

SHERBURNE C O U N T Y



*Sherburne County
Planning Advisory Commission Meeting Minutes
January 20, 2022
6:00pm*

The Sherburne County Planning Advisory Committee met in the Board Room at the Sherburne County Government Center in Elk River, Minnesota on January 20, 2022 to hold a public hearing for all unincorporated areas of Sherburne County in which the County has zoning and land use authority, along with the Township of Big Lake, the Township of Baldwin and the Township of Livonia, to consider the evening's agenda and other planning and zoning related topics.

Chairperson, Bryan Lawrence called the meeting to order and roll was taken.

The following members were present:

Chair, Bryan Lawrence, Baldwin Township; Vice-Chair, Bruce Aubol, Big Lake Township; Roger Nelson, Blue Hill Township; Bryan Adams, Orrock Township; Terrance Vandereyk, Clear Lake Township; Kathi Sims-Kosloski, Haven Township; David Jehoich, Santiago Township; Steve Demeules, Palmer Township; Barbara Burandt, Commissioner

The following staff members were present:

Zach Guttormson, Assistant Zoning Administrator; Marc Schneider, Senior Planner; Carrie Winter, Secretary.

Lawrence stated that the meeting was being recorded. Lawrence added that the Planning Commission is a recommending body. These items heard tonight at the Planning Commission Public Hearing will be heard by the County Board of Commissioners on February 8, 2022 at 9:00am.

Demeules made a motion to approve the minutes from the December 16, 2021 Public Hearing. Sims seconded. Motion carried and the minutes were approved for the December 16, 2021 Public Hearing. Nelson added that for 20 years he has been involved with the Township and the County and that gravel pits are an asset. Nelson feels that the conversations and minutes were excessive during the December meeting and that the County had worked through this and had Conditions.

Adams made a motion to approve the Public Hearing agenda for January 20, 2022. Aubol seconded. The motion carried and the Public Hearing agenda for January 20, 2022 was approved.

Agenda:

1. **Election of 2022 Planning Advisory Commission Officers**
2. **Emily Ace Storage LLC** Requesting a Preliminary and Final Simple Plat approval of **“Moto Estates”** consisting of 2 (two) lots.
3. **Pickerel Gardens LLC** Requesting an Interim Use Permit for a 1 MW Solar Farm

Agenda Item #1-6:05pm

Election of 2022 Planning Advisory Commission Officers

Lawrence stated the current officers are Chair; Bryan Lawrence, Vice-Chair; Bruce Aubol and Secretary; Carrie Winter. Lawrence explained that Baldwin is planning to take on their own Planning and Zoning, and when this is accomplished his seat at this table will be null and void. He does not have a firm timeline, this could be the next couple of months; they need to hold a Public Hearing for their Ordinances, which takes time to post. In addition, this will need to go before the County Board to endorse this request. Lawrence stated that he has been honored to serve as the Chair and if reelected, could do so until that time, or if this Board would like to replace him now, then this is an option as well.

Lawrence then opened the elections for 2022.

Nelson moved to keep the current officers in current positions, Demeules seconded.

Lawrence confirmed that he is okay with this.

Aubol stated that he is okay with this as well and also stated that he does not wish to become chair when that time comes.

Winter confirmed her appointment as secretary.

The motion carried and the current officers were elected to continue their current roles for the 2022 calendar year.

Agenda Item #2 -6:07pm

Emily Ace Storage LLC Requesting Preliminary and Final Simple Plat approval of **“Moto Estates”** consisting of 2 (two) lots.

PID 01-021-2105 Section 21, Twp 35 Rge 26 Address 29936 US Highway 169 NW, Princeton, Baldwin Township 14.52 acres in the General Rural Zoning District

Marc Schneider, Senior Planner presented the request to the Planning Commission including the board packet, attachments, and comments.

PLANNING COMMISSION’S PACKET ATTACHMENTS:

- A. Aerial Photo
- B. Minutes from Baldwin Township’s Town Board Meeting (December 6, 2021)
- C. Preliminary Plat (Date Stamped - November 24, 2021)
- D. Final Plat (Date Stamped - November 24, 2021)

BALDWIN TOWNSHIP COMMENTS: (December 6, 2021): Recommend approval. (See Attachment B)

DEPARTMENT/AGENCY COMMENTS:

Tom Cruikshank (December 14, 2021): If there are no changes in access to US 169 then we would not have any substantive comments. Any future change would require review and possibly a permit to make changes.

Russ Heiling, County Surveyor (December 14, 2021): All comments have been addressed.

David Roedel, Asst Public Works Director (November 16, 2021):

1. No concerns with the Simple Plat application.
2. Lot 1 will access via the adjacent road to the west. Lot 2 would be subject to MnDOT requirements since access is to MnDOT Right of Way.
3. The Sherburne County Public Works Department will require park dedication fees for the 1 lot at \$800 per lot, totaling \$800. The lot the existing home does not require Park dedication fees. Park fees must be paid prior to the Public Works Department signing the plat mylars.

Mike Lindenau, County Ditch Inspector (November 19, 2021): No issues.

Bonnie Jacobs, Property Tax Manager: No comment received.

PLANNING & ZONING STAFF COMMENTS:

1. The applicant is proposing to create two (2) lots from a 14.52-acre parcel. This property has an existing house and a 3,600 sq. ft. detached accessory building located on it.
2. Proposed Lot 1 will be a 10.59-acre parcel with an existing house and a detached garage that will gain road access to 299th Ave NW. The developer has received the necessary road access permits from Baldwin Township for a driveway to 299th Ave NW. This lot will not access US Hwy 169. The septic for the house on this lot had a passing compliance inspection in September 2021.
3. Proposed Lot 2 will be a 2.5-acre parcel with road access to US Hwy 169. This proposed lot has an existing 3,600 sq. ft. accessory building that had a Conditional Use Permit for a Home Business in Accessory Building that was revoked in 2014 (Doc. No. 795973). This building has finished living space and a septic system that had a passing compliance inspection in September 2021.
4. Proposed Lot 2 will maintain road access to US Hwy 169 along with PID 01-021-2106 via a private ingress/egress and utility easement (Doc. 294381). The applicant intends to convert the existing accessory building into a single-family dwelling once the plat is recorded. The 3,600 sq. ft. accessory building on Lot 2 shall be considered a legal nonconforming structure once the plat is recorded and will be governed by the County's and State's nonconformity rules. This building may be unusable until it is converted into a residence. The applicant has a pending building permit application to convert this building to a single-family dwelling.
5. A wetland delineation has been completed for this plat. There is a wetland abutting the dedicated right of way of US Hwy 169 that is not proposed to be impacted.

RECOMMENDED CONDITIONS IF APPROVED:

1. In accordance with Section 8 (Simple Plats), Subdivision 2.E. (Restrictions) these parcels may not be subdivided within two years of County Board approval of the Final Plat.
2. Park dedication fees for 1 lot are \$800.00. Park fees must be paid prior to the Public Works Dept signing the plat mylars.
3. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.
4. Lot 1, Block 1 road access shall be to 299th Ave NW, no access to US Hwy 169 will be permitted.

Planning Commission Discussion Followed:

Seth Monroe, Rum River Land Surveyors and Engineers, 505 First Street, Princeton, came forward as the representative of the plat application. He stated that he had worked with County staff since Day 1, prior to putting the plat together and had addressed all comments.

Lawrence asked if he understands and can abide by the recommended (4) Conditions.

Monroe confirmed.

Lawrence explained that the intent of the current property owner is for their daughter to live in the existing residence and the son will live in the other dwelling; how they will convert it to a dwelling he does not know, other than it seems to have the features at this point in time to be a residence. Baldwin is in support of this application and how the current property owner intends to use it.

Lawrence opened the Public Hearing.

No public comment was received nor did anyone appear at the Public Hearing.

Adams moved to close the Public Hearing. Jehoich seconded. The motion carried and the Public Hearing was closed.

Demeules made a motion to recommend approval of the Preliminary and Final Plat of "Moto Estates" consisting of (2) lots, with the (4) Conditions. Vandereyk seconded.

Conditions:

1. In accordance with Section 8 (Simple Plats), Subdivision 2.E. (Restrictions) these parcels may not be subdivided within two years of County Board approval of the Final Plat.
2. Park dedication fees for 1 lot are \$800.00. Park fees must be paid prior to the Public Works Dept signing the plat mylars.
3. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.
4. Lot 1, Block 1 road access shall be to 299th Ave NW, no access to US Hwy 169 will be permitted.

The motion carried and the Preliminary and Final simple plat of "Moto Estates" consisting of (2) lots is recommended for approval to the County Board with the (4) recommended Conditions.

Agenda Item # 3-6:14pm

SOLAR FARM- Pickerel Garden LLC (Property Owner: Thomas Jr & Penney Hammer- Trust) Request for an Interim Use Permit for a 1 MW Solar Farm

PID 20-213-3400, Address: 6700 State Hwy 24 SE, Clear Lake, Section 13, Clear Lake Township 50.5 Acres in the Agricultural Zoning District

Zach Guttormson, Assistant Zoning Administrator, presented the request to the Planning Commission including the board packet, attachments, and comments.

PLANNING COMMISSION PACKET ATTACHMENTS:

- A. Aerial Photo
- B. Site Plan (date stamped December 8, 2021)
- C. Project Description Plan (date stamped December 8, 2021)
- D. Decommissioning, Restoration & Repowering Plan pgs. 12 & 13

CLEAR LAKE TOWNSHIP COMMENTS (December 23, 2021): Township is in support of this application request as long as all County zoning requirements are met.

ANNEXATION AREA MEETING: (December 21, 2021) Zoning staff met with City of Clear Lake and Clear Lake Township on this request due to fact it is in an annexation area and under control of the Joint Planning Board. Both township and city were okay with proposed use as a solar farm.

DEPARTMENT/AGENCY COMMENTS:

Mark Renn, MNDOT (November 24, 2021): Must use same access as other solar farm on property

Fire Chief of Clear Lake: No comments received

County Attorney Office: No comments received

PLANNING & ZONING STAFF COMMENTS:

1. Pickerel Garden LLC is proposing to place a 1 MW solar farm on this property. This 1 MW site will take up a fenced area containing the solar panels of 6.4 acres.
2. They are proposing to have three (3) new utility poles for this solar farm for connection with Xcel Energy.
3. Site will have approximately 2,720 tracking solar panels that will follow the sun. The racking system is installed in the ground with pilings at a depth of 8 ft – 14 ft.
4. Applicant is proposing to plant Eastern Red Cedar trees around the perimeter of the project except the west side where another solar farm is in the process of being constructed and building permit for that site was issued in October 2021.
5. Closest house is more than 1,200 ft southwest of proposed solar farm.
6. Access to the proposed solar farm shall be an existing driveway access on MN State Highway 24.
7. All above and below ground equipment, wiring, concrete, etc. must be removed from site when decommissioned.
8. A 7 ft tall chain link barbed wire fence is proposed.

9. The well on the property will remain open and facilitate pivots on abutting parcels to the west and north.
10. A Glare Study was not required because proposed solar farm is not utilizing a reflector solar system.

RECOMMENDED CONDITIONS IF APPROVED:

1. Building permit required for on-site supply structure if over 200 sq ft in size.
2. Building permit required for installation of solar panels with engineered plans submitted.
3. If the required chain link fence around the perimeter of the facility exceeds 7 ft in height it will require a building permit with engineered plans.
4. A Stormwater Erosion Control permit will be required from the County Zoning Dept prior to any grading on the property and prior to a building permit being issued.
5. Must obtain an NPDES permit from the MPCA and provide a copy to the County Zoning Dept prior to commencing construction.
6. Property owner shall ensure that MPCA day & night-time noise standards are not exceeded at any time.
7. Operational hours allowed during construction of the facility are Monday through Friday 7AM - 7PM.
8. Decommissioning of solar panels and related facilities must occur in the event the IUP expires or is terminated, and/or the solar panels are not in use for twelve (12) consecutive months. Must follow the Decommissioning & Reclamation plan date stamped December 8, 2021.
9. Prior to issuance of a building permit for the project, the applicant shall provide financial security in the amount of \$100,000 per MW, in favor of Sherburne County, to guarantee compliance with the decommissioning plan, site restoration and other terms of this Permit upon project termination or termination of this Permit. The financial security shall be in a form acceptable to the County and, at a minimum, shall consist of a cash escrow to be deposited with the County in an amount no less than 50% of the total required financial security, with an initial deposit of 25% of the total amount deposited prior to issuance of the building permit and eight and one-third percent (8 1/3%) of the total amount deposited annually for three years on or before the anniversary of the issuance of the building permit. The remaining amount of the total financial security shall be provided by way of an irrevocable letter of credit, which shall be in a form acceptable to the County Attorney's Office and provided prior to the issuance of a building permit, and shall meet the following minimum standards (additional standards may be required): the irrevocable letter of credit shall be issued by a federally chartered or State of Minnesota chartered banking institution with an branch office located within Sherburne County; shall be issued in the name of the County of Sherburne; shall be issued in an initial amount no less than 75% of the total financial security required by this Permit; shall permit the County to draw on the funds upon demand based on the County's determination of non-compliance with the terms of this Permit; shall be for an initial term to be established and shall automatically renew for additional terms unless the bank gives the County at least 60 day written notice of an intent to terminate the credit at the end of a term; shall permit the County to draw upon the letter of credit for the full amount in the event a replacement letter of credit acceptable to the County is not issued at least 30 days prior to the expiration of the existing letter of credit; and shall provide that the letter of credit may not be amended without the written permission of the County.
10. No activities may occur onsite until applicant submits a signed an interconnection agreement as required in Section 17, Subd 17 (1A) of the ordinance and proof that the scope of the project is permitted by the Minnesota Public Utilities Commission.
11. The site will be revegetated within 30 days after construction with a low growth & low maintenance native pollinator friendly seed mix not exceeding 24 inches in height. The property will be treated &

maintained as needed during the spring & summer months to manage vegetation growth. Property owner will be responsible for vegetation control & weed management during the project's operating life.

12. Must install 6 foot tall Eastern Red Cedar trees around entire solar farm (except on west side, due to fact solar farm is being constructed to the west) as shown on Site Plan (Attachment B) date stamped December 8, 2021. The trees must be planted staggered in two (2) rows, in each row the trees may be planted no more than 8 feet apart. All planted trees on the property must be maintained and watered as necessary for the duration of the permit. Any dead trees must be replaced on a yearly basis.
13. This IUP is to be valid for 35 years until December 31, 2057. This IUP is valid for Pickerel Garden LLC and Thomas Jr and Penney Hammer - Trust.
14. Access to the proposed solar farm shall be via an existing driveway access from MNDOT (Permit#3BA202197990) on MN State Highway #24 in the southeast portion of the property.
15. Decommissioning of project shall involve removal of all project components, including without limitation, solar panels, panel trackers, anchors, supports, mounts, inverters, underground electrical components underground conduit housing & all underground footings & posts.
16. Signage and emergency contact numbers must be posted at the access driveway to property.
17. The findings in Section 18, Subd 6, Item 4 of the Zoning Ordinance have been made.
18. The applicant shall allow the County to inspect the property during normal business hours.
19. The applicant shall comply with all federal, state, and local laws and regulations.

Planning Commission Discussion Followed:

Brendan Dillon, 4856 Dupont Ave, Minneapolis, came forward as the applicant of the Solar Farm. He stated that this project is alongside other projects on this parcel and it seems like a good site for another project to work with the Hammers on. This project already has an interconnection agreement with Xcel. So, as they work through the permitting process it is very likely that this will begin being built this summer and may be done by the end of 2022.

Lawrence asked Guttormson about the Solar Farm to the East and the one that is being built to the West; Lawrence asked about the rules of adjacent solar farms. We talked about all of these 1 MW Solar Farms that are supposed to go in, because there is not supposed to be a huge solar farm. Is this a concern as he recalls this being noted in the past? He asked Schneider if any further discussion has occurred with this.

Schneider stated that this concern was more about the capacity on the lines and how the subsidies were allocated. He believes that only 1 MW Solar Gardens are allowed. There was a Moratorium in 2018 that identified certain areas for Solar Farms in the County.

Lawrence deferred to the applicant on the 1 MW Solar Farm question.

Dillon replied its State Law that governs Solar Gardens allowing a maximum of a 1 MW Solar Garden. This switched in 2017, from 5 MW Solar Gardens to 1 MW Solar Gardens. You used to be able to do 20-25 acres and now it's down to the 5-6 acres that you see today. It was a political decision so it depends on who you ask when you ask why it went from 5 MW to 1 MW. Xcel will tell you that it's easier for them when they talk about planning their grid to work with 1 MW rather than 5 MW, and that this will

happen over a longer period of time, but Xcel isn't driving this program; private developers are. Others will tell you that it does suppress the economics of it to work with a 5 acre project rather than a 100 acre project.

Lawrence asked what stage the project to the West is in.

Dillon stated that his understanding is that they have a permit and they have an interconnection agreement with Xcel and they plan to build this year. Dillon has an agreement with them to share the access road. That's as far as he knows.

Lawrence asked if the same company was going to build these at the same time or if it would be built out in 2 phases.

Dillon confirmed that they would be built separately and said that this is the way that the law is written; you can't build them at the same time.

Guttormson noted that the Solar Farm that did not apply for a permit in October, did not obtain a permit by the deadline as Conditioned in the IUP so the Board will be seeing this application again as it has been submitted and is being processed.

Lawrence stated that this one will be ahead of that one.

Guttormson confirmed and added if they apply for the building permit sooner (than the other).

Adams asked about the status of the large solar farm in Northwestern Sherburne County that Xcel is building.

Schneider stated that there have been discussions about this and it's in the process with Public Utilities Commission (PUC), because of the size of it. We don't have a lot of engagement with it, but at this time it is moving forward.

Adams asked about the grid; as we are building more sustainable energy, what if the grid goes down? How are the inverters energized for solar?

Dillon replied that they do require the distribution grid to be up and running to operate, the way they are constructed, per the rules of Xcel. There is a way that you could operate if the grid goes down, but Xcel doesn't allow that. When the grid goes down, they need everything to go down, so this is the way that they require that these systems are engineered.

Sims asked about recommended Condition #8, when it talks about 12 months not in use, how is this monitored by the County since it is a Condition?

Dillon stated that there would be very few reasons why this would be shut down, the expectation is that this will run for 25-30 years. It would be an economic decision in the lifetime of the asset when the cost to produce the electricity becomes more than the project.

Vandereyk commented that he would like to draw attention to Condition #11, he didn't see a seed mix in the plans.

Dillon stated that they typically hire a contractor to design the seed mix based on the soil conditions.

Lawrence asked about no trees on the western side, he realizes that there is another solar farm going in. What will be the distance between solar farms, as there are no trees? The other one will be coming in and we will grant the same request.

Guttormson confirmed, the concern is what if that solar farm doesn't go in.

Lawrence confirmed that this is his point.

Vandereyk said that there is an approach that is built off of Hwy 24 so there appears to be intention.

Lawrence asked if there should be a contingency, if the other isn't built in 2 years, or something like that, then the developer has to put in those trees. We rarely waive the trees.

Dillon stated that this has been the conversation with the other developer. They are going to build it, it will be close to our fence line; maybe 20-30 feet and this was the reason for no trees, it doesn't make any sense to put trees in between solar farms.

Lawrence stated that logically he agrees, but adding a Condition as a contingency would be a good idea if no solar farm is built to the West.

Demeules agreed, stating that it doesn't cost anything to put it in there.

Lawrence suggested (2) years. He proposed adding Condition #20, if within a 2 year period of the granting of this IUP, if there is no solar farm to the west, the applicant will be required to plant trees on the western border.

Dillon asked what starts the 2 year period?

Lawrence replied that he had stated, the granting of the IUP.

Dillon stated that this seems reasonable, for him, as long as the rules are written so he knows exactly when.

Lawrence opened the Public Hearing. No one from the public spoke nor were any comments received.

Sims made a motion to close the Public Hearing. Adams seconded. The motion carried and the Public Hearing was closed.

Lawrence asked the applicant if he understands and can abide by the (20) Conditions.

Dillon confirmed.

Vandereyk made a motion to recommend approval of the Interim Use Permit for a 1 MW Solar Farm with the (20) Conditions. Adams seconded.

Conditions:

1. Building permit required for on-site supply structure if over 200 sq ft in size.
2. Building permit required for installation of solar panels with engineered plans submitted.
3. If the required chain link fence around the perimeter of the facility exceeds 7 ft in height it will require a building permit with engineered plans.
4. A Stormwater Erosion Control permit will be required from the County Zoning Dept prior to any grading on the property and prior to a building permit being issued.
5. Must obtain an NPDES permit from the MPCA and provide a copy to the County Zoning Dept prior to commencing construction.
6. Property owner shall ensure that MPCA day & nighttime noise standards are not exceeded at any time.
7. Operational hours allowed during construction of the facility are Monday through Friday 7AM - 7PM.
8. Decommissioning of solar panels and related facilities must occur in the event the IUP expires or is terminated, and/or the solar panels are not in use for twelve (12) consecutive months. Must follow the Decommissioning & Reclamation plan date stamped December 8, 2021.
9. Prior to issuance of a building permit for the project, the applicant shall provide financial security in the amount of \$100,000 per MW, in favor of Sherburne County, to guarantee compliance with the decommissioning plan, site restoration and other terms of this Permit upon project termination or termination of this Permit. The financial security shall be in a form acceptable to the County and, at a minimum, shall consist of a cash escrow to be deposited with the County in an amount no less than 50% of the total required financial security, with an initial deposit of 25% of the total amount deposited prior to issuance of the building permit and eight and one-third percent (8 1/3%) of the total amount deposited annually for three years on or before the anniversary of the issuance of the building permit. The remaining amount of the total financial security shall be provided by way of an irrevocable letter of credit, which shall be in a form acceptable to the County Attorney's Office and provided prior to the issuance of a building permit, and shall meet the following minimum standards (additional standards may be required): the irrevocable letter of credit shall be issued by a federally chartered or State of Minnesota chartered banking institution with an branch office located within Sherburne County; shall be issued in the name of the County of Sherburne; shall be issued in an initial amount no less than 75% of the total financial security required by this Permit; shall permit the County to draw on the funds upon demand based on the County's determination of non-compliance with the terms of this Permit; shall be for an initial term to be established and shall automatically renew for additional terms unless the bank gives the County at least 60 day written notice of an intent to terminate the credit at the end of a term; shall permit the County to draw upon the letter of credit for the full amount in the event a replacement letter of credit acceptable to the County is not issued at least 30 days prior to the expiration of the existing letter of credit; and shall provide that the letter of credit may not be amended without the written permission of the County.
10. No activities may occur onsite until applicant submits a signed an interconnection agreement as required in Section 17, Subd 17 (1A) of the ordinance and proof that the scope of the project is permitted by the Minnesota Public Utilities Commission.

11. The site will be revegetated within 30 days after construction with a low growth & low maintenance native pollinator friendly seed mix not exceeding 24 inches in height. The property will be treated & maintained as needed during the spring & summer months to manage vegetation growth. Property owner will be responsible for vegetation control & weed management during the project's operating life.
12. Must install 6 foot tall Eastern Red Cedar trees around entire solar farm (except on west side, due to fact solar farm is being constructed to the west) as shown on Site Plan (Attachment B) date stamped December 8, 2021. The trees must be planted staggered in two (2) rows, in each row the trees may be planted no more than 8 feet apart. All planted trees on the property must be maintained and watered as necessary for the duration of the permit. Any dead trees must be replaced on a yearly basis.
13. This IUP is to be valid for 35 years until December 31, 2057. This IUP is valid for Pickerel Garden LLC and Thomas Jr and Penney Hammer - Trust.
14. Access to the proposed solar farm shall be via an existing driveway access from MNDOT (Permit#3BA202197990) on MN State Highway #24 in the southeast portion of the property.
15. Decommissioning of project shall involve removal of all project components, including without limitation, solar panels, panel trackers, anchors, supports, mounts, inverters, underground electrical components underground conduit housing & all underground footings & posts.
16. Signage and emergency contact numbers must be posted at the access driveway to property.
17. The findings in Section 18, Subd 6, Item 4 of the Zoning Ordinance have been made.
18. The applicant shall allow the County to inspect the property during normal business hours.
19. The applicant shall comply with all federal, state, and local laws and regulations.
20. If the solar farm to the west is not constructed within a 2 year period of the granting of this IUP, the applicant will be required to plant trees on the western border.

FINDINGS:

No Interim Use Permit shall be approved or recommended for approval by the County Planning Commission unless said Commission shall find:

Guttormson read the Findings while Vandereyk provided a response.

1. That the Interim 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. **YES** or **NO** WHY?

Yes, the proposed location of the solar farm is in an existing agricultural field. The closest adjoining neighboring house is at least 1,200 feet to the southwest. The land to the west is a solar farm in the process of being constructed. The adjoining parcels are either farmed or residential homes. The perimeter of the solar farm will be planted with trees to reduce visual impacts to adjoining properties.

2. That the establishment of the Interim Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. **YES** or **NO** WHY?

Yes, the IUP will be valid for 35 years. If the property owner no longer wants solar panels the infrastructure can be removed and the site can either go back to farming or be utilized for a new use. The property the solar farm is proposed on is zoned Agricultural District and could not be subdivided to less than 35 acre properties under current zoning regulations.

3. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. **YES** or **NO** WHY?

Yes, driveway access to MN State Highway #24 is existing and will be used for this solar farm. Utility lines necessary to transfer the electricity exist adjacent to the property.

4. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. **YES** or **NO** Why?

Yes, there is plenty of parking available on this property needed for construction and operations.

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. **YES** or **NO** Why?

Yes, construction of the site will cause noise and additional traffic, this will be temporary. Once the solar farm construction is complete traffic will be minimal and consist of company vehicles inspecting the panels on a weekly/monthly basis.

The motion carried and the Interim Use Permit for a 1 MW Solar Farm is recommended for approval to the County Board with the (20) Conditions and Findings of Fact.

Closing:

Nelson made a motion to adjourn the meeting. Demeules seconded. The motion carried and the meeting was adjourned at 6:34pm.

Submitted by Carrie Winter, Secretary.