



REDWOOD COUNTY ENVIRONMENTAL OFFICE

*Planning & Zoning • Parks & Trails • GIS
Aquatic Invasive Species • Septic Inspector
Drainage Inspector • Agricultural Inspector*

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REDWOOD COUNTY PLANNING COMMISSION

MINUTES

Meeting Date: February 29, 2016

A meeting of the Redwood County Planning Commission convened on Monday, the 29th day of February, 2016, at the Redwood County Government Center.

The following members of the Redwood County Planning Commission were present: Mike Scheffler, Mark Madsen, 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, Dan Tauer, Mary Tauer, Chuck Beisner, Donald Ziegenhagen, Pam Ziegenhagen, Arnold Iffert, Emma Iffert, Josh Lueck, and Brad Blomeke.

At approximately 1:00 p.m., Chair Scheffler called the meeting to order.

Chair Scheffler read aloud the rules of the meeting.

Chair Scheffler called to order a public hearing on Application for Extraction Conditional Use Permit #3-16 submitted by Chuck Beisner of SunShare LLC.

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

1. SunShare, via MorganSun LLC, is requesting to construct a community solar garden on County Hwy 3, on the southeast side of the City of Morgan, just outside of the city limits. The property is owned by Daniel L. Tauer. Tauer, and his wife Mary Tauer, have signed off on the Conditional Use Permit application. The proposed site is located in the East Half of the Northwest Quarter (E1/2 NW1/4), lying northerly of State Highway 68, in Section 22, Morgan Township, parcel number 59-022-2020. The site is in the Urban Expansion District.
2. The facility will consist of a perimeter fence and a four megawatt (AC) solar array, covering approximately 40 acres. The panels and panel structures will be about 9 feet high. The photovoltaic solar panels will be UL listed, CEC listed, and approved for use by the National Electrical Code. The panels are dark blue in color with an anti-reflective coating to absorb as much light as possible.
3. The location of the proposed solar garden is currently a tilled field. The existing surface water drainage pattern is that water on the north side of the property drains to the north

and northwest toward CSAH 3, while water on the southeast side of the property drains to the southwest toward Hwy 68. SunShare will work with landowners to determine the location of existing drain tile, in an effort to avoid any impact on drainage.

4. The proposed project will include solar modules on metal racking, an access road from CSAH 3, four 500 KW inverters on concrete pads, a 6' tall chain link perimeter fence, and an on-site solar feeder power line (buried). Low growth perennial vegetation will be planted as ground cover on the site.
5. The site will be connected to the power grid via an existing Xcel distribution feeder line located in the CSAH 3 right-of-way, on the north side of CSAH 3.
6. The nearest rural dwelling to the proposed solar garden is the residence of Arnold & Emma Iffert, located 455 feet east of the site. The next nearest rural dwelling is that of Chad Huiras, located 2367 feet west of the site. Additionally, a residential site owned by Loren & Martha Raddatz is located 2450 feet south of the site. However, tax records show that the Raddatzes reside in the City of Morgan.
7. Other notable structures and features near the proposed solar garden include the following: St. John's Evangelical Lutheran Church Cemetery located 150 feet north of the site; Gerald Huiras' contractor yard located 1470 feet east of the site; Xcel substation located 2565 feet east of the site; and proposed Geronimo 3 MW solar garden located 1630 feet east of the site.
8. Since the proposed solar garden will be located just outside of the City of Morgan, it is in relatively close proximity to various dwellings and structures within the city limits, as follows: residence of Brook & Krystal Christensen, 203 Tempel Drive, 520 feet southwest of the site; residence of James & Koree Boyle, 70 Otto Street, 435 feet southwest of the site; residence of Robert & Teresa Welch, 100 Hwy 68, 240 feet west of the site; residence of Jolene Madsen (Jolene Lueck), 112 Eastwood Avenue, 210 feet west of the site; Morgan Methodist Church, 375 feet northwest of the site; residence of Nicholas Sperl, 102 E 2nd Street, 410 feet north of the site; and Gil-Mor Manor nursing home, 280 feet north of the site.
9. This is the third permit application we have received for the construction of solar gardens in the Morgan area. The reason we have had three applications here and none elsewhere in the county is that Xcel Energy is mandated by state law to produce 1.5% of its energy via solar power by the year 2020. The Morgan substation is the only Xcel substation in Redwood County that can handle solar gardens. Most of the rest of Redwood County is in the territory of Redwood Electric Cooperative, which as a cooperative is not subject to the 1.5% mandate.
10. According to Kerry Klemm, Customer Choice & Renewable Programs Manager at Xcel Energy, state law allows that Xcel may upgrade the substation transformer or install new feeder lines in order to prevent outages, but the substation itself cannot be expanded to support additional solar gardens. Klemm stated that the substation will support a certain

level of solar and that each application for interconnection is studied to determine whether there is capacity for the project. The order of priority for projects is the order in which completed applications are received. Xcel cannot share which projects have priority, but the developers are allowed to share that information, if they want.

11. According to information received from Geronimo Energy, SunShare, and monthly filings by Xcel with the Minnesota Public Utility Commission, Geronimo's project has completed the study process and has priority for connection to the substation. SunShare's projects are next in line in the study process, and have priority over any additional interconnection application that would be received by Xcel. Geronimo's engineers estimate that there will be capacity for one additional solar garden, after theirs (7 MW total substation capacity). The issue of whether there is capacity for a third solar garden will be resolved in Xcel's study process.
12. 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 site will then be restored to its pre-installation status as an agricultural field.

Chuck Beisner was present to explain the project on behalf of SunShare LLC. Beisner made the following statements to the Planning Commission:

- The proposed project is the construction of a 4 MW community solar garden consisting of fixed track solar panels facing south. The panels, including racking, will be 8'3" in height.
- The proposed layout of the site was provided on maps submitted with the conditional use permit application.
- The site is east of the City of Morgan.
- The closest residence to the site is 210' west of the site.
- Once operational, the site will be visited by maintenance staff once per month.
- The site will be planted with pollinator-friendly grasses and mowed annually.
- Care will be taken during construction to avoid damage to drain tile.
- The project will take 2 months to construct.
- No noise, odor, or glare will be produced by the site when it is operating.

Madsen asked how many solar gardens will be built around Morgan. Beisner stated that the three currently proposed and/or permitted (two by SunShare and one by Geronimo Energy) will max out the substation, though it is ultimately up to Xcel to set a limit.

Madsen asked if anyone was present to support the project. None came forward.

Madsen asked if anyone opposed the project. The following audience members made statements to the Planning Commission.

Josh Lueck asked the following questions:

- Where are the other farms that SunShare has developed?
- Can community members buy in to the solar garden?
- Who can subscribe?
- Will the project benefit the community?
- Will the project affect the view?

Beisner provided the following responses to the questions posed by Lueck:

- SunShare has no solar farms in Minnesota, but SunShare has developed five solar farms in Colorado. SunShare has permitted 12 solar farms in Minnesota, but none of those have been built yet. Construction will begin on the first in 60 days.
- Subscribers can buy into the solar garden at up to 110% of their normal electricity usage. There are no out of pocket costs to subscribe. Rate increases are capped.
- Only Xcel customers can subscribe.
- The public benefit of the project is that subscribers will save on their electric bills. It is a good and productive use of the land, but it is a temporary use and will someday revert to agriculture or other use. Additionally, the County and Township will gain tax base and production tax.

Scheffler asked Beisner whether SunShare will provide an aesthetic view. Beisner responded that they are open to a landscaping plan. He also pointed out that the number of projects is being driven by a state mandate for renewable energy. Brozek pointed out that there are many such projects being planned across the state, not only in Redwood County.

Madsen stated that he understands people's concerns: that these solar projects will make Morgan an "ugly" town.

Beisner stated that with landscaping the project will look good. He proposed a screen along the north and west sides of the site. He reiterated that the solar garden will not be permanent. In 20 or so years it can be changed to a new use. The site will require minimal upkeep and can be easily decommissioned.

Brad Blomeke spoke next. He made the following statements and asked the following questions:

- Who will own the solar garden?
- Who will be responsible to clean the site up when it's no longer in use?
- Who will assume responsibility if SunShare goes broke?
- The area should be screened from view.

Beisner provided the following responses to Blomeke's questions and statement:

- SunShare will own the solar garden
- When it reaches the end of its useful life, it will be dismantled according to the decommissioning plan. There is scrap value in the materials and money will be escrowed to pay for reclamation.
- If SunShare is out of the picture, another company will come in because there will still be value in the solar garden and the initial investment will already have been made. In other

words, after the initial construction costs, there are minimal costs involved, so there will be no problem finding another company to administer the site.

Dan Tauer, on whose property the solar garden is proposed to be constructed, also responded to Blomeke's concerns. Tauer stated that the energy industry is moving away from coal toward renewable energy. Solar will allow cheap electric bills for consumers. Regarding screening, Tauer pointed out that some people don't like to look at corn fields and bean fields either.

Pam Ziegenhagen asked the following questions and made the following statement:

- What kind of fence will surround the site? How tall will it be?
- What is the setback from County Road 3?
- SunShare should plant "greenery" to screen the site from the nursing home.

Beisner provided the following responses to Ziegenhagen's concerns:

- The perimeter fence will be 6' tall chain link fence, with a gate on the CSAH 3 side. A key for the gate will be provided to the fire and police departments for emergency access. The gate will include a nameplate sign.
- SunShare is willing to plant a screen of trees. They would plant a single row of blue spruce 12' apart. They would plant 6' tall trees in order to quickly establish the screen. These would go on the north side of the project site.

Brozek noted that trees are subject to a setback from the road right-of-way.

The parties discussed a proposed tree line screening the north edge and part of the west edge of the project site. Chair Scheffler asked whether this was feasible for SunShare to accomplish and whether it addressed the neighbor's concerns. Beisner said SunShare would put in the trees. Lueck and Blomeke were satisfied with the screening plan. Ziegenhagen asked if any trees would be planted on the east side where the Iffert residence is. Emma Iffert stated that their grove, which currently screens their building site on the project site side, is all old trees. The Commissioners decided that it was not necessary for SunShare to plant a screen where trees already exist.

Blomeke stated that he had not received notice of the SunShare permit application hearing in the mail. Brozek explained that within the city limits only property owners within 500 feet of the project site are sent notice by mail. Blomeke said he is within 500 feet of the project site. Brozek said notice should have been mailed to Blomeke in that case. Brozek reviewed the affidavit of mailing and noted that Blomeke was not on it. Notice was mailed only to those on the list, and Blomeke should have been in it if his property is within 500 feet. Brozek did not know why Blomeke was not on the list, and stated he would look into it. Blomeke stated that he could make an issue of the fact that he did not receive notice, and that he was not even aware of the project until that morning when Lueck told him about it. Brozek pointed out that the law states that a permit application need not be denied just because the notice was not properly completed. Brozek asked Blomeke if he would have done anything differently if he had received notice of the permit application earlier. Blomeke said no, he would not have done anything differently.

Chair Scheffler asked if the notice also appeared in the newspaper. Brozek said that it was published in the paper.

Emma Iffert inquired as to why the solar garden is proposed to be constructed so close to town. Chair Scheffler said it was due to the landowner agreeing to have it there. Beisner stated that the solar garden must be placed close to the existing feeder line.

Ziegenhagen asked if there are any studies on the effects of solar gardens on TV reception and such things. Beisner stated there have been no problems with any of their five Colorado sites, which include both rural and urban sites. He explained that the electrical impact of a solar garden is the same as any other usage (as opposed to a transmission line or other high voltage usage), except that in the case of a solar garden the energy is being fed back into the electrical grid, rather than being consumed out of the grid.

Chair Scheffler asked Beisner if SunShare found the proposed conditions, including planting a tree line, acceptable. Beisner replied that the conditions are acceptable.

Chair Scheffler closed the public meeting at 1:48 p.m. The Commissioners discussed the best way to address the vegetative screening condition.

Runkel made a motion to recommend approval of Conditional Use Permit application #3-16, subject to the proposed conditions, including the condition that a single row of 6' tall blue spruce be planted on the north and west sides of the project site, subject to approval by the Zoning Administrator. Rohlik seconded the motion and it passed unanimously.

The Planning Commission discussed a proposed amendment to the Shoreland Ordinance to bring it into conformity with the new state law regarding ditch and natural waterway buffer strips. The change would remove the current Shoreland requirement that a 50-foot wide continuous permanent vegetative buffer be maintained on agricultural lands in the Shoreland District. This requirement would be replaced by a similar requirement that continuous permanent vegetative buffers averaging 50 feet in width, with a 30 foot minimum width, be maintained on agricultural lands in the Shoreland District. Wold explained that since the proposed change is minor and merely serves to bring the Shoreland rule in line with the new state buffer rule, that the plan is to bring the amendment directly to the County Board for a public hearing and approval, which is the state mandated minimum public hearing requirement, rather than holding the usual two additional public hearing before the Planning Commission, in order to streamline the process and save time and taxpayer funds.

On a motion by Rohlik seconded by Mattison the Planning Commission unanimously resolved to recommend the proposed amendment for approval by the County Board.


Brozek updated the Planning Commission on upcoming permits and variances.

The Planning Commissioners discussed the January Planning Commission hearing and the Duinicks permit application to continue mining the Grannes pit. The proximity of the Grannes pit to the Roger Anderson/Kasota Stone quarry, a permit for which was denied in 2015, was

noted by the Commissioners. Brozek filled the Commissioners in on the status of an application by Kasota to renew a temporary permit to remove the old rejected stone "grout" pile on the Anderson site. Brozek stated that a permit had been issued in 2014 for removal of this pile and a good portion had been removed. Since the grout pile represents an eye sore and a safety hazard, the Environmental Office is considering renewing the Kasota temporary permit, though it is not customary to renew such permits. This situation is different because it is as much a reclamation project as it is an excavation project, and does not involve reshaping of the land.

The Commissioners reviewed and discussed the minutes from the January 25th, 2016 Planning Commission meeting. On a motion made by Madsen and seconded by Mattison, the January 25th, 2016 Planning Commission meeting minutes were unanimously approved.

On a motion by Mattison, seconded by Runkel, and passed unanimously, the meeting was adjourned at 2:10 p.m.



Nick Brozek
Land Use & Zoning Supervisor
Redwood County Environmental Office



Mike Scheffler, Chair
Redwood County Planning Commission