wide by 300 feet long along the border with Yellow Medicine County, about ½ of an acre.
- Some material can be mined from the proposed location on the Redwood side without creating a pit (surface mining). Brookins figured surface mining would yield material for about one year before they would need to go subsurface. Kasota hopes to reapply with Yellow Medicine County within that time and start mining in the existing quarry hole on the Yellow Medicine side.
- If they had to, there is enough material for subsurface mining on the Redwood side to last 10 to 15 years.
- Kasota still plans to crush the existing grout pile to improve the roads and loading areas on the site. They ask for one month at the beginning of the permit term for this, though they anticipate it would only take 10 days to 2 weeks. They would run the crusher all day during that time frame.
- Kasota will amend its DNR water permit to dewater what they mine on the Redwood side.
- Kasota will remove trees along the edge of the road and build up the road approaches to increase visibility for truck drivers entering and leaving the site.

The Planning Commission asked about potential damage to the roadway. Brookins responded that loads entering and leaving the site must be safe for statewide and interstate travel, so the standards for safety are high. Kasota will make sure to follow load weight restrictions.

The Planning Commission asked whether they can still pump and dewater on the Yellow Medicine side, since YM county denied Kasota's permit application for the quarry. Adams stated that the DNR permit is not based on County lines so they can still pump on the Yellow Medicine side in accordance with their DNR permit.

The Planning Commission asked whether the trash that is present on the property will be cleaned up. Brookins stated that Kasota will work with state agencies to ensure that the trash and garbage that has been dumped on the property is cleaned up, even though Kasota did not dump the trash there. Lucas Youngsma stated that the trash on the site is close to identified skink habitat on the north side of the property and that additional field survey work is needed to determine the appropriate time of year and other factors for the trash removal.

Brozek asked if Kasota's plans for operation of the site will change if they are just quarrying on the Redwood side. Brookins responded that the plan remains the same as originally proposed, just without the quarrying on the Yellow Medicine side. They still intend to quarry down to a depth of 50 feet.

The Planning Commission asked about the location of the proposed building(s). Brookins stated that the trimming building would be placed entirely on the Redwood side of the line.

Chair Madsen asked if there was anyone present who wished to speak in favor of the project.

Roger Anderson stated that the project will increase the value of his property. Todd Anderson, Roger's son, stated that they intend to run the quarry as a small business in order to get some return on their investment.

No others present indicated a wish to speak in favor of the project.

Chair Madsen then asked if anyone present wished to speak in opposition to the project.

Kristy Zajac:

Kristy Zajac, from the Redwood County Soil & Water Conservation District rose to speak. She stated that she is not opposed to the project, but has some concerns about the potential impact on the wetlands in the area. She stated that there are significant wetlands on the site located north of the existing grout pile, and that these may be impacted depending on how the grout pile is to be processed and removed. Zajac wanted to know more about the layout of the site, including a description of the different proposed activities, along with locations and duration thereof, in order to assess the wetland impact. She recommended that Kasota go through the WACA permitting process and wetland delineation.

Brozek asked if when Kasota has the wetland surveyed and delineated, if they could also survey the site to show the location of the different activities associated with the proposed quarry. Would this be acceptable to Zajac? She responded that it would.

Zajac related to the Commissioners that she had visited the site and found a five-lined skink under a piece of metal. She told the commissioners that she is not an expert on skinks or the wildlife of the area, but that she had spoken to DNR Non-game Specialist Lisa Gelvin-Invaer and understood that Gelvin-Invaer intended to make a written submission to the Planning Commission. Brozek stated that Gelvin-Invaer had provided an email and that said email had been forwarded to the Planning Commissioners and County Board. Borzek briefly described the content of the email, and Chair Madsen stated that it was in the Planning Commissioners' packet.

Brozek asked about the seed mix proposed by Kasota for reclamation of the site. Zajac stated that the mix is wrong for the site, including species which are invasive to the area. She recommends using native seed that is collected locally.

Diedre Lecy:

Diedre Lecy was the next person to speak. She stated that she was speaking on behalf of herself and Joyce & Jimmie Lecy. They oppose the project.

Diedre related the following facts and concerns to the Planning Commission:

- Diedre lives in the area with her husband.
- In 1984 the property was considered by the Federal Government as a potential nuclear waste disposal site.
- When the Redwood County Highway Department widened County Hwy 27, the blasting from that project caused her well to dry up and the County had to pay for drilling a new one.
- Wetlands were created downstream from the proposed quarry through the DNR and Army Corps of Engineers, by agreement with several area landowners. A waterway was dammed up, and has a valve which must be managed manually. The Lecy property often floods in the spring.
- The DNR dewatering permit does not specify the final destination of the water.
- Blasting in the quarry would affect the wells in the area. She spent \$40,000 on hers in 1981. When Duininks blasts at their nearby quarry, Lecy's well goes dry temporarily.
- Reopening the quarry will put more trucks on the road, which will be dangerous.
- The proposed condition requiring warning signs on the highway refers to county Hwy 27, but should also refer to County Hwy 2 (on the Yellow Medicine side).
- If cattle are on site during quarrying, how will they be kept off the road?
- Where is the 5000 square foot trimming building going?
- How will fuel spills be avoided and dealt with?
- There are mountain lions in the area. She is concerned that reopening the quarry will push the lions into areas where there are more people.
- She is a teacher and brings classes to the Lecy property to learn about nature. The noise from the quarry will impact her ability to use the property for teaching.
- Diedre stated that the Federal Government is still looking for a place to put the nuclear waste and that allowing granite quarrying will lead to the site being used for nuclear waste storage.
- Diedre read aloud proposed conditions created by the Yellow Medicine Planning Commission. Brozek stated that he was familiar with them, and had forwarded them to the Planning Commission and the Board.

Mike Preuss spoke in opposition to the project, stating the following:

- Preuss questioned what the effect of the quarry will be on his house and property. He stated that according to the law, it is the applicant's duty to prove that their project will not devalue the surrounding property.

- Preuss' house is 1072 feet from the proposed quarry.
- Sioux Agency Township in Yellow Medicine County sent a letter opposing the permit to the Yellow Medicine County Planning Commission and County Board.
- Preuss attended the public meetings in Yellow Medicine County. He stated that Yellow Medicine denied Kasota's permit due to its effect on the use and enjoyment of the existing uses on neighboring property, and the prevention of noise and dust from becoming a nuisance.
- Preuss is not concerned about the noise of the wet saws, but he is very concerned about the noise of the drills and hydraulic jackhammers used to break up the grout pile for crushing.
- Preuss noted that less obtrusive back up alarms are available for use on equipment.
- Preuss is concerned about the effect of the downstream areas from surface water runoff on the quarry site.
- Preuss expressed concern over destruction of the rock-outcrop formations and skink habitat.

Joey Lecy spoke in opposition to the project, stating the following:

- His parents own the land north of the north of Roger Anderson's property.
- He understands that it is difficult to predict the effect of the quarry on the neighboring properties. However, old quarry pits are worthless, so the quarry will have a negative long-term effect on the land.
- The Andersons currently use the property for hunting, and they can continue to do so. Mining devalues the land for hunting purposes.

Deb Dirlam spoke in opposition to the project, stating the following:

- Deb is the Environmental Director at the Lower Sioux Indian Community.
- She appreciated the opportunity to view the site on November 25<sup>th</sup>.
- The Minnesota River Valley is the traditional homeland of the Dakota people of the Lower Sioux Indian Community.
- All the old pits excavated in that area are still there, they don't heal.
- Dirlam is concerned about the effect of the project on the wildlife and wetlands.
- Dirlam recommends an archeological survey of the site, noting that the rock outcrop areas were culturally and historically significant as vision quest and fasting areas.

Jeff Huseby spoke in opposition to the project, stating the following:

- He wants to preserve the natural environment of the area.
- He helped make the DNR slough.
- Huseby bought his nearby property 35 years ago with the intention to live in the Minnesota River Valley as it is, without new mining operations.
- Huseby is concerned about road safety with increased truck traffic on the site.
- Huseby stated that the River Valley amplifies sound. When Kasota was moving the slag pile (grout pile) on the site he could hear the sounds very clearly and noticeably at his property. He would describe it as nuisance noise.



Joyce Lecy spoke very briefly to say that if the permit is approved, she wants independent entity to monitor the air and water quality at the site. She doesn't think Kasota should be allowed to collect its own samples and self-monitor.

It was discussed by the Commission that it is common for the entity being monitored to collect its own samples.

The Planning Commissioners and staff asked some questions of Zajac and Youngsma:

- Brozek asked about granite rock outcrop easements. Zajac said funding is available for conservation easements.
- The Commission asked about wetland setbacks overlapping into Yellow Medicine County. Zajac said that she wasn't as familiar with the Yellow Medicine side because it's not her territory, and that she will need to work with her Yellow Medicine counterpart to determine the effect of a quarry on the Redwood side affecting wetlands in Yellow Medicine County.
- DNR Area Hydrologist Lucas Youngsma stated that he is on the Yellow Medicine County Technical Evaluation Panel (TEP) and that they had already looked at the issue of wetland avoidance for the Kasota site on the YM side.

Chair Madsen allowed Adam Brookins time to respond to the questions and issues that had been raised by the community members present. Brookins made the following statements:

- Kasota will do wetland delineation after approval of their CUP. They plan to prevent impact to wetlands by avoiding the wetlands on the site.
- Kasota is open to using any recommended seed mix and/or source.
- Kasota intends to amend its dewatering permit with the DNR for mining only on the Redwood side.
- The quarry will not devalue the neighboring properties. Kasota will rehabilitate the site. The pit will be returned to natural habitat when it is reclaimed at the end of the project.
- Brozek asked about the reclamation process. Brookins explained that they will create tiers or terraces in the quarry and will slope the edges to allow easy transition from land to water. This will promote plant growth and wildlife.
- Kasota will not be using a jackhammer on the site, it is not necessary to their operations. However, they plan to subcontract the crushing and the subcontractor may use jackhammers.
- The site will be healed via the process of reclamation.
- Truck traffic safety will be addressed by removing trees and building up the approaches.
- Air and water monitoring must be done through MPCA permit for the site. Scheffler noted that MSHA (Mine Safety and Health Administration) would also check the air and noise on the site, probably two times per year.
- If blasting is not allowed, the alternative is to use more drilling. Blasting leaves nice rough surfaces for building the access road into the pit. Sawing leaves a smooth, slippery surface, which would need to be roughened by drilling. Otherwise, the drills will be run only to hook up the wire saw.

- Kasota doesn't want to maintain a setback from the Yellow Medicine County line, in anticipation of someday obtaining mining approval from Yellow Medicine. Kasota plans to amend their Yellow Medicine application, or wait the required 6 months and reapply.

Wayne van Hout manages the Dakota Granite quarry in Milbank, SD. Van Hout made the following statements:

- Van Hout has worked at the quarry for 32 years.
- Dakota Granite has two wells in its property near the quarry operation and have not had any problems with the blasting or any other source. The Dakota Granite wells go down through layers of sand, blue clay, brown clay, and gravel, 80 to 90 feet deep and less than 200 yards from the quarry.
- Diedre asked if the wells are in kaolin clay. Van Hout said he did not know what that is.
- Wayne was asked if Dakota uses dynamite or black powder to blast, because dynamite blasts up and black powder blasts downward. Wayne stated that Dakota uses "dynashear," which blasts laterally.

Lucas Youngsma explained the DNR permit obtained by Kasota to dewater the quarry.

- His understanding is that Dakota Granite has a lease with the land owner, Roger Anderson, and that Kasota has a sublease from Dakota. DNR will update the permit accordingly to show Kasota as an agent, it is an easy amendment.
- The dewatering permit has been issued and can be used, regardless of the outcome of the CUP application.
- Switching the whole project to the Redwood side would also be handled as an amendment.
- When the DNR surveyed the affected organisms for the permit, they looked at vegetation only.

Members of the public made additional statements:

- Betty Lecy is concerned about the effect of blasting on the wells. Her well is 35 feet deep.
- Roger Anderson stated that the well on the quarry property has never gone dry for any reason, and that he uses that well to water his cattle every summer.
- Mike Preuss stated that Kasota has not proven that their quarry will not affect his property value.
- Joyce Lecy stated that the value of the land in the area for hunting and recreation has greatly increased and Anderson has other options to make use of his land and make money from it.
- Diedre Lecy stated that if the quarry is operating the Lecy land used by school groups and churches "won't be the same."
- Todd Anderson stated that their used to be a dairy on the site and that milk trucks came and went every day, or every other day. Joyce Lecy responded that the milk truck only came once a week.

Rick Dilts, CEO of Dakota Granite, made the following statements:

- Quarrying creates a better wildlife environment than nature creates.
- Dilts bowhunts (deer) on the Dakota Quarry property, and has seen a variety of wildlife on the site, including bald eagles.
- Regarding noise, he said that the sound of a tractor running half a mile away can drown out the sound of the quarry.
- If Dakota put its property up for sale, the farmers would love to buy it.
- Kasota will be good neighbors, if they are like Dakota Granite.

Diedre Lecy asked the Commissioners how Redwood County would benefit from the quarry. Walling explained that the property tax of the site would increase substantially, including taxes going to the township and the school district. However, there is no production tax in Redwood County, so the material removed is not taxed. Lecy asked if there would be radon testing because granite off-gasses radon. Dilts stated that the rate of off-gassing of radon from granite is .04, and that the off-gassing is not dangerous until it gets up to 100.

Preuss pointed out that his property is residential and its value doesn't increase with the value of farm land.

Chair Madsen closed the public hearing at 2:50 p.m.

The Planning Commissioners discussed the information they had reviewed and the testimony they had heard. Brozek suggested that they go through the five conditional use permit factors provided in the informational packet that had been sent to the Commissioners prior to the meeting:

1. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.
2. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area.
3. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
4. That adequate measures have been or will be taken to provide sufficient off street parking and loading space to serve the proposed use.
5. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

The consensus among the Commissioners was that factors 3 and 4 were not an issue, but that it was not clear that the applicant's proposal met factors 1, 2 and 5.

Mattison expressed concern that the noise of the quarry operation in the River Valley would negatively affect the people living and recreating there. He did not think the proposed conditions adequately addressed the noise concerns, because of the way sound is amplified in the valley.

Scheffler stated that he thought there were three potential issues with the project: noise, dust, and pollution. He didn't see dust being an issue because of the wet-saw process. Regarding pollution, he is confident that the State and the Feds will monitor the water and air quality and not allow any detrimental effect to the area. Regarding noise, he didn't have an answer. He knows that the quarry will make noise. However, he feels that the noise can be addressed with the proper conditions.

Scheffler also discussed the potential effect on property values. He not able to say what the effect of the quarry will be on neighboring property values.

Madsen was most concerned about factors 1 and 2, particularly the effect of the noise on the use and enjoyment of the neighbors' properties. He was also concerned about the effect on the development of the area. Brozek stated that the typical and predominant uses in the area are farming, hunting, and recreation, as opposed to urban development. Madsen thinks that at this point in time, the river valley is no longer primarily agricultural in nature, but is used for recreation and enjoyment, such as hunting, horseback riding, hiking, etc. While a primarily agricultural area may not be as affected by the type of mining proposed by Kasota, this area of the river valley will be affected.

Runkel stated that he thought many of the issues raised could be dealt with by imposing the proper conditions.

Mattison stated that he is concerned about the safety on the roadway if trucks loaded with granite are exiting the quarry property. Brozek asked Mattison if the proposed conditions regarding tree removal and building up the approaches address his concerns. Mattison stated that those conditions increase visibility for the truck drivers as they are entering the roadway, but they do nothing once the trucks are on the road. Once out on the roadway, the heavy trucks will still be moving very slowly and will present a danger to motorists due to the curve and slope of the road in front of the quarry site. The proposed conditions do not address that problem.

After the discussion, Chair Madsen asked if there was a motion. Runkel made a motion to recommend approval of the application subject to the proposed conditions, and also the following additional conditions: 1) no quarrying on Saturdays or major holidays; 2) require wetland delineation prior to starting work; 3) 10 year permit term; 4) 30 day window at beginning of permit term to crush the existing pile of material; 5) add to proposed condition #14 a clause requiring the applicant to clean up the solid waste on the property and properly dispose of it; and 6) require that signs warning of trucks entering the road at the points suggested by the Redwood County Highway engineer, including on Yellow Medicine County Hwy 2. Scheffler seconded the motion. Voting "aye" were Runkel and Scheffler. Voting "nay" were Madsen, Mattison, and Rohlik. The motion failed.

Brozek stated that the Planning Commission should send a recommendation to the County Board, meaning that they must pass a motion, either to recommend approval or denial, in order to complete the Planning Commission's work in respect to the Kasota permit.

Chair Madsen asked if there was another motion. Mattison made a motion to recommend denial of the permit application. Rohlik seconded the motion. Voting "aye" were Madsen, Rohlik, and Mattison. Voting "nay" were Scheffler and Runkel. The motion passed 3 to 2 to recommend denial of the Kasota permit application to the County Board.

At approximately 3:33 p.m., Chair Madsen called to order a public hearing on Application for Conditional Use Permit #23-15 submitted by Tena Rytel of Geronimo Energy o/b/o Morgan Community Solar LLC and landowner Gerald Huiras.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding Rytel's permit application:

1. Geronimo Energy, via Morgan Community Solar, LLC, is requesting to construct a community solar garden on County Hwy 3, east of the City of Morgan. The property is owned by Gerald Huiras, who has signed off on the Conditional Use Permit application. The proposed site is located in the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section 15, Morgan Township, parcel number 59-015-4020. The site is in the Agricultural District.
2. The facility will consist of a perimeter fence and up to three 1-megawatt solar arrays, covering approximately 30 acres total. The facility will include solar modules (310-watt panels), inverters, racking, fencing, access roads, underground collection lines, up to two weather stations, and transformers. At full capacity, the facility will produce enough electricity to power 600 homes.
3. The solar panels will be 310 watt photovoltaic panels, 4 to 6.5 feet long by 2 to 3.5 feet wide, and 1 to 2 inches thick. The racking will be either fixed-tilt or tracking and will be constructed of galvanized steel. The total height of the racking and panels will be 15 feet. The panels are made of silicon with weatherized plastic backing and set in an aluminum frame. The panel glass is tempered and has an anti-reflective coating to reduce reflection.
4. The site will be surrounded by a six-foot tall chain link fence topped with one foot of barbed wire. Security cameras will be used, and on-site cables will be buried. The grounds will be planted with a low growth perennial seed mix.
5. Brent Lang, the County Drainage Inspector, has agreed to waive the required 100' County Tile Line setback to 20' for the purpose of this project.
6. The applicant has submitted a decommissioning plan addressing the disposition of the facility should it cease to be used for twelve months or reach the end of its useful life. At

that time, the system will be shut down and the panels, racking, poles, wire, conduit, boxes, inverters, concrete pads, fence, electronic components and other components will be removed and properly disposed of. The decommissioning process will take two to three weeks. The site will then be restored to its pre-installation status, holes filled, and seeded.

7. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Tena Rytel, of Geronimo Energy, was present to explain the project. She presented the following information to the Planning Commission:

- Arnold Iffert was at the meeting but had left during the discussion of the Kasota quarry permit. Iffert is a neighboring landowner to the proposed solar garden site and is not opposed to the project.
- The project is a "large solar" project under the Redwood County solar ordinance.
- The site is ½ of a mile east of the City of Morgan.
- The site will have a 30 acre footprint and will include up to three solar arrays, 1 megawatt each, for a total of 3 megawatts.
- The array will be located next to the existing Xcel substation.
- According to county required setbacks, the array will be located 10' off of the property line.
- The solar installation will be ¼ of a mile from the nearest dwelling, other than that of the owner of the land on which the solar installation will be constructed (Huiras).
- The solar installation will be noiseless, will not create any water runoff issue – studies show that solar installations are better at absorbing surface water and avoiding runoff than bare fields.
- The 30-acre site will be planted in perennial vegetation, which will be low-growing so that it doesn't interfere with the solar panels.
- The site will be remotely monitored and will need minimal government services. It will create increased tax revenue for the county and township.
- The surface water drainage patterns currently existing on the site will not be altered by the solar project.
- Rytel supports the proposed conditions.

The Planning Commission asked questions of Rytel, as follows:

- Will the three solar gardens be constructed in stages? – Answer: no the three solar gardens will all be constructed at the same time at the beginning of the project.
- What is the timeline for construction? – Answer: Construction will begin in the spring of 2016 and will be done within the 2016 construction season (anywhere from 4 to 9 months).
- Who is responsible for maintenance of the site? – Answer: Morgan Community Solar LLC will maintain the site, including weed control, mowing, and trash removal.
- What happens when the site is past its useful lifespan? – Answer: The lease with the landowner includes an escrow account for decommissioning. There is a 25 year contract with Xcel for the site's power. The revenue and the costs of the site are

known and therefore decommissioning can be planned for, it's simply one of the costs. Furthermore, there is salvage value in the construction materials.

- Are there any environmental concerns? – Answer: No concerns, wetland and TEP reports can be provided.

Brozek noted that he had been contacted by one member of the public, owner of a neighboring agricultural field, who was worried that the project would result in increased tax assessment of her property. Brozek explained to the landowner that the project is a privately owned and privately funded project.

Chair Madsen asked if anyone in the audience wished to speak in favor of the project. No one came forward.

Chair Madsen then asked if anyone wished to speak in opposition to the project. Rick Maurer was present and had some questions about the project, as follows:

- Is there a map of the tile on the property?
- How will runoff from the panels effect the drain tile?
- Maurer would like to see conditions requiring trash cleanup and cleanliness at regular intervals.
- He would also like to see screening of the site.
- Will the project affect property values of nearby properties?
- Who will be responsible for reclamation?

Rytel provided the following responses:

- Geronimo is getting tile locations from the county and the landowner. They will avoid what they can and fix what they break.
- Study of 50 previous similar projects has shown that surface water runoff flow always decreases on a site once a solar installation is constructed.
- Screening is possible, Geronimo likes to use tall grasses, dogwoods, and lilacs.
- Regarding property values, there are ½ million solar systems currently in the US, and many factors go into estimation of property values. Geronimo leaves it to the county to determine whether there will be a negative impact on property values.

Brozek stated that the landowner will be responsible for reclamation, according to the Zoning Ordinance. The Environmental Office will be responsible to enforce the reclamation of the site.

At approximately 4:09 p.m., Chair Madsen closed the public hearing. The Commission then discussed the project.

Walling expressed concern over requiring the planting of a tree line to screen the site. At the end of the lifespan of the solar system, it will be easier to get the solar installation removed (for scrap value and to return the land to agricultural use) than to get the trees removed.

Mattison stated that a vining plant would provide a good screen by climbing the proposed chain-link perimeter fence.


Wold stated that taller prairie grass would work well for a screen. It would be easy to maintain and remove, and would fit the area.


Brozek stated that there is no required setback from the right-of-way for grasses (as opposed to the 67' setback required for trees and bushes).

On a motion by Rohlik, seconded by Mattison, the Planning Commission unanimously voted to recommend Conditional Use Permit #23-15 for approval, subject to the proposed conditions and the additional conditions of: 1) planting and maintaining a tall grass screen on the road sides (south and east) of the site, to be approved by the Zoning Administrator; and 2) that the site be kept clean and free of debris on a regular basis.

The commissioners reviewed and discussed the minutes from the October 26<sup>th</sup>, 2015 Planning commission meeting. On a motion made by Mike Scheffler and seconded by John Rohlik, the October 26<sup>th</sup>, 2015 Planning Commission meeting minutes were unanimously approved as presented.

The meeting was adjourned at 4:15 p.m.

  
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Nick Brozek  
Land Use & Zoning Supervisor  
Redwood County Environmental Office

  
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Mark Madsen, Chairman  
Redwood County Planning Commission