

**Summary of the
MEEKER COUNTY PLANNING COMMISSION
July 12, 2022 – MEETING MINUTES
*Audio Available***

The Meeker County Planning Commission held a meeting on **July 12, 2022 at 5:00pm** to consider the following Rezoning, Preliminary Plat, Conditional Use permit applications and other business before the Board. Present was Jans, Hempel, Euerle, Smith, Salzl, Turck, Loff 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 June 14, 2022 meeting minutes. None are noted.

Euerle makes a motion for approval.

Smith seconds the motion.

Motion carried 7-0.

5:01pm

Jans opens the public hearing for Novel Energy Solutions/Scott Tempel, (applicant) 2303 Wycliff Ave, St. Paul, MN 55114 and ELM Enterprises Inc/Thomas Fischer (owner), 72695 CSAH 6, Dassel, MN 55325. Property located at that part of the Northwest Quarter (NW¼) of the Southeast Quarter (SE ¼), more fully described in the application. An application for a Conditional Use permit to construct a One (1) Megawatt Community Solar Garden and the related solar array equipment and infrastructure in the A-1 Agricultural Preservation District.

Scott Tempel is present for this hearing.

Schultz: This property is ten (10) 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. The city of Dassel signed a waiver May 2022 allowing the project to be within 1000 feet of its city limit.

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 which wasn't installed and in February of 2019 CUP #14999 was issued to ELM Enterprises for the construction of a very similar solar garden occupying 10 acres to the west of this proposed site.

This solar array is proposed to be located approximately on the northcentral portion of the acreage just south of CSAH 6. This application is for a proposed solar array with a capacity of one (1) megawatt community solar garden with approximately 35 dual axis tracking modules with 78 modules on each tracker. Each tracker will be 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 30' above grade when at the highest degree of tilt.

The equipment is designed to withstand up to 110 MPH wind and 50 pounds per square foot of snow. All equipment will meet Xcel energy and national standards for safety and interconnection.

The panels will be arranged into rows. Each row of solar panels will connect to an inverter with underground conduit. 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. There is a 7' tall chain link fence proposed. This site will be gated. A small freestanding sign is also proposed at the entrance.

Construction is expected to take 5 weeks with only two semi-trailers of equipment delivered to CSAH 6 access each day. Temporary parking and staging will be off-road at the site entrance. Vegetation will be established to ensure soil stabilization, improve storm water quality, and site beautification. A wetland delineation has been completed for the lowland portion of the site area 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. An interconnection application with Xcel has been submitted with facility study results expected this summer. The property is proposed to be leased for 25 years. Program requirements include adequate levels of insurance coverage and a signed interconnection agreement as required by the MN Public utilities Commission for 25 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 all solar arrays, cables, electrical components, accessory structures, fencing, roads and other ancillary facilities owned by the solar garden.

Tempel states that the difference is the dual axis trackers, which has more efficient technology. This garden will be nestled between the other two gardens. This will have 40% more production than one and 20% more production than the single axis to the west. It doesn't change the output, it is still 1 megawatt. It just lets us produce the 1 megawatt for a longer period of time.

Hempel asks why they are asking for 30 years when the agreement with Xcel is only 25.

Tempel says that the agreement is with the landowner. We do a 25 year lease with a 5 year extension period.

Tempel states that the panels are built on a concrete pedestal. The pedestal is about 15' tall which allows for the array to tilt. When they are at maximum tilt the high side can be up to 30'.

Jans say that once they are up, you'll only see the first one, and the others will be hidden behind the hill.

Hempel asks what will happen if the technology gets better in the next 15 year.

Tempel says it will, it always does. The panels will not be replaced. The reason they have the 25 year lease is because the panels are guaranteed to produce up to 80% of their output at year 25. What you'll see is more and more production and less space as technology gets better. We are limited to 1 megawatt, so we can't double the panel size and double the output.

Hempel asks what happens to broken panels.

Tempel says they get recycled out of state. There are only a couple facilities around the country that recycle them. Right now there isn't the demand. In 30 years when the gardens are decommissioned, there will be a huge market.

Schultz reads the conditions:

1. The 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. The applicant shall implement dust control measures within the project site area as necessary until permanent vegetation cover is re-established.
5. Applicant shall follow all rules and regulations as are stated in the Meeker County Zoning Ordinance Section 22.24.1.
6. Erosion control shall be utilized on-site during construction until permanent vegetation 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.
7. Applicant shall submit a copy of a certificate of insurance for liability and workers compensation insurance annually, which shall require Meeker County is included in the form of additional insured status, listed as primary and non-contributory 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 \$1,500,000 per occurrence. With proof of insurance provided annually.
8. 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.
9. An appropriate easement for maintenance of the interconnection facilities shall be established and recorded prior to the applicant/owner being issued a building permit and commencing construction of said project.
10. Applicant must provide a signed, fully executed copy of the Interconnection Agreement to Meeker County Planning and Zoning prior to the applicant being issued a building permit and commencing construction.
11. 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.
12. All leftover construction debris shall be removed from this site prior to it becoming operational.
13. CSAH 6 must be brought back to pre-construction if damaged due to construction traffic.
14. Applicant shall provide a financial guarantee for decommissioning said solar array site prior to the applicant being issued a building permit and commencing construction on this site. Sand Guarantee shall be for a minimum of \$75,000. This financial guarantee shall be kept in effect until the solar array site is removed.

Tempel states that Xcel is taking a very long time to get the Interconnection Agreements out. He is wondering if this application can be good for 2 years instead of one.

Schultz says no, but he can apply for an extension.

Smith makes a motion to close the public hearing.

Salzl seconds the motion.

Motion carried 7-0

Turck makes a motion to approve the application with conditions.

Loff seconds the motion.

Motion carried 7-0.

5:29pm

Jans opens the public hearing for Andrew Engh, 6281 Rhoades Ave SW, Cokato, MN 55321. Property located at 69545 233rd St, Dassel, MN 55325. That part of Lot Twelve (12), more fully described in the application. Harry A. Larson's Subdivision, Lake Washington. A Conditional Use permit application to move more than ten (10) cubic yards of material in the Shore Impact Zone and more than fifty (50) cubic yards of material in the Shoreland District in the R-1 Suburban Residential District and within the Shoreland District.

Andres Engh is present for this hearing.

Schultz: This property is approximately 44,000 square feet, riparian, R-1 Suburban Residential zoned, part of H.A. Larson's Subdivision lot 12 platted 1919 with a property address 69545 233rd st, Dassel MN, located in Section 31, Township 119, Range 29 in Dassel Township. Lake Washington is considered a General Development Lake.

Currently there is a cabin built in 1930 and a utility shed built in 1980. Septic system installed sometime in the 1998 with compliance in 2011. No other permits were found for the property.

The property owners are requesting to install rip rap on the shoreline. Install boulder walls and place a 600 square foot Flagstone area. Total materials for the project will be 11 yards of boulders, 32 yards of rip-rap, and 4 yards flagstone for an approximate 47 cubic yards of materials to be brought into the shore impact zone for the project.

Total impervious for the site after the project will be approximately 6,000 square feet or approximately 14%.

[Ethan Jenzen DNR area hydrologist commented that no DNR permit would be required for the project.]

As per [Article 19A.04. C.2.d] Movement of more than 10 cubic yards of material in the shore impact zone and/or 50 cubic yards of material in the shore land district requires an approved conditional use permit from the County.

Hempel asks how many steps he has going down to the lake. *About 60.*

Engh says that the area needs to be cleaned up.

Hempel agrees.

Jans see no problem with this application.

Hempel makes a motion to close the public hearing.

Smith seconds the motion.
Motion carried 7-0.

Schultz reads the conditions:

1. The total cubic yardage moved and/or brought onto this site shall be a maximum of 55 cubic yards of material.
2. Engineering completed by a licensed structural engineer licensed in the State of Minnesota for any walls that are four feet or taller.
3. The project shall be completed as per the plans submitted with this application.
4. All required additional permits shall be obtained if needed prior to commencing the project or project extends beyond scope submitted.
5. Erosion control shall be implemented and maintained on-site until permanent vegetative cover is established to prevent erosion of material into sensitive areas.
6. The applicant and/or property owner shall notify Meeker County Planning & Zoning within seven days of completion of this project.

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

5:36pm

Jans opens the public hearing for Solar Club 32 (applicant), 315 Manitoba Ave, #200, Wayzata, MN 55391 and Michael & Christine Buer (owners), 54823 310th St, Grove City, MN 56243. That part of the North Half (N ½) of the Northwest Quarter (NW ¼) and the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼). Section Twenty Seven (27), Township One Hundred Twenty (120), Range Thirty Two (32), Swede Grove Township. A Conditional Use application to construct a One (1) Megawatt Community Solar Garden consisting of approximately 4,000 solar panels and the related solar array equipment and infrastructure in the A-1 Agricultural Preservation District.

Michael Cathcart is present for this hearing.

Schultz: This property is a one hundred twenty (120) acre parcel in the A-1 Agricultural Preservation District. Located in section 27, township 120, range 32 of Swede Grove Township. This property is adjacent to CSAH 25 north of Grove City approximately 2 miles. Currently on this property there are no buildings with approximately 120 tillable acres.

This site was originally granted CUP #15334 in June of 2020 for the same size and configured solar garden. June 1, 2021 the site was granted a one-year extension of the 2020 CUP due to interconnection delays with Xcel energy. June 2nd 2022 that extension expired thus the reapplication for the project.

This application is for a proposed one (1) megawatt community solar garden project with approximately 4,000 single axis tracker solar panels with a maximum height of 12'. The project is proposed to consist of the installation of solar panels, inverters and racking. The equipment is designed to withstand up to 90 MPH wind and 50 pounds per square foot of snow. No permanent structures are proposed to be built on-site.

The solar garden will have one concrete equipment pad, less than 320 square feet to support interconnection and metering equipment.

The existing distribution line is on the west side of CSAH 25. As per the application this project will generate electricity and will interconnect directly to the existing Xcel Energy distribution system. A signed agreement with the local utility company will be submitted with the application for a Building Permit.

The existing vegetation around the perimeter of the site will be retained. Native plantings will be used as ground cover. These grasses and forbs will enhance local biodiversity, consistent with the Pollinator Protection Pledge of the local solar power industry. A 7' foot galvanized chain link fence will be installed for safety and security. The fence will meet all appropriate setback requirements. A freestanding sign with emergency contacts and procedure's will be placed near the entrance to the site. No water and sewer will be necessary on this site.

Construction is expected to take 4 to 6 months. Monitoring of the facility will be by data acquired by the facility meteorological station, energy meter and SCADA (Supervisory Control and Data Acquisition) system. Access will be from the existing field approach CSAH 25 access located at the SW corner of property. A permit from the Meeker County Highway department will be needed if modification is going to take place on the existing field approach access. The 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. Surface water is proposed to be controlled through plantings and vegetation and should be improved from the present values generated by a plowed field of row crops. The applicant has submitted a complete interconnection application which is in the study process with Xcel Energy with this application. A decommissioning plan has been submitted with this application with an estimate of \$23,984 for the decommissioning of this site. Decommissioning shall include removing the arrays, inverters, transformers and the above ground portions of the electrical collection system, lights and fencing from the project. As per Sec. 22.24.1 a CUP is required for a large solar array.

Jans states that this application was originally approved in 2020 and expired.

Jans asks if they are able to get the interconnection agreement this time, so they don't have to come back.

Cathcart says that their project is actively being studied. Once you submit an application it is put on a wait list. This project is off the wait list and is actively being studied. Then we have to follow Xcel's parameters, so it's hard to tell when we'll get the interconnection agreement. The biggest this is capacity at the feeder and substation for Xcel. If they don't have the ability to take energy we are producing, they will tell us before we enter the study phase.

Hempel asks how it works with the subsidies that expire next year. Are you guaranteed a subsidy when you do the application? *Cathcart does not know.*

Schultz reads the conditions:

1. The 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. The applicant shall implement dust control measures within the project site area as necessary until permanent vegetative cover is re-established.
5. Applicant shall follow all rules and regulations as are stated in the Meeker County Zoning Ordinance Section 22.24.1.

6. 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.

7. Applicant shall submit a copy of a certificate of insurance for liability and workers compensation insurance annually, which shall require Meeker County is included in the form of additional insured status, listed as primary and non-contributory 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 \$1,500,000 per occurrence. With proof of insurance provided annually.

8. 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.

9. An appropriate easement for maintenance of the interconnection facilities shall be established and recorded prior to the applicant/owner being issued a building permit and commencing construction of said project.

10. Applicant must provide a signed, fully executed copy of the Interconnection Agreement to Meeker County Planning and Zoning prior to the applicant being issued a building permit and commencing construction.

11. 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.

12. All leftover construction debris shall be removed from this site prior to it becoming operational.

13. CSAH 25 and 300th Street must be brought back to pre-construction condition if damaged due to construction traffic.

14. Applicant shall provide a financial guarantee for decommissioning said solar array site prior to the 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.

Salzl makes a motion to close the public hearing.

Hempel seconds the motion.

Motion carried 7-0.

Smith makes a motion to approve with the conditions.

Turck seconds the motion.

Motion carried.

5:54pm

Jans opens the public hearing Glen & Ingrid Hendrickson, PO Box 331, Dassel, MN 55325. Property located at Lot Three (3), Block One (1), Asplin Woods Addition, Dassel Township. An

application to Rezone land from R-1 Suburban Residential District to R-2 Rural Residential District.

Glen & Ingrid Hendrickson, Ryan Kral and Caleb Lee are present for this hearing.

Schultz: Property parcel 07-1047000 is approximately 18.55 acres and is considered lot 3 Block 1 of Asplin Woods Addition. The site is located in Section 22, Township 119, Range 29 of Dassel Township. The South East part of this property is partially located within the shoreland district of the Recreational Development classed Long Lake. This parcel is currently zoned R-1 Suburban Residential.

Asplin Woods Addition was rezoned to R-1 and platted June of 2020. Currently on the property there are no buildings or development.

The property owners are proposing to rezone parcel 07-1047000 which is currently R-1 Suburban Residential District to R-2 Rural Residential District in order to plat Asplin Ridge for 3 lots with building eligibilities and R-2 options. CSAH 4 will be the access for the lots. Dassel Township from there May 13, 2022 meeting gave their permission to put in an 18-inch culvert for a new driveway to be built off County Road 4 for the plat.

Kral says that he owns the property to the east of this. He has no problem with the development, but is concerned where the driveway will be located and the water flow. He believes 2 culverts will need to be installed.

Jans says the rule of thumb is that you can't interfere with waterflow.

Glen Hendrickson states that there has been a change since the location of the road was moved to the center of the driveway. It will be on top of the hill. There will be culverts for redirecting water. The approach will go across from 247th Street.

Kral and Hendrickson both look over the plat and are ok with the proposal.

Hempel makes a motion to close the public hearing.

Salzl seconds the motion.

Motion carried 7-0.

Hempel makes a motion to approve the rezone.

Turck seconds the motion.

Motion carried 7-0.

6:03pm

Jans opens the public hearing for Glen & Ingrid Hendrickson, PO Box 331, Dassel, MN 55325. Property located at Lot Three (3), Block One (1), Asplin Wood Addition, Dassel Township. An application to consider the Preliminary Plat for three (3) lots of the R-2 Rural Residential District zoned plat of Asplin Ridge.

Schultz: The plat is made up of the 18.55-acre parcel 07-01047000. This Parcel is Lot 3 Block 1 of Asplin Woods Addition located in Section 22, Township 119, Range 29 of Dassel Township. The South East part of this property is partially located within the shoreland district of the Recreational Development classed Long Lake.

Currently this parcel does have an eligibility due to the plat of Asplin Woods Addition in 2020. The property owners have made application for the consideration to re-plate Lot 3 Block 1 of Asplin woods addition to the three (3) lot plat of Asplin Ridge. As per the survey, the lots meet or exceed the minimum

lot size requirements for R-2 zoned lots that are non- riparian to an R.D. lake. Lot 1 will be 9.0 acres, lot 2 will be 3.91 acres, lot 3 will be 5.64 acres.

Appropriate soils information to show that the lots have the capability to establish a primary and secondary septic site. Contours shown on the preliminary plat indicate surface water on lot 1 will mainly run to the North towards the wetland and West. On Lot 2 they will run mainly to the South West towards the wetland or the East. For Lot 3 water will run mainly to the West towards the wetland with some to the east. Surface water patterns are not proposed to be changed based on this plat being established. A wetland delineation was completed for the site by Ag Wetland Services on October 24, 2018. No stormwater permit is needed since less than 1 acre would be disturbed during construction.

A title opinion has been submitted on this property and reviewed as satisfactory. One comment from Emily Woods is that Boulder Creek Enterprises, LLC be added to the plat as fees owner or the contract for deed be satisfied and a warranty deed in satisfaction of the contract be recorded prior to finalizing the plat. The applicant has submitted information from the Dassel Township May 13, 2022 giving permission to Glen Hendrickson for an 18-inch culvert for the purpose of a new driveway being built off County Road 4 for the plat. A loan approval of \$26,000 was received for a road through Asplin Ridge. The county engineer indicated that the approach to the property needs to line up with the approach across the road from 247th street.

Salzl makes a motion to close the public hearing.
Turck seconds the motion.
Motion carried 7-0.

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

6:08pm

Jans opens the public hearing for Justin Wagner, 65501 295th St, Litchfield, MN 55355. Property located at 28167 668th Ave, Litchfield, MN 55355. Lot Three (3), Cedar Lane, Dunns Lake, Forest City Township. An application for a Conditional Use permit to move more than fifty (50) cubic yards of material in the Shoreland District and more than ten (10) cubic yards of material in the shore impact zone all in the R-1 Suburban Residential District and within the Shoreland District.

Jodi Tvedt is present for this hearing.

Schultz: This property is approximately 17,000 square feet, riparian, R-1 Suburban Residential zoned, part of Cedar Lane lot 3 platted 1958 with a property address 28167 668th Avenue, Litchfield MN, located in Section 34, Township 120, Range 30 in Forest City Township. Dunns Lake is considered a Recreational Development Lake.

Currently there are no Structures on this property. No other permits were found for the property.

The property owners are requesting to install rip rap on the shoreline. Install boulder walls, stairs and a beach area. Total materials for the project will be 11 yards of boulders, 10 yards of rip-rap, and 15 yards steps and 10 yards of sand for an approximate 46 cubic yards of materials to be brought into the shore impact zone for the project.

Total impervious for the site after the project will be approximately 300 square feet or approximately 2%.

Ethan Jenzen DNR area hydrologist at the time of this meeting has not commented on the project.

As per [Article 19A.04. C.2.d] Movement of more than 10 cubic yards of material in the shore impact zone and/or 50 cubic yards of material in the shore land district requires an approved conditional use permit from the County.

Smith says this will be a wonderful improvement.

Schultz reads conditions:

1. The total cubic yardage moved and/or brought onto this site shall be a maximum of 55 cubic yards of material.
2. Engineering completed by a licensed structural engineer licensed in the State of Minnesota for any walls that are four feet or taller.
3. The project shall be completed as per the plans submitted with this application.
4. All required additional permits shall be obtained if needed prior to commencing the project or project extends beyond scope submitted.
5. Erosion control shall be implemented and maintained on-site until permanent vegetative cover is established to prevent erosion of material into sensitive areas.
6. The applicant and/or property owner shall notify Meeker County Planning & Zoning within seven days of completion of this project.

Hempel makes a motion to close the public hearing.

Salzl seconds the motion.

Motion carried 7-0.

Hempel makes a motion for approval with the conditions.

Loff seconds the motion.

Motion carried 7-0.

6:16pm

Final plat for Lund Hills.

Smith makes a motion for approval.

Euerle seconds the motion.

Motion carried 7-0.

6:17pm

Jans states that he'd like to have maximum size lots for all these rezones and plats. He feels the valuable ag land is getting used up.

Hempel disagrees. She doesn't like the land used up for solar gardens.

The Board discusses their views.

Schultz points out that the Board can refuse the rezones and plats. Especially if they are spot zones.

6:47pm

Schultz goes through the Finding of Facts with the Board for the preliminary plat of Asplin Ridge.

6:49pm

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