

**Summary of the  
MEEKER COUNTY PLANNING COMMISSION  
March 9, 2021 – MEETING MINUTES**  
*Audio Available*

The Meeker County Planning Commission held a meeting on March 9, 2021 at 5:00pm to consider the following Conditional Use, Interim Use, Rezone and Preliminary permit applications and other business before the Board. Present was Jans, Euerle, Loff, Hempel, Salzl, Beach and Smith, and Zoning Administrator Schultz.

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 February 9, 2021 meeting minutes. None are noted.

Smith makes a motion for approval.

Beach seconds the motion.

Motion carried 7-0.

5:01pm

**Jans opens the public hearing for Rafterville Solar, LLC (applicant), 200 W Monroe St, Suite 620, Chicago, IL 60606 and Amcrest Properties, LLC/Donald Amdahl Trust (owner), 51212 250th St, Atwater, MN 56209. Property located at That Part of the West Half (W ½) of the Northwest Quarter (NW ¼), more fully described in the application. Section Eight (8), Township One Hundred Nineteen (119), Range Thirty Two (32), Acton Township. An application for a Conditional Use permit to construct a One (1) Megawatt Solar Garden consisting of approximately 3500 solar panels and the related solar array equipment and infrastructure in the A-1 Agricultural Preservation District.**

Matt Walsm and Andrea Koller are present for this hearing.

Schultz: This property is a seventy-five (75) acre parcel in the A-1 Agricultural Preservation District. Located in section 8, township 119, range 32 of Acton Township. This property is adjacent to 515th Ave and US Highway 12 East of Atwater approximately 3 miles. Currently on this property there are no buildings with approximately sixty-seven (67) tillable acres. No wetlands are located on site. This application is for a one (1) megawatt community solar garden that will generate electricity to inverters which transform DC power to AC power which will interconnect directly to the existing Xcel Energy distribution system. The distribution line will be along 515th Ave west of the property.

The project area of 16.5 acres is proposed to consist of the installation of approximately 3500 single axis tracker solar panels, inverters, wiring, transformers and racking. The equipment is designed to withstand up to 130 MPH wind and 125 pounds per square foot of snow. The modules will be single axis trackers with a maximum height of 12'. No permanent structures are proposed to be built on-site. No permanent lighted signs or lighting is proposed.

A detailed Stormwater Pollution Prevention Plan (SWPPP) and erosion control plan will be developed for the project prior to the start of construction. Surface water is proposed to be controlled through plantings and vegetation which will decrease water run-off and chemical inputs to local water bodies. Pollinator friendly seed mix is proposed as ground cover beneath the solar farm. No environmental impacts are anticipated from this work.

A 7' locked galvanized chain link fence will be installed for safety and security and will meet all appropriate setback requirements. A locked 20-foot-wide swing gate off of 215th Avenue will be the access point onto the site. A freestanding sign with emergency contacts and procedure's will be placed at the site.

Monitoring of the facility will be by data acquired by the facility (Data Acquisition) system. No water and sewer will be necessary on this site. Construction is expected to take 4 months.

The applicant has submitted application for interconnection agreement with Xcel Energy signed November 16, 2020 along with this application. A decommissioning plan has been submitted with this application with no final estimate. Decommissioning shall include removing the arrays, inverters, transformers and the above ground portions of the electrical collection system, lights and fencing from the project. Acton Township at their March 1st meeting approved to add an entrance off of 515th Avenue for the proposed solar project.

As per Sec. 22.24.1 a Conditional Use Permit is required in the A-1 district for a large solar energy with a direct current (DC) rated capacity of 100 kilowatts or greater

Walsm is with Nexamp whom is the developer of this project. He hands out booklets and explains to the Board:

- This company only does solar.
- Nexamp has regional offices throughout the country.
- They utilize approximately 8-20 acre range which connects to the electrical distribution system which is what your business or house connects to rather than the transmission electrical service.
- Nexamp develops, designs, builds, owns and operates commercial scale solar systems.
- Projects can last anywhere between 25-40 years.
- Xcel launched the community solar program in 2014 & and part of that program had a mandate of 30% renewable energy by 2020, which Excel has hit. Since then they have made a commitment to go to 100% renewable by 2050. This program helps achieve that.
- It provides access to those who live in Xcel territory.
- Provides cleaner renewable energy without having to panels on your house.
- Subscribe to one of their solar gardens with no background checks, no upfront fees, no cancellation cost and you receive a discount on your energy bill.
- This project is near agricultural buildings and not a lot of residents are in the area.
- They have signed a contract with Xcel and project is ready for construction pending this Conditional Use approval.
- Fencing will be 7' tall with no barbed wire on the top.
- Panels are trackers which rotate with the sun.
- All electrical will be underground except for the poles need to connect to Xcels grid.

Hempel asks what the low growth mix consist of.

Walsm states that it will be a native plant mix. They have a consultant that is based in Minnesota who will figure out the soil types for a custom seed mix.

Jans asks when power is put onto the line, how is it known when more power is needed or not.

Walsm says they do an analysis of different resources and can anticipate what is needed. For a project like this, the power goes two ways.

Jans asks if there are any sites that have grazing goats.

Walsm says there aren't any in Minnesota, but elsewhere they have sheep.

Smith asks if Nexamp has had any comment from they neighbors.

Walsm says no, the neighboring house is owned by Jennie-O and it is their employees who live in the home.

Schultz reads the conditions:

1. Project Applicant shall submit all the required information prior to commencing construction on this site.
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. Project Applicant shall implement dust control measures within the project site area as necessary until permanent vegetative cover is re-established.
5. Project Applicant shall follow all rules and regulations as are stated in the Meeker County Zoning Ordinance Section 22.24.1.
6. Project applicant will be required to submit the full Storm water and Erosion and sediment control permits to Meeker County Planning and Zoning prior to be issued any building permits for construction of this project.
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 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 the Project Applicant being issued a building permit and commencing construction on this site.** The minimum liability insurance limit shall be \$1,000,000 per occurrence
9. Project 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.

10. An appropriate easement for maintenance of the interconnection facilities shall be established and recorded **prior to the project applicant being issued a building permit and commencing construction** of said project.
11. Project applicant must provide a signed, fully executed copy of the Interconnection Agreement to Meeker County Planning and Zoning **prior to the project applicant being issued a building permit and commencing construction.**
12. 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.
13. All leftover construction material and/or construction debris shall be removed from this site prior to it becoming operational.
14. Project Applicant shall provide a financial guarantee for decommissioning said solar array site **prior to the project applicant being issued a building permit and commencing construction on this site.** Said guarantee shall be for a minimum of \$75,000. This financial guarantee shall be kept in effect until the solar array site is removed.

Jans asks what is the range they usually have to pay for a bond.

Walsm says all counties are different, but usually between \$25,000-50,000 per megawatt.

Hempel states that bonds are not that expensive.

Walsm says that the biggest sticking point is the language of the bond, not the dollar amount.

Hempel makes a motion to close the public hearing.

Euerle seconds the motion.

Motion carried 7-0.

Salzl makes a motion for approval with the conditions.

Smith seconds the motion.

Motion carried 7-0.

5:29pm

**Jans opens the public hearing for Knife River Corporation—North Central, 4787 Shadow Wood Dr NE, Sauk Rapids, MN 56379. That Part of the Southeast Quarter (SE ¼), more fully described in the application. Section One (1), Township One Hundred Eighteen (118), Range Thirty One (31), Greenleaf Township. A renewal of an existing Interim Use Permit application to operate an asphalt plant with the related recycling and stockpiling of asphalt material in an A-1 Agricultural Preservation District.**

Bryan Pearson, David Jutz and Chad Mahlow are present for this hearing.

Schultz: This property is a One hundred five (105) acre parcel in the A-1 Agricultural Preservation District. Located in Section 1, Township 118, Range 31 of Greenleaf Township. This property is adjacent to MN Hwy 22 and 215th street South of Litchfield approximately 3 miles.

The property owner has applied for a renewal of an Interim Use Permit Application to operate an asphalt plant. Knife River's last permit for an asphalt plant on this site was approved by Meeker County on February 20, 2018 and which expired February 20, 2021. The current aggregate mining permit is expires on February 20, 2024. Knife River has provided information indicating they are currently stockpiling approximately 21,283 cubic yards of RAP/millings on-site and have indicated that increasing that volume would depend on future projects in the area. They are requesting condition number 10 of the existing IUP for asphalt production be removed. That condition allowed the construction of a berm on the northeast corner of the property which shall be a minimum of (15) feet tall from grade. With the toe of the berm being a minimum of 10 feet from the shared property line. (Holly Brisk-Knife River indicated that that condition has been completed)

The asphalt plant is proposed to be located at a 1,119 elevation which is 11 feet above the 1,130 groundwater elevation. As per the drawing submitted with this application Knife River meets all required setbacks for said operation. Knife River has submitted copies of their current MPCA Option D Registration for Hot Mix Facilities and their expired NPDES/SDS permit under MN Rule 7001.0160 which states "A person who holds an expired permit, other than a permit described in part 7001.0020, item B, and who has submitted a timely application for reissuance of the permit may continue to conduct the permitted activity in accordance with the terms and conditions of the expired permit until the agency takes final action."

Jans says that when they were out there, they noticed the berm was done and it was quite high.

Hempel notices that there is concrete in the pictures of the site and the conditions state, no concrete recycling or storage.

Pearson says that his permit asks for crushing and recycling material, so he'd like that condition taken off. He'd like to leave the concrete on site as they can use it.

Mahlow indicated that there is concrete piles on the site.

The Board states that the concrete condition was covered by their application for mining and crushing. Schultz will and to the conditions, "the site shall be completely rehabilitated. i.e. rap piles (concrete/asphalt) except as permitted to remain and asphalt plant equipment shall be removed".

Jutz asks if there will be anything in the conditions that designates the haul roads. The township has spent a lot of money on their roads.

Jans says that the conditions state that trucks shall enter or exit this site by using MN Hwy 22 and shall not enter or exit this site onto 215<sup>th</sup> Street.

Hempel adds that the Board can only regulate how trucks go in and out of the pit, but not other roads.

Jans suggests talking to the highway engineer and see if they can get weight limits posted.

Hempel reads a condition that says the plant can only run 30 consecutive days once per calendar year, so the roads shouldn't be used for a long period of time.

Schultz reads the conditions:

1. This asphalt plant may run for thirty (30) consecutive days, including setup and removal of equipment, one time per calendar year. Knife River shall notify Meeker County Planning and Zoning of the day the commencement.

2. The hours of operation on this site for the operation of the asphalt plant are 6am to 9pm, Monday through Friday and 6am to 6pm on Saturdays. No operations on Sunday and holidays.
3. Knife River must comply with all the MPCA noise standards, which are 65 decibels during daytime use and 55 decibels during nighttime use. The applicant must also obtain all permits required by any Federal, State, or County agency.
4. All tanks must be double walled or the berm shall be lined to prevent leaking into the ground.
5. This permit shall expire three (3) years from the date of the Meeker County Board of Commissioners final approval of this Interim Use Permit. Said expiration date shall be March 16, 2024. There shall be an inspection occurring at approximately one and one-half (1 ½) years or mid-point of the duration of the permit, whichever is least.
6. All trucks and vehicles shall enter or exit this site by using the entrance on MN Hwy #22 and shall not enter or exit this site onto 215<sup>th</sup> street.
7. Dust control measures must be implemented on this site and all gravel haul roads to minimize dust.
8. The applicant shall maintain the berm on the North and East Side of said Northwest Quarter of the Southeast Quarter and all other existing berms on site. The berm shall have an elevation that is higher than a straight line between two feet above the top of the burner/drum roller of the Bituminous Plant Unit and the roof ridge of the closest dwelling to the Northeast and the dwelling to the North.
9. The rap shall be piled below the level of the berm to screen the rap from view.
10. Within One (1) year after the operation of the bituminous plant ceases and the permit expires the applicant must have the site completely rehabilitated. i.e. rap piles (concrete/asphalt) except as permitted to remain and asphalt plant equipment shall be removed, unless the applicant has made application for renewal of the permit before the existing permit has expired.
11. The asphalt plant shall maintain a setback of 1,320 feet from all non-owner dwellings.

Jans lets Pearson know that there have been complaints of noxious weeds.

Beach makes a motion to close the public hearing.

Loff seconds the motion.

Motion carried 7-0.

Smith makes a motion to approve with the conditions.

Loff seconds the motion.

Motion carried 7-0.

6:01pm

**Jans opens the public hearing for Drew Deadrick, 37088 MN Hwy 4, Paynesville, MN 56362. That part of the Southeast Quarter (SE ¼), more fully described in the application. Section Fourteen (14), Township One Hundred Twenty One (121), Range Thirty Two (32), Union Grove Township. An application for an Interim Use permit to construct a temporary second dwelling on one parcel of land for a blood relative in the A-1 Agricultural Preservation District.**

William & Patricia Ware and Drew & Sandie Deadrick are present for this hearing.

Drew Deadrick says that he grew up in the existing house and intends to take over the property and wants to build a structure for his parents to live in. It will be a slab on grade house. Once they are not living there any longer, he will remove the living quarters and use it as a shed.

Schultz: Currently on this site there is a dwelling built in 1978, Garage built 1978, 8 x 10' utility shed built 1980. A Land Use permit was issued in 1997 for a 28' x 36' shed. The county does not have on record the year the well or septic system was installed.

The property owner is requesting an interim use permit for a second dwelling on the property to assist in the care of his parents. The intention is to build a shop with temporary living quarters for his parents to live in until other arrangements are necessary. The duration of the permit he is asking for is for 15 years. The second dwelling will be reverted into a shop when no longer needed.

Article 11 Sec. 11.04.A.a.c requires an Interim Use Permit to allow for the placement of a temporary second dwelling in the A-1 Preservation District.

Drew states that the septic will be replaced immediately.

Jans sees no issues with this request.

Schultz reads the conditions:

1. This dwelling must be served by a conforming SSTS system.
2. The applicant shall obtain all required permits.
3. Property owners must follow the building code.
4. The applicant approved for temporary second dwelling shall submit annually to the Planning and Zoning office a completed certification form, indicating the conditions of the permit approval are still in place and that the need for the temporary second dwelling has not changed.
5. This interim use permit shall expire fifteen (15) years from the date of final approval. Application by the Meeker County Commissioners. If another blood relative intends to occupy said dwelling, a new interim use permit must be obtained.

Euerle makes a motion to close the public hearing.

Smith seconds the motion.

Motion carried 7-0.

Hempel makes a motion for approval with the conditions.

Loff seconds the motion.

Motion carried 7-0.

6:09pm

**Jans opens the public hearing for Randy & Marilyn Hed, 72068 273rd St, Dassel, MN 55325. Property located at That Part of Government Lot Three (3), more fully described in the application. Section Three (3), Township One Hundred Nineteen (119), Range Twenty Nine (29), Dassel Township. An application to Rezone a parcel of land from A-1 Agricultural Preservation District to the R-2 Rural Residential District.**

Deven Lundin, Randy Hed and Karla Lundin are present for this hearing.

Schultz: This property is an 8.16 acre portion of a 38.65 acre A-1 Agricultural Preservation zoned property located at Section 3, Township 119, Range 29 of Dassel Township. Part of this property is located within the shore land district of the Recreational Development Lake Arvilla.

Currently on this property there is an existing 32' x 50' machine shed built on the property in 1997 located in the northern portion of the lot. This acreage does not have any building eligibilities currently. The property owner is proposing to rezone this 8.16-acre property to R-2 Rural Residential District to allow for the development of a one lot plat.

Minnesota highway 15 and 273rd Street are adjacent to this property on the west and south. Adjacent to the east is the Hed property with a conservation easement put on the property in 2006. The applicant has submitted information from Dassel Township indicating they do not have issue with moving the existing driveway on 273rd to another location on the property.

Jans says that he doesn't think there has been much for agriculture on this land except for pasture. There's not farming around that area. It would not be spot zoning.

Loff makes a motion to close the public hearing.  
Hempel seconds the motion.  
Motion carried 7-0.

Smith makes a motion for approval.  
Salzl seconds the motion.  
Motion carried 7-0.

6:15pm

**Jans opens the public hearing for Randy & Marilyn Hed, 72068 273rd St, Dassel, MN 55325. Property located at That Part of Government Lot Three (3), more fully described in the application. Section Three (3), Township One Hundred Nineteen (119), Range Twenty Nine (29), Dassel Township. An application to consider the Preliminary Plat for one (1) lot of the R-2 Rural Residential District zoned plat of Lundin Hills.**

Deven Lundin, Randy Hed and Karla Lundin are present for this hearing.

Hempel makes a motion to close the public hearing.  
Smith seconds the motion.  
Motion carried 7-0.

Salzl makes a motion for approval.  
Hempel seconds the motion.  
Motion carried 7-0

6:17pm

Other Business – Possible plat for Dale Fenrich.

Schultz explains that Dale Fenrich will need to have a variance approved before he can go ahead with the rezoning and platting applications. The proposed back property line is 146' and it has to be 200'. His camp site is A-1, but all other property surrounding it is R-1.

The Board looks at the survey and agrees that he can move forward with the rezoning and preliminary plat if his variance is approved.

Hempel makes a motion to adjourn.  
Salzl seconds the motion.  
Motion carried 7-0.