

**Summary of the
MEEKER COUNTY PLANNING COMMISSION
February 12, 2019 – MEETING MINUTES**
Audio Available

The Meeker County Planning Commission met at the Courthouse in Litchfield, MN at 5:00pm on February 12, 2019 to consider the following Conditional Use permit applications and other business before the Board. Present was Hempel, Piepenburg, Beach, Euerle, Jans, and Zoning Administrator Cote.

5:00pm

Jans calls the meeting to order. There is a quorum.

The Board states their names for voice recognition.

Jans asks the Board if they have any corrections or additions to the January 15, 2019 meeting minutes. One is noted.

Euerle makes a motion to approve the minutes.

Hempel seconds the motion.

Motion carried 5-0.

5:04pm

Jans opens the public hearing for USS Turkey Solar, LLC (applicant), 100 N 6th St, Suite 218C, Minneapolis, MN 55403 and Robert Bredeson & Steven Bredeson (owners), 51154 US Hwy 12, Atwater, MN 56209. Property located at 51154 US Hwy 12, Atwater, MN 56209. That part of the West Half (W ½) of the Southeast Quarter (SE ¼), more fully described in the application. Section Six (6), Township One Hundred Nineteen (119), Range Thirty Two (32), Acton Township. An application for a Conditional Use Permit to construct a One (1) Megawatt Community Solar Garden consisting of approximately 4176 solar panels and the related solar array equipment and infrastructure in the A-1 Agricultural Preservation District.

Leon Bredeson, Cullen Kobayashi, Thomas Fischer and Krista Looft are present for this hearing.

Cote: This property is a ten (10) acre leased portion of a 79.35 acre A-1 Agricultural Preservation District zoned tract located in Section 6 of Acton Township. This property is directly adjacent to MN Hwy 12 on its south border. This application is for a proposed one (1) megawatt community solar garden project with approximately 4,176 tracking modules. The existing distribution line is on the north/project side of US Hwy 12. As per the application this project will generate enough electricity to power approximately 225 homes annually and will interconnect directly to the existing Xcel Energy distribution system. The project is proposed to consist of the installation of solar panels, inverters and racking. The modules will be single axis trackers with a maximum height of 10'. No permanent structures are proposed to be built on-site. During the first few years of this project establishment vegetation maintenance people will visit a handful of times. After the first three years there will be approximately 4 visits per year for regular preventative maintenance. The project will be fenced and locked with an 8' tall fence and remotely monitored. Once the site is operational there will be no daily traffic. Xcel energy will have an easement for maintenance of their interconnection facilities. Signage will be signage required by law. No water and sewer will be necessary on this site. Construction is expected to take 3 to 4 months. A pollinator friendly mix is planned for seeding. The applicant will be required to submit the full Stormwater and Pollution Prevention plan to Meeker County Planning and Zoning prior to be issued any permits for construction of this project. Surface water is proposed to be controlled through plantings and vegetation. The applicant has submitted a complete interconnection agreement with this application. A decommissioning plan has been submitted with an estimate of \$20,000 for the decommissioning of this site. As per Article 22.24.1 a CUP is required for a large solar array.

Kobayashi states that he is the project developer for US Solar, which is a Minnesota based solar provider. They not only develop, but own and operate projects for the entirety of the project. Some companies just develop the projects and then sell off to investors. We do the operations of the project to completion.

- This will power up to 225 homes.
- The energy produced can be subscribed to businesses, public entities, cities, towns, schools, and residential.
- Due to the topography of the land, the project will not be visible from the road.
- They plant pollinator friendly habitats within the solar array.
- Construction will take approximately 3-4 months.
- It won't affect the nearby traffic. The trucks will go all the way into the site.
- There will only be quarterly maintenance visits and a couple visits for the planting.
- Has worked with Jeff Illes, the MN Dot permit supervisor for the district about an access road. It has been decided that the existing driveway will be used for access.

Euerle asks if they generally use an existing driveway. *It depends on the land/topography.*

Euerle asks if they will be getting an easement to use the driveway. *Kobayashi will find out if it is needed.*

Piepenburg asks if the fence is barbed wire. *No, it is more of a farm field styled fence. It is an 8' fence with a 20' wide gate at the front.*

Jans asks where the power is going to be delivered. *Not positive which substation. It is going straight up to the lines on the north side of highway 12.*

Cote reads the conditions:

1. The Project Company/Applicant shall utilize NRCS recommendations regarding seeding.
2. The entrance gate shall be a minimum of 20 feet wide.
3. All underground wiring shall be buried a minimum of three (3) feet.
4. The Project Company/Applicant shall implement dust control measures within the project site area as necessary until permanent vegetative cover is re-established.
5. The Project Company/Applicant shall submit all the required information and receive all required permits **prior to commencing construction on this site.**
6. Project Company/Applicant shall follow all rules and regulations as are stated in the Meeker County Zoning Ordinance Section 22.24.1.
7. Erosion control shall be utilized on-site during construction until permanent vegetative cover is re-established to prevent the erosion of material into sensitive areas. Seeding shall be completed as per the plan submitted with this application or an equivalent seed mix may be substituted as recommended by the NRCS Office.
8. Project Company/Applicant shall provide a financial guarantee for decommissioning said solar array site **prior to being issued a building permit and commencing construction on this site.** Said guarantee shall be for a minimum of \$25,000. This financial guarantee shall be kept in effect until the solar array site is removed.
9. Project Company/Applicant shall submit a copy of a certificate of insurance for liability and workers compensation insurance, which shall require Meeker County is included in the form of additional insured status endorsement on the general liability policy. Said proof of policy will be furnished **prior**

to being issued a building permit and commencing construction on this site. The minimum liability insurance limit shall be \$1,000,000 per occurrence.

10. The Project Company/Applicant shall receive all required federal, state and local permits and approvals prior to commencing construction on this solar array. Meeker County has instituted countywide building codes; therefore compliance with all aspects of the Minnesota State Building Code will be standard. The Project Company will communicate and coordinate with the Meeker County Building Official regarding the content and submission of Inspection Reports completed by an independent inspector hired and paid for by the Project Company, if necessary.
11. An appropriate easement for ingress/egress purposes shall be established and recorded over the existing driveway on this property prior to the Project Company/Applicant being issued a building permit and commencing construction of said project.
12. Project Company/Applicant must provide a signed, fully executed copy of the Interconnection Agreement to Meeker County Planning and Zoning **prior to being issued a building permit and commencing construction.**
13. All solar array foundations shall be certified by the manufacturers engineer to ensure standards are met. Said information shall be submitted to the Meeker County Building Official as part of the building permit application process.
14. All leftover construction material and/or construction debris shall be removed from this site prior to it becoming operational.
15. The Project Company/Applicant shall follow all required rules and regulations regarding wetlands.

Kobayashi is in agreement with the conditions.

Hempel makes a motion to close the public hearing.

Piepenburg seconds the motion.

Motion carried 5-0.

Piepenburg makes a motion for approval with the conditions.

Hempel seconds the motion.

Motion carried 5-0.

5:28pm

Jans opens the public hearing for ELM Enterprises, Inc (owner), c/o Thomas Fischer, PO Box 541, Dassel, MN 55325 and Park Avenue Solar Solutions, LLC, 102 Greenwich Ave, 3rd Floor, Greenwich, CT 06830. That Part of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) and the East Half (E ½) of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼), more fully described in the application. Section Thirty Four (34), Township One Hundred Nineteen (119), Range Twenty Nine (29), Dassel Township. An application for a Conditional Use Permit to construct a One (1) Megawatt Solar Farm consisting of approximately 3636 solar panels and the related solar array equipment and infrastructure in the A-1 Agricultural Preservation District.

Thomas Fischer, Krista Looft and Paula Kalinosky are present for this hearing.

Cote: This property is a nine (9) acre leased area that is a portion of a sixty (60) acre A-1 Agricultural Preservation District located in section 34 of Dassel Township. This property is directly adjacent to the City of Dassel on its northerly boundary. Currently on this property there is an old building site in the southwesterly corner of the property and, as per Assessor Office records, approximately 42 tillable acres. In November of 2017 a CUP was issued to Fast Sun for the construction of a very similar solar farm on this location. A CUP is considered null and void if work has not commenced within a twelve (12) month

timeframe. Construction did not commence due to the fact that FastSun was acquired by Park Avenue Solar Solutions LLC. This solar array is proposed to be located approximately on the northwest corner of the acreage east of 725th Avenue. This application is for a proposed solar array with a capacity of one (1) megawatt community solar garden with approximately 3,696 tracking modules oriented north-south to accommodate the east west tracking panel axes. The panels will be mounted on a galvanized steel racking structure and average approximately 8.5' above grade when at the highest degree of tilt. The racking system is installed in the ground with pilings rolled Cee channels that are driven directly into the ground at a depth typically between 6 and 8 feet depending on site specific soil conditions. The equipment is designed to withstand up to 105 MPH wind and 50 pounds per square foot of snow. The solar garden will have one concrete equipment pad, typically less than 320 square feet to support interconnection and metering equipment. This is a fixed tilt proposal with the panels facing south. This is a change from the previous application where fixed tilt panels were proposed and were oriented east-west. The panels will be arranged into rows. Each row of solar panels will connect to an inverter with underground conduit installed 2 feet below the surface. Inverter equipment will be located on a concrete equipment pad on the west side of the solar array at the end of the access road. The inverters transfer the DC power generated by the photovoltaic system to AC power which is then connected to the existing Xcel Energy three phase power distribution line at the point of common coupling. There is a 7' tall chain link fence proposed. This site will be gated. A small freestanding sign is also proposed at the entrance. This array is proposed to share an access road with the other solar site approved on this property in 2017 which application is also null and void due to the twelve (12) month commencement requirement. Extensive grading is not proposed for this use. Drainage patterns will be utilized on the site with infiltration trenches and swales to reduce the additional volume generated by the modules road. During the construction phase approximately 10 to 20 trucks will access the site daily. Ground cover is proposed to be native plantings that are appropriate to the soil moisture conditions and will be consistent with the Pollinator Protection Pledge of the local solar power industry. A wetland delineation has been completed for this property and appears appropriate. A storm water pollution protection plan has been submitted with this application and meets all storm water requirements. All appropriate setback requirements shall be adhered to. This proposed community solar garden will connect to the local utility grid at an existing substation located approximately 900 feet north of the site in the site of Dassel. The property is proposed to be leased for 25 to 30 years. A decommissioning plan has been submitted with this application which indicates that within six (6) months of the end of the systems serviceable life or the day the system is discontinued the decommissioning will occur and shall include removing the arrays, inverters, transformers and the above ground portions of the electrical collection system, fencing, lighting and supply structure from the project. The decommissioning of this site, minus the salvage value of the material, is estimated to be \$23,984. An interconnection agreement has been submitted with this application packet. As per Article 22.24.1 a CUP is required for a large solar array.

Kalinosky states that the client had a site meeting with Excel a couple weeks ago and there is now a little shift in the alignment of the access road. It is outside of the public right of way. It is not any larger; it is simply a location shift.

Cote has the Board look at the maps. She states that the road will move very slightly to the west and it will have a turn-around area.

Looft states that she owns the property to the east. She is at the hearing to get more information about this project. She asks if something were to "break", is there ever a concern about electrical currents going through the ground.

Kalinosky says no. Everything is grounded.

Cote says she has never heard of stray voltage being an issue, but if there is a concern, call the Zoning office.

Cote reads the conditions:

1. The Project Company/Applicant shall utilize NRCS recommendations regarding seeding.
2. The entrance gate shall be a minimum of 20 feet wide.
3. All underground wiring shall be buried a minimum of three (3) feet.
4. The Project Company/Applicant shall implement dust control measures within the project site area as necessary until permanent vegetative cover is re-established.
5. The Project Company/Applicant shall submit all the required information and receive all required permits **prior to commencing construction on this site.**
6. Project Company/Applicant shall follow all rules and regulations as are stated in the Meeker County Zoning Ordinance Section 22.24.1.
7. Erosion control shall be utilized on-site during construction until permanent vegetative cover is re-established to prevent the erosion of material into sensitive areas. Seeding shall be completed as per the plan submitted with this application or an equivalent seed mix may be substituted as recommended by the NRCS Office.
8. Project Company/Applicant shall provide a financial guarantee for decommissioning said solar array site **prior to being issued a building permit and commencing construction on this site.** Said guarantee shall be for a minimum of \$25,000. This financial guarantee shall be kept in effect until the solar array site is removed.
9. Project Company/Applicant shall submit a copy of a certificate of insurance for liability and workers compensation insurance, which shall require Meeker County is included in the form of additional insured status endorsement on the general liability policy. Said proof of policy will be furnished **prior to being issued a building permit and commencing construction on this site.** The minimum liability insurance limit shall be \$1,000,000 per occurrence.
10. The Project Company/Applicant shall receive all required federal, state and local permits and approvals prior to commencing construction on this solar array. Meeker County has instituted countywide building codes; therefore compliance with all aspects of the Minnesota State Building Code will be standard. The Project Company will communicate and coordinate with the Meeker County Building Official regarding the content and submission of Inspection Reports completed by an independent inspector hired and paid for by the Project Company, if necessary.
11. Project Company/Applicant must provide a signed, fully executed copy of the Interconnection Agreement to Meeker County Planning and Zoning **prior to being issued a building permit and commencing construction.**
12. All leftover construction material and/or construction debris shall be removed from this site prior to it becoming operational.
13. All solar array foundations shall be certified by the manufacturers engineer to ensure standards are met. Said information shall be submitted to the Meeker County Building Official as part of the building permit application process.
14. The Project Company/Applicant shall follow all required rules and regulations regarding wetlands.

Kalinosky is in agreement with these conditions.

Piepenburg makes a motion to close the public hearing.

Euerle seconds the motion.

Motion carried 5-0.

Hempel makes a motion for approval with the conditions.
Beach seconds the motion.
Motion carried 5-0.

5:49pm

Other Business

Cote explains to the Board that Steven Garaghty owns 17.69 acres on the south side of Lake Francis. It is non-riparian property. A majority of the property was rezoned quite a few years ago to R-2. They left out the bottom few hundred feet, because at the time they thought they might want horses. Now they are going to sell the property and they would like to make a five lot plat. A portion of the land is zoned A-1. They would need to rezone that portion to R-2 because you can't have a plat on A-1 land. This is contiguous to the existing R-2 zone.

Cote asks the Board if this is something they think would fit the general character of the area. The Garaghty's would like to know if they can move forward with the platting process.

Beach asks how the lots would be accessed.

Cote says that any road that serves more than three lots must be constructed to public standards. She is not saying the township would accept it, but it has to have the capability of accepting it due to size. They would have to build a township road for the lots.

The Board believes it would fit the general character of the area. They can move forward.

Piepenburg makes a motion to adjourn.
Euerle seconds the motion.
Motion carried 5-0.