

SHERBURNE C O U N T Y



*Sherburne County
Planning Advisory Commission Meeting Minutes
June 18, 2020
6:30pm*

The Sherburne County Planning Advisory Committee met in the Board Room, with the Board Chair present at the Sherburne County Government Center in Elk River, Minnesota and the remaining members joining via phone (due to Covid-19) on June 18, 2020 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 via phone:

Roger Nelson, Blue Hill Township; Lila Spencer, Livonia Township; Steve Demeules, Palmer Township; Vice-Chair, Bruce Aubol, Big Lake Township; Tim Dolan, County Board Commissioner; Bryan Adams, Orrock Township; Jeff Schlingmann, Haven Township; Terrance Vandereyk, Clear Lake Township; David Jehoich, Santiago Township.

Present in the Board Room was Chairman, Bryan Lawrence, Baldwin Township and the following staff members; Assistant Zoning Administrator, Lynn Waytashek; Senior Planner, Marc Schneider; Planner, Mitch Glines and Secretary, Carrie Winter.

Lawrence stated that each vote will occur with a roll call due to members attending via phone call. Lawrence stated that the meeting was being recorded and announced that the Planning Commission is a recommending body. Items recommended for approval by the Planning Commission will be heard by the County Board of Commissioners on July 14, 2020 at 9:00am.

Sherburne County Planning Advisory Commission Meeting Minutes
June 18, 2020

Demeules made a motion to approve the minutes from the May 21, 2020 Public Hearing. Schlingmann seconded. Motion carried and the minutes were approved for the May 21, 2020 Public Hearing.

Spencer made a motion to approve the Public Hearing agenda for June 18, 2020. Nelson seconded. Motion carried and the Public Hearing agenda for June 18, 2020 was approved.

Agenda:

1. **Blank Addition** (Property owners Joseph and Debra Blank): Requesting preliminary and final simple plat approval consisting of 1 lot.
2. **Pine Farms** (Property owner Trilogy Properties of MN, LLC): Requesting preliminary plat approval consisting of 4 lots (one existing house).
3. **Solar Club 15 LLC** (Property owner Thomas Jr & Penney Hammer): Requesting approval for an Interim Use Permit for a Solar Farm.
4. **Solar Club 34 LLC** (Property owner: Carol Hurrle): Requesting approval for an Interim Use Permit for a Solar Farm.
5. **Ahmed Habeeb Cheapest Cars Ever LLC** (Property owner Ervin and Raeanne Danielowski) Request for an Interim Use Permit for Business selling Vehicles, Boats and Farm Equipment

Agenda Item #1 -6:34

Blank Addition (Property owners Joseph and Debra Blank): Requesting preliminary and final simple plat approval consisting of 1 lot.

PID 45-003-3400, Address 1552 170th Ave SE 149th Ave SE Princeton, Section 3, Santiago Township, 35.12 Acres, in the Agricultural District.

Mitch Glines, Planner, presented the request to the Planning Commission including the Board Packet, Attachments and Comments.

PLANNING COMMISSION PACKET ATTACHMENTS:

- A. Aerial Photo
- B. Final Plat (revision date 04/23/2020)
- C. Preliminary Plat (revision date 04/28/2020)

SANTIAGO TOWNSHIP COMMENTS (05/13/2020): Recommended approval with favorable comments.

DEPARTMENT/AGENCY COMMENTS:

David Roedel, Deputy County Engineer (04/20/2020)

- 1. Sherburne County Public Works Engineering has no concerns with the proposed 2.5 Acres parcel. The property does not access directly to a County Road.
- 2. No park fees since it already has a house on the property.

Russ Heiling, County Surveyor (04/28/2020) All comments from 04/21/20 letter have been addressed. No additional comments. We will require a \$300 final plat check fee and title commitment for final plat review.

Bonnie Jacobs, County Auditor's Office (04/10/2020) – We would need the 2020 property taxes paid in full and since the property has green acres it would be subject to green acres payback.

Mike Lindenau, Co Ditch Inspector (04/9/2020) – I have no issues. Does not benefit from a county ditch.

PLANNING & ZONING STAFF COMMENTS:

- 1. The applicant is requesting to subdivide the existing home into a 2.56-acre parcel (L1B1-2.10 acres & ROW 0.46 acres) from the overall 35.12 acres. The remaining 32.56 acres will be added to an adjacent parcel ID 45-003-2310, which is owned by the Blank's. An Administrative Subdivision must be submitted to the Zoning Office and approved as the remaining parcel is less than 40 acres.
- 2. The applicant did receive two variances on 3/12/2020 from the Board of Adjustment. The variances allowed the applicant to apply for the 2.56-acre parcel (minimum lot size in the Agricultural District is 5 acres) and for the non-farmhouse to be less than 250' from the Ag land it abuts.
- 3. Since the variance was approved for the 250' setback requirement, the setback for non-farm housing abutting Ag land has been amended in the Zoning Ordinance to 100'. The existing house currently meets the required setback to the Ag field but does not meet the road setback of 67' to the road right of way (house is considered a legal non-conforming structure).

4. The existing accessory structures that do not meet the required road setbacks and accessory structure size requirements are considered legal non-conforming structures and must be rebuilt if destroyed by fire or other peril to meet the current Zoning Ordinance.
5. The septic for the existing home had a septic compliance completed on 7/24/2012 and was found to be in compliance.
6. No new roads will be constructed.

RECOMMENDED CONDITIONS IF APPROVED:

1. The remaining portion of PID 45-003-3400 will be added to parcel ID 45-003-2310 after the lot split by an Administrative Subdivision. A new legal description will need to be prepared, approved and recorded at the same time as the plat.
2. The house and accessory structures not meeting the required setbacks and maximum accessory structure size for the lot acreage are considered legal non-conforming structures and must be rebuilt to meet the required setbacks and current Zoning Ordinance if destroyed by fire or other peril.
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.

Planning Commission Discussion Followed:

Lawrence asked for confirmation of an irrigation pivot on the parcel.

Glines confirmed that the remaining 32.56 acres does have an irrigation pivot which is a reason that the lot is shaped the way that it is.

Craig Wensmann from Bogart, Pederson & Associates, 13076 1st Street, Becker came forward to represent the applicant.

Schlingmann asked for clarification on the center pivot; asking if this is what impacts the request from 5 acres to 2.5 acres.

Wensmann confirmed that there is a center pivot and that lot configuration was designed accordingly to accommodate that.

Lawrence added that at the Board of Adjustment meeting, the irrigation pivot was a major point in the Variance.

Spencer asked for clarification on the house and accessory buildings; asking if they do not meet current setbacks and must be rebuilt to meet required setbacks, is there enough area to rebuild and to meet setbacks?

Glines replied that abutting Ag structures need to be only 50 ft from the Ag field and the house needs to be 100 ft. With the size of the acreage on this lot, the maximum structure will be 1200 sq. ft.

Lawrence clarified that there is ample space to rebuild the house in a buildable spot.

Adams asked if this flies against the intent of preserving the Ag district for farmland versus a residential development.

Glines replied that this is specifically for the Ag land and if they were to do 5 acres for the lot, this would have impeded quite a bit. The house and buildings are of no use to the farmer as they want to utilize as much farmland as possible. This allows the applicant to preserve as much land as possible for farming.

Lawrence added that this request preserves more farmland than the other would have.

Aubol asked if there is a secondary septic site available if building is required.

Glines stated that there is a second location for a mound to the East of the current septic.

Lawrence opened the Public Hearing. No one from the Public spoke.

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

Jehoich made a motion for approval with the (3) recommended Conditions. Schlingmann seconded.

CONDITIONS:

1. The remaining portion of PID 45-003-3400 will be added to parcel ID 45-003-2310 after the lot split by an Administrative Subdivision. A new legal description will need to be prepared, approved and recorded at the same time as the plat.
2. The house and accessory structures not meeting the required setbacks and maximum accessory structure size for the lot acreage are considered legal non-conforming structures and must be rebuilt to meet the required setbacks and current Zoning Ordinance if destroyed by fire or other peril.
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.

The motion carried, with all members voting via roll call in favor (Aubol, Adams, Jehoich, Schlingmann, Spencer, Nelson, Demeules, Vandereyk) and is recommended by the Planning Advisory Commission to the County Board for approval.

Agenda Item #2 -6:43

Pine Farms (Property owner Trilogy Properties): Requesting preliminary plat approval consisting of 4 lots (one existing house).

PID # 15-025-1300. Address: 14612 289th AVE NW, Zimmerman, Section 25, Twp 35, Rge 27, Blue Hill Township. 15 acres in the General Rural District.

Mitch Glines, Planner, presented the request to the Planning Commission including the Board Packet, Attachments and Comments.

PLANNING COMMISSION PACKET ATTACHMENTS:

- A. Aerial Photo
- B. Preliminary Plat (revision dated 05/18/2020)
- C. Grading Plan (revision dated 05/18/2020)

BLUE HILL TOWNSHIP COMMENTS (05/11/2020): Developer must pay \$1,225.00 for the signs and engineer cost. Approved contingent on meeting Township Engineer requirements. Driveway permits will be needed when permit is pulled for house.

Brent Larson (Hakanson Anderson – Blue Hill Township Engineer) (05/07/2020): We recommend approval contingent upon the comments being addressed.

DEPARTMENT/AGENCY COMMENTS:

David Roedel, Deputy County Engineer (05/06/2020)

- 1. No concerns with the proposed plat. The project is not on a County Road.
- 2. The Sherburne County Public Works Department will require park dedication fees for the 3 new lots at \$800 per lot, totaling \$2400. The one lot with the existing home will not require a Park Dedication fee. Park fees must be paid prior to the Public Works Department signing the plat mylars.

Russ Heiling, County Surveyor (05/06/2020) We have reviewed the preliminary plat as submitted and have no comments from the Surveyor’s Office.

Bonnie Jacobs, County Auditor’s Office (05/04/2020) – Please have them pay 2020 property taxes in full. Otherwise-no concerns.

Mike Lindenau, Co Ditch Inspector (05/06/2020) – No issues.

PLANNING & ZONING STAFF COMMENTS:

- 1. The proposed project consists of four (4) new lots from a 15.08 acres parcel.
- 2. No new roads will be constructed.
- 3. There appears to be multiple fence and mow line encroachments that must be addressed before final plat request.
- 4. The property did have a solid waste violation which is now in compliance.
- 5. There is one existing house on the property. The existing septic system has a failing septic compliance and must be upgraded prior to being placed on Planning Commission agenda for final plat.

RECOMMENDED CONDITIONS IF APPROVED:

1. Park dedication fees for three (3) lots at \$2,400. Fees are paid to Public Works prior to them signing the final plat mylars.
2. A Developer's Agreement must be signed with the County Attorney's Office, if needed.
3. Must obtain driveway access permits from Blue Hill Township prior to driveway construction.
4. 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.

Planning Commission Discussion Followed:

Craig Wensmann, Bogart, Pederson & Associates, 13076 1st Street, Becker came forward as the representative of the plat.

Lawrence asked if applicant understood all of the Conditions.

Wensmann replied with understanding of the Conditions.

Lawrence asked each member of the Board if there were questions or comments. No questions or comments from the members.

Lawrence opened the Public Hearing. No one from the Public spoke. (2) comments were received by the Public and entered into the record. Board members received these comments prior to the meeting. Glines reviewed the comments received from Lee and Kay Freiheit and an anonymous sender that did not state name or address. These concerns are for removing trees, more traffic, potential crime with more houses, and smaller acreage when they would like to see more.

Nelson made a motion to close the Public Hearing. Schlingmann seconded. The motion carried and the Public Hearing was closed.

Nelson moved to recommend approval of the Preliminary Plat with the (4) recommended Conditions. Adams Seconded.

CONDITIONS:

1. Park dedication fees for three (3) lots at \$2,400. Fees are paid to Public Works prior to them signing the final plat mylars.
2. A Developer's Agreement must be signed with the County Attorney's Office, if needed.
3. Must obtain driveway access permits from Blue Hill Township prior to driveway construction.
4. 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.

The motion carried, with all members voting via roll call in favor (Aubol, Adams, Lawrence, Jehoich, Schlingmann, Spencer, Nelson, Demeules, Vandereyk) and is recommended by the Planning Advisory Commission to the County Board for approval.

Agenda Item #3-6:49

SOLAR FARM-Solar Club 15 LLC (Property Owners: Thomas Jr & Penney Hammer) Request for an Interim Use Permit for a 1 MW Solar Farm

PID 20-213-3400, Section 13, Clear Lake Township 50.5 Acres in the Agricultural Zoning District

Lynn Waytashek, 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 May 4, 2020)
- C. Tree/Fence Diagram (date stamped April 20, 2020)
- D. Project Description Plan (date stamped April 20, 2020)
- E. Decommissioning Plan (included in Project Description pgs. 24 - 27)

CLEAR LAKE TOWNSHIP COMMENTS (5/15/2020): Township recommends approval as long as all county requirements are met.

DEPARTMENT/AGENCY COMMENTS:

Mark Renn, MNDoT – Roadway Regulations Supervisor (May 12, 2020): The access can be allowed, but not as drawn. The access must come to the highway at a 90-degree angle/no skewed access will be allowed. The access request must be submitted by the landowners Thomas and Penney Hammer for Solar Farm access/Field approach access. No other access locations will be allowed to TH24 to this parcel of land, if the land splits again, the two existing access will have to be used in the future., Hammer Family if they divide will need to figure how to use the accesses as they are. You need to get the local governing authorities' permission to have the solar farm approved before MnDOT will issue the access permit. Do not apply for the permit until you have gotten all the other approvals for the land change use.

PLANNING & ZONING STAFF COMMENTS:

1. Solar Club 15 LLC is proposing to place a 1 MW solar farm on this property. There is an existing solar farm to the east across MN State Highway 24. The nearest house (not owned by the property owner) is located to the southwest approximately 900 feet from the proposed solar farm.
2. They are proposing to have three (3) new utility poles for this solar farm for connection with Xcel Energy. The new poles are located adjacent to MN State Hwy 24.
3. Site will have approximately 3,816 tracker solar panels. The racking system is installed in the ground with pilings at a depth of 8 ft – 11 ft. The solar panels are trackers that will follow the sun.
4. Applicant will plant Black Hills Spruce trees around the entire exterior perimeter of the solar farm.
5. Applicant is proposing a 7 ft galvanized chain-link perimeter fence with barbed wire on top that will encompass the entire facility.
6. Access to the proposed solar farm shall be from the east from MN State Hwy 24.

7. All underground conduit housing must be removed from the property when the solar farm is decommissioned.
8. 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. Plans must match approved IUP plans.
3. If the required privacy fence around the perimeter of the facility exceeds 7 ft in height it will require a building permit with engineered plans. A 7 ft high chain link fence with barbed wire will be constructed. Must match Attachment C.
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 April 20, 2020.
9. Prior to issuance of a building permit for the project, the applicant shall provide financial security in the amount of \$25,000 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 (81/3%) 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 responsible for vegetation control & weed management during the project's operating life.
12. Must install 6-foot-tall Black Hills Spruce trees around the entire perimeter of the solar farm as shown on Site Plan (Attachment B) date stamped May 4th, 2020. The trees must be planted staggered in two (2) rows, in each row the trees may be planted no more than 16 feet apart (Attachment C). 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 30 years until December 31, 2050. This IUP is valid for SolarClub 15 LLC and Thomas Jr & Penney Hammer.
14. Access to the proposed solar farm shall be from MN Hwy 24. MnDOT has stated that the access can be allowed, but not as drawn. The access must come to the highway at a 90-degree angle/no skewed access will be allowed. The access request must be submitted by the landowners Thomas and Penney Hammer for Solar Farm access/Field approach access. No other access locations will be allowed to TH24 to this parcel of land, if the land splits again, the two existing access will have to be used in the future., Hammer Family if they divide will need to figure how to use the accesses as they are. You need to get the local governing authorities' permission to have the solar farm approved before MnDOT will issue the access permit. Do not apply for the permit until you have gotten all the other approvals for the land change use.
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 including 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:

Lauren Wahlburg, Stantec Consulting, 518 7th Ave NE, Minneapolis came forward and stated that Stantec has been in conversations with MnDot. They had asked that the access be changed to be perpendicular to Hwy 24 instead of the access that is shown on the plans. Stantec is working on that and will apply for that permit after receiving the Land Use Permit.

Lawrence asked the applicant if she understood the (19) Conditions and Wahlburg stated her understanding.

Adams asked if the (19) Conditions are consistent with the solar farms that were approved previously.

Waytashek stated yes, they are consistent.

Lawrence added that we typically have had (25) Conditions in the past.

Waytashek stated that if there are irrigation systems there, she will comment on that, one prior solar farm had an eagles' nest on it and comments were made about the nest, one had a snowmobile trail and that was commented on. It's site specific and depends what the issues are, this one did not have very many issues.

Lawrence asked if these (19) Conditions are standard.

Waytashek said yes.

Jehoich asked what fence is being requested.

Waytashek replied that they are requesting a chain link fence, shown in attachment C with 3 strands of barb wire around the top.

Schlingmann asked why 50 acres were stated in the request if this is a 1 MW solar farm, usually these are on 20 acres or less.

Waytashek stated that the entire parcel is 50 acres, but the site plan shows specifically where on that parcel that the solar panels will be located.

Schlingmann asked if there were plans to come back with other 1 MW solar farms after this.

Waytashek stated that she had heard that the property owner is looking to have 2 other 1 MW sites located on here, if this will come to fruition or if the people are lined up for this, Waytashek is not sure and deferred to the applicant.

Wahlburg confirmed that this application is only for the 1 MW and it's certainly possible that they would come back and apply for a separate IUP permit for another 1 MW, but at this point it is too early in the discussions so say whether or not that will happen.

Lawrence asked if they are only requesting the IUP for the limited acres.

Wahlburg replied that the fenced area is 7 acres and leased area is 8.5 acres.

Vandereyk stated that he appreciated the second sentence in Condition #2 but suggested that it be stated that the Construction plans should match approved IUP plans.

Waytashek read the Condition with the proposed change as "Construction Plans must match approved IUP plans."

Lawrence opened the Public Hearing. No one from the Public spoke. No comments were received from the Public.

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

Vandereyk moved to recommend approval of the IUP with the (19) recommended Conditions and the change to Condition #2. Schlingmann 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. Construction Plans must match approved IUP plans.
3. If the required privacy fence around the perimeter of the facility exceeds 7 ft in height it will require a building permit with engineered plans. A 7 ft high chain link fence with barbed wire will be constructed. Must match Attachment C.
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 April 20, 2020.
9. Prior to issuance of a building permit for the project, the applicant shall provide financial security in the amount of \$25,000 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 (81/3%) 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 responsible for vegetation control & weed management during the project's operating life.

12. Must install 6-foot-tall Black Hills Spruce trees around the entire perimeter of the solar farm as shown on Site Plan (Attachment B) date stamped May 4th, 2020. The trees must be planted staggered in two (2) rows, in each row the trees may be planted no more than 16 feet apart (Attachment C). 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 30 years until December 31, 2050. This IUP is valid for SolarClub 15 LLC and Thomas Jr & Penney Hammer.

14. Access to the proposed solar farm shall be from MN Hwy 24. MnDoT has stated that the access can be allowed, but not as drawn. The access must come to the highway at a 90-degree angle/no skewed access will be allowed. The access request must be submitted by the landowners Thomas and Penney Hammer for Solar Farm access/Field approach access. No other access locations will be allowed to TH24 to this parcel of land, if the land splits again, the two existing access will have to be used in the future., Hammer Family if they divide will need to figure how to use the accesses as they are. You need to get the local governing authorities' permission to have the solar farm approved before MnDOT will issue the access permit. Do not apply for the permit until you have gotten all the other approvals for the land change use.

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 including 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.

FINDINGS:

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

Lynn Waytashek read the questions and Vandereyk provided the response as follows.

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?

The proposed location of the solar farm is in the southwest corner of an existing agricultural field. The perimeter of the solar farm will be planted with trees to reduce visual impacts to adjoining properties. The closest home to the solar farm is more than 900 ft away to the SW.

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?

The IUP will be valid for 30 years. If the property owner no longer wants solar panels the infrastructure can be removed and the site can either go back to it's original, existing use.

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

A driveway is proposed to Trunk Hwy 24. The developer is negotiating with MnDot at this time for the actual location of the driveway, but it is to be perpendicular to the highway. 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?

The parcel is large enough to accommodate any additional parking or staging of construction materials.

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?

Construction of the site will cause temporary noise and additional traffic. Once the solar farm is in operation any impacts on traffic or the neighborhood will be minimal.

The motion carried, with all members voting via roll call in favor (Aubol, Adams, Jehoich, Schlingmann, Spencer, Nelson, Demeules, Vandereyk) and is recommended by the Planning Advisory Commission to the County Board for approval.

Agenda Item #4 -7:02pm

SOLAR FARM-Solar Club 34 LLC (Property Owner: Carol Hurrle) Request for an Interim Use Permit for a 1 MW Solar Farm
PID 25-445-0105, Section 19, Haven Township 12.3 Acres in the Agricultural Zoning District

Lynn Waytashek, 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 May 4, 2020)
- C Tree/Fence Diagram (date stamped April 17, 2020)
- D Project Description Plan (date stamped April 17, 2020)
- E Decommissioning Plan (included in Project Description on Pages 22 - 25)

HAVEN TOWNSHIP COMMENTS (4/21/2020): Township recommends approval. Will need a driveway permit from Township prior to construction.

DEPARTMENT/AGENCY COMMENTS: None received.

PLANNING & ZONING STAFF COMMENTS:

1. Solar Club 34 LLC is proposing to place a 1 MW solar farm on this property. There is an existing solar farm to the north across 37th Street.
2. They are proposing to have three (3) new utility poles for this solar farm for connection with Xcel Energy. The new poles are located adjacent to 37th Street.
3. Site will have approximately 2,520 tracker solar panels. The racking system is installed in the ground with pilings at a depth of 8 ft – 11 ft.
4. Applicant will plant Black Hills Spruce trees around the entire exterior perimeter of the solar farm.
5. Applicant is proposing a 7 ft galvanized chain-link perimeter fence with barbed wire on top that will encompass the entire facility.
6. Access to the proposed solar farm shall be from the north from 37th Street SE, a township road.
7. All underground conduit housing must be removed from the property when the solar farm is decommissioned.
8. 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. Plans must match approved IUP plans.
3. If the required privacy fence around the perimeter of the facility exceeds 7 ft in height it will require a building permit with engineered plans. A 7 ft high chain link fence with barbed wire will be constructed. (Attachment C)
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 April 17, 2020.
9. Prior to issuance of a building permit for the project, the applicant shall provide financial security in the amount of \$25,000 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 (81/3%) 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 a 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 responsible for vegetation control & weed management during the project's operating life.
12. Must install 6-foot-tall Black Hills Spruce trees around the entire perimeter of the solar farm as shown on Site Plan (Attachment B) date stamped May 4, 2020. The trees must be planted staggered in two (2) rows, in each row the trees may be planted no more than 16 feet apart (Attachment C). 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 30 years until December 31, 2050. This IUP is valid for SolarClub 34 LLC and Carol Hurrle.
14. Access to the proposed solar farm shall be from 37th Street SE. Driveway access permit from the township is required.

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 including 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:

Lauren Wahlburg, Stantec, 518 7th Ave NE, Minneapolis came forward as the applicant.

Lawrence confirmed that applicant understood the (19) Conditions.

Wahlburg stated her understanding.

Adams suggested that Condition #2 be changed to include the word "Construction."

Lawrence acknowledged that suggestion.

Lawrence opened the Public Hearing. No one from the Public Spoke nor were comments received from the Public.

Nelson moved to close the Public Hearing. Spencer Seconded. The motion carried and the Public Hearing was closed.

Schlingmann moved to recommend approval of the IUP with the (19) recommended Conditions as amended with the wording change for Condition #2. Vandereyk 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. Construction plans must match approved IUP plans.
3. If the required privacy fence around the perimeter of the facility exceeds 7 ft in height it will require a building permit with engineered plans. A 7 ft high chain link fence with barbed wire will be constructed. (Attachment C)
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 April 17, 2020.

9. Prior to issuance of a building permit for the project, the applicant shall provide financial security in the amount of \$25,000 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 (81/3%) 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 a 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 responsible for vegetation control & weed management during the project's operating life.
12. Must install 6-foot-tall Black Hills Spruce trees around the entire perimeter of the solar farm as shown on Site Plan (Attachment B) date stamped May 4, 2020. The trees must be planted staggered in two (2) rows, in each row the trees may be planted no more than 16 feet apart (Attachment C). 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 30 years until December 31, 2050. This IUP is valid for SolarClub 34 LLC and Carol Hurrle.
14. Access to the proposed solar farm shall be from 37th Street SE. Driveway access permit from the township is required.
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 including 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.

FINDINGS:

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

Lynn Waytashek read the questions and Schlingmann provided the response as follows.

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?**

The location is on an existing, platted farmstead, combination of agricultural and mixed use. There is a trucking outfit there and three other solar arrays to the North of the proposed site. It's an area that will continue to grow with solar arrays.

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?**

The permit is valid for 30 years, the property surrounding it is agricultural with one owner, the area is outside of the orderly annexation area of St Cloud.

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

Most everything is in place, there is a fairly large field access. The township will want to take a look at the access, and they may have to get a driveway permit off of 37th St SE.

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?**

There is enough acreage associated with the operation that parking will not be an issue.

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?**

There may be some temporary disturbances during construction, but after that there is nothing that will cause an issue with surrounding residences.

The motion carried, with all members voting via roll call in favor (Aubol, Adams, Jehoich, Schlingmann, Spencer, Nelson, Demeules, Vandereyk) and is recommended by the Planning Advisory Commission to the County Board for approval.

Agenda Item #5 -7:10pm

Ahmed Habeeb Cheapest Cars Ever LLC (Property Owner: Ervin and Raeanne Danielowski) Request for an Interim Use Permit for Business selling Vehicles, Boats and Farm Equipment

PID 10-120-3420, Address 18005 198th Ave, Section 20, Big Lake Township .65 Acres in the Orderly Annexation Industrial District

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

PLANNING COMMISSION PACKET ATTACHMENTS:

- A. Aerial Photo
- B. Applicant’s Description of Operations
- C. Building Floor Plan
- D. Site Plan with Parking Layout 1-2
- E. Site Photo

BIG LAKE TOWNSHIP COMMENTS: Recommended approval on 6/10/2020

DEPARTMENT/AGENCY COMMENTS: None received.

PLANNING & ZONING STAFF COMMENTS:

1. The applicant (Ahmed Habeeb of Cheapest Cars Ever) is requesting an IUP to sell vehicles. The applicant will be leasing the west half of the existing building and will use the property to buy and sell used vehicles over the internet. Many of the vehicles purchased will be from auction or insurance companies. The applicant will replace defected parts and do auto body work from the 2,100 sq. ft. building.
2. The applicant is not proposing to do mechanical work from this property. If auto mechanical work is needed on a vehicle it will be sent out for those services.
3. There are 22 parking spaces available to the applicant. The applicant is proposing to use 17 of these spaces for vehicle sales and 5 are for customer and employee parking. There is no proposal to modify the existing parking lot or add additional lighting to the property.
4. Hours of operation are proposed to be Monday through Friday 10am-5pm and Saturday 11am-3pm.
5. Total number of employees will be three.
6. A passing septic compliance was completed May 2020.
7. According the landowner an auto body and mechanical repair shop has existed on this lot since it was developed 40 years ago. Auto sales have operated from this property in the past but not for several years. Any new business selling vehicles requires an IUP from Sherburne County.

RECOMMENDED CONDITIONS IF APPROVED:

1. The occupant shall maintain a Dealers’ License from the MN Dept. of Public Safety and comply with all license requirements.

2. Vehicles for sale or stored on the property shall be limited to passenger vehicles, light-duty trucks and trailers. There shall be a maximum of 17 vehicles for sale/stored on the property by the dealership.
3. Adequate off-street parking shall be available for business use. At a minimum, 1 parking stall shall be provided per 250 sq. ft of office space floor area per Sect 17, Subd 2(10K) of the Zoning Ordinance; and 22 parking stalls shall be assigned to the dealership per MN Statute 168.27, Subd 10. Each stall shall be 9' X 18' and signed for dealership parking.
4. Vehicles for sale shall be parked in front of building where shown on Board's Packet Attachment D 1-2.
5. No vehicle shall be parked within the 10' parking/driveway setback from the property line.
6. All exterior lighting shall be directed away from the public right-of-way.
7. The business shall comply with Section 17, Subd 2 of the Zoning Ordinance regarding signs. One free standing sign (maximum 164 sq. ft.), and one wall sign is permitted (maximum 1 sq. ft. of sign area for each linear foot of building frontage up to a maximum of 128 sq. ft). Sign permits are required.
8. Hours of operation to be Monday through Friday 10am-5pm and Saturday 11am-3pm
9. The applicant shall allow the County to inspect the property during normal business hours.
10. The applicant shall comply with all federal, state, and local laws and regulations.
11. This IUP is issued to Ahmed Habeeb of Cheapest Cars Ever and shall expire upon termination of lease.
12. Cars for sale to be well maintained, drivable and presented in a neat and organized way on a maintained surface.

Planning Commission Discussion Followed:

Ahmed Habeeb, 19034 Hanover St, Elk River, came forward. He stated that he has been in business in Elk River for 3.5 years now and is moving the business to this location due to the Highway location.

Spencer asked if any mechanical work will be done at the property.

Habeeb stated that only minor mechanics will be done prior to the sale. No heavy mechanics will be done, and no repairs will be done for the public.

Lawrence asked the applicant for examples of minor repairs; is it dent repairs?

Habeeb replied that the minor work to be done on the vehicles includes fenders, bumpers, headlights. Cars are purchased at auctions, fixed and sold, but just the minor stuff, not the heavy repairs.

Spencer asked if any painting will be done on site.

Habeeb replied that they will be doing painting.

Raeanne Danielowski, 981 Nicolette Ave, Big Lake, came forward and stated that this is a body shop at the moment and has been for 40 years doing painting. Habeeb is coming in and requesting to operate doing less than what has been done on site for 40 years. The only thing that is different from the last 40

years is that they will be selling cars. There is a mechanical shop that has also been in the building for 40 years.

Lawrence asked staff if the applicant of the IUP will need to meet all of the hazardous, air exchange items.

Schneider stated that this use has been permitted and the applicant is here seeking approval for auto sales.

Danielowski stated that the other items have been permitted, done on site and it has all been approved.

Vandereyk asked Aubol if Big Lake had discussed this and made comments.

Aubol stated that the business won't change much for what is currently being done except for the amount of sales performed.

Schneider clarified that comments were received on June 10th and were a positive recommendation from the township.

Lawrence opened the Public Hearing. No one from the Public spoke. No comments were received from the Public.

Aubol motioned to close the Public Hearing. Demeules Seconded. The motion carried and the Public Hearing was closed.

Aubol moved to recommend approval of the IUP with the (12) recommended Conditions. Spencer seconded.

Conditions:

- 1) The occupant shall maintain a Dealers' License from the MN Dept. of Public Safety and comply with all license requirements.
- 2) Vehicles for sale or stored on the property shall be limited to passenger vehicles, light-duty trucks and trailers. There shall be a maximum of 17 vehicles for sale/stored on the property by the dealership.
- 3) Adequate off-street parking shall be available for business use. At a minimum, 1 parking stall shall be provided per 250 sq. ft of office space floor area per Sect 17, Subd 2(10K) of the Zoning Ordinance; and 22 parking stalls shall be assigned to the dealership per MN Statute 168.27, Subd 10. Each stall shall be 9' X 18' and signed for dealership parking.
- 4) Vehicles for sale shall be parked in front of building where shown on Board's Packet Attachment D 1-2.
- 5) No vehicle shall be parked within the 10' parking/driveway setback from the property line.
- 6) All exterior lighting shall be directed away from the public right-of-way.
- 7) The business shall comply with Section 17, Subd 2 of the Zoning Ordinance regarding signs. One free standing sign (maximum 164 sq. ft.), and one wall sign is permitted (maximum 1 sq. ft. of sign area for each linear foot of building frontage up to a maximum of 128 sq. ft). Sign permits are required.

- 8) Hours of operation to be Monday through Friday 10am-5pm and Saturday 11am-3pm
- 9) The applicant shall allow the County to inspect the property during normal business hours.
- 10) The applicant shall comply with all federal, state, and local laws and regulations.
- 11) This IUP is issued to Ahmed Habeeb of Cheapest Cars Ever and shall expire upon termination of lease.
- 12) Cars for sale to be well maintained, drivable and presented in a neat and organized way on a maintained surface.

FINDINGS:

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

Schneider read the questions and Aubol provided the response as follows.

- 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?**

The proposed use is not injurious and won't diminish and is just adding sales of vehicles.

- 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?**

The proposed use will be the selling of used vehicles in addition to the auto work that has been done for the existence of this property.

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

There is no real change to the conditions or the use on the building.

- 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?**

There is sufficient parking.

- 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?**

It will not cause any disturbance in the area and there is just the addition of 17 vehicles for sale.

The motion carried, with all members voting via roll call in favor (Aubol, Adams, Jehoich, Schlingmann, Spencer, Nelson, Demeules, Vandereyk) and is recommended by the Planning Advisory Commission to the County Board for approval.

Closing:

Schneider thanked those that have participated in the Framework 20-30 survey for the Central Mississippi River Regional Partnership. Stating that the input is very helpful, if anyone has not had a chance to take the survey yet, please do.

Nelson made a motion to adjourn the meeting. Vanderyk seconded. The motion carried and the meeting was adjourned at 7:22pm.

Submitted by Carrie Winter, Secretary