



**Meeting Minutes  
Planning & Zoning Commission  
October 11, 2017**

**A. CALL MEETING TO ORDER 7:00**

M. Olson called the meeting to order at 7:05 pm.

Members Present: Chairperson M. Olson, Vice Chair M. Willcoxen, P. Carlson, J. Johnson

Members Absent: D. Carlson

Others Present: Supervisor B. Seekon, Town Clerk K. Wood, Deputy Clerk B. Schule, Planner E. Maass, E. Carlson-IPS, D Watts-USS, P Schmitt-USS, 7 people (signed in).

**B. PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)**

1. D. Milles asked is the purpose of the solar farms to go into the system or be an independent farm? Answer: go into the system
  2. D. Milles also asked if a CUP was separate to the application process. Answer: no
  3. Also asked if a building permit was required or is it considered an accessory structure? Answer: Ground mounts do not count as an accessory structure.
- D. Milles told J. Carlson to reapply.

**C. ADOPT THE AGENDA**

**J. Johnson made a motion to adopt the agenda. P. Carlson 2<sup>nd</sup> the motion. All in favor, motion carried.**

**D. APPROVE THE MINUTES OF THE SEPTEMBER 13, 2017 PLANNING COMMISSION MEETING**

**M. Willcoxen made a motion to adopt the minutes of the September 13, 2017 Planning Commission meeting. P. Carlson 2<sup>nd</sup> the motion. All in favor, motion carried.**



## **E. OLD BUSINESS**

### ***a. Welschen Complaint Update (32504 Falcon Ave.)***

- The complaints on the property are; they are using the property for storage of equipment, bonfires with loud music along with becoming a place to party. After discussion, M. Olson suggested we call the owner asking that they stop letting people come in and use the property in that manner. P. Carlson said the property was recently cleaned up and the property owner has been easy to work with. This is going to be treated as an inquiry right now because there is not a written complaint. M. Olson is going to follow up with S. Welschen with a phone call.

### ***b. W. Dodge CUP 1 Year Update (32378 Hemingway Ave.)***

- Received a letter from the tenant which states they still need the extra assistance of a person living on the property per doctor. Discussion followed stating maybe the township needs a form for these types of situations where extra residents reside on the property. E. Maass stated he has a template form which has temporary, partial or is everything the same type check off questioning the need. The form could be used as a one year permit stating nothing has changed. The form could also ask questions like is the septic holding for the additional use. E. Maass will send the template form to K. Wood.
- The Planning Commission has determined that W. Dodge has been approved to reside on her parent's property in a mobile home for another year.

### ***c. Good CUP (8156 Lent Trail)***

- The owner will put in a row of arborvitae on the south side of the proposed array to shield from the public right of way as well as the residential properties on the east of the subject property. The arborvitae will be eight (8) feet tall at application spaced eight (8) feet on center from one another.
- The escrow has been increased from \$15,000.00 to \$25,000.00 for the decommissioning. The applicant shall be responsible for any costs associated with the decommissioning of the proposed use not covered by the \$25,000.00 escrow should Lent Township have to complete the decommissioning of the use and restoration of the property. B. Seekon expressed concern that all of the proposed applications look like cookie cutter documents. After discussion it is noted that as long as the applicant for the proposed site is still the owner, they have a stake in the CUP, whereas if the Solar owned the property they could walk away from the project after use and not complete the decommissioning. B. Seekon stated we still need to get a third party to estimate the project as stated in the previous meeting minutes. P. Schmitt stated, should the number of panels be identical to other projects, the numbers for the projects would be the same. They do perform an independent analysis to determine the cost for each project. All of the solar companies use the same company to estimate the recycle value of the panels.



- E. Carlson stated the numbers are the same for decommissioning. Also stated that there is a second market for the panels for purposes of using on new projects. M. Willcoxon asked if they know the projected value for the panels in 25 years. E. Maass stated all applicants want to project that amount to recycle, but cannot determine 25 years out but that the price normally will not go down.
- J. Johnson asked if the escrow account would inflate. Would the township need to hold the money or put into a fund where it is combined with other counties to build the growth. E. Maass stated you should put the escrow money in an account like you would for a road to be completed in a third party bank as a letter of credit. E. Carlson stated that if the project was sold then they would need to re-file to adjust the letter of credit. The lease is written that the solar company will decommission or the owners can decommission and charge the solar company. As soon as there is no activity of CUP on the garden for 12 months, the fund would be available.
- P. Schmitt also noted they are working on their Monarch Certification.

**P. Carlson made a motion to recommend Board approval for the Good CUP. M. Willcoxon 2<sup>nd</sup> the motion. All in favor, motion passed and carried.**

***d. Rockpoint CUP***

- E. Maass stated because of the 1000 foot set back there is no additional planting needed but the applicant is willing to put in 84 arborvitae trees on the north and to the west. They will run trees on the east side as well. The trees will be eight (8) feet tall. M. Olson asked the commission if the trees should be staggered double row. The commission agreed the trees should be staggered in double row format. P. Schmitt agreed if the commission also agrees.
- M. Olson asked the commission if they are ok with the decommissioning. M. Willcoxon asked if there would be an adjustment for cost of living on the letter of credit. If there is legitimate need to increase the escrow for decommissioning, then they would increase.
- The community solar garden will have units that a person can purchase that should be cheaper than the cost from Xcel Energy. They will have interruption insurance to make sure the output is not interrupted in case of weather. If the price of electricity goes down then the price of the units purchased could also go down.
- The \$25,000.00 that is in escrow is an insurance policy should the solar company file for bankruptcy. If all else fails Xcel Energy would be the ones that are buying the farms power and if the power ends they are holding the contracts. There is however only a good faith judgment going forward.
- The applicant is also proposing putting to construct an eight (8) foot privacy fence along the southern property line if that property is further developed in the future as a residential use.



- The hours of operation for construction are from 8:00 am to 5:00 pm, Monday through Friday. The construct should take 6-8 weeks with all deliveries taking place the first month. The next two months are for testing.
- Chisago County needs to sign off on the wetland side if the impact is more than 5,000 square feet. Because the report indicated the impacts proposed are 1,312 square feet, as a result the project is under the de Minimis and no mitigation is necessary.

**P. Carlson made a motion to recommend Board approval for the Rockpoint CUP. M. Willcoxon 2<sup>nd</sup> the motion. All in favor, motion passed and carried.**

#### **F. NEW BUSINESS**

##### ***a. CUP for a Community Solar Garden – Cornillie (35342 Kost Trail) – Public Hearing***

- This project was brought forth as a single property with two (2) megawatt gardens so should be classified as a farm. The project is not within the unit so does not have to meet the 1000 foot requirement but should be 50 feet off the road.
- The applicant is proposing to have the same farm type fencing that is on the property.
- There is only one resident on the south side of the property which is the applicant.
- There are no wetland impacts to this property.
- This project will have two (2) separate operations and two (2) separate CUP's.
- There will be two (2) separate \$25,000.00 put in escrow for each CUP.
- J. Johnson asked the hours of operation. The hours of operation will be 8-5, Monday through Friday.
- M. Olson stated the commission has the options to set the conditions for the project. The only condition would be the operation hours.
- When the applicant started the permit process they realized they didn't have enough land, so they leased the ten (10) acres. US Solar is purchasing the twenty (20) acres from the owner. Innovate Power Systems will be leasing the ten (10) acres from US Solar.

**M. Olson opened the public hearing at 8:27 pm.**

E. Carlson provided background on IPS.

There were no public comments

**M. Olson closed the public hearing at 8:30 pm.**



- M. Olson asked staff for confirmation. Staff recommends approval.

**M. Willcoxen made a motion to recommend Board approval for the Cornillie CUP. J. Johnson 2<sup>nd</sup> the motion. All in favor, motion passed and carried.**

***b. CUP for a Solar Community Garden – (35342 Kost Trail) USS Nillie Corn LLC – Public Hearing***

- This project is on the same property but on the west side.
- Same screening of farm type fencing with no barb wire will be used for the same setbacks according to the ordinance.
- All Leasing will stay with the land.
- Same property only on the west side of the property.

**M. Olson opened the public hearing at 8:33 pm.**

- B. Schule (7307 Lent Trail) questioned if the township gets anything from the farms. Answer: nothing
- B. Schule (7307 Lent Trail) asked why does there seem to be a rush with the projects. Answer: the Township is not actively recruiting these projects but they have been in the works with the land owners for a year. The Township is required to respond to the requests within 45 days of receipt.
- B. Schule (7307 Lent Trail) asked if the hand drawings be converted to final approved documents? Answer: Yes, E. Maass will update the original hard copies.
- B. Seekon (35264 Falcon Ave.) inquired of any other projects that are in the works for this Township. Answer: No they have no other sites they are interested in.

**M. Olson closed the public hearing at 8:44 pm**

- M. Willcoxen asked how a home owner can sign up for the bill credit units.
- M. Olson asked staff for confirmation. Staff recommends approval.

**M. Willcoxen made a motion to recommend Board approval for the US Nillie Corn CUP. P. Carlson 2<sup>nd</sup> the motion. All in favor, motion passed and carried.**

**G. Commissioner/Town Board Report**

- B. Seekon mentioned the fall cleanup was a huge success and plan to do this again.

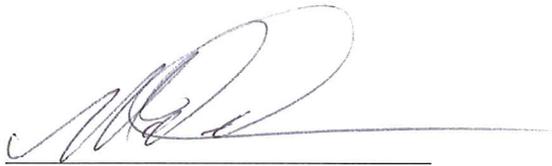


- Road Meeting: B. Seekon went over additional plans on the need to pave and to determine fixing existing or pave the dirt roads. B. Seekon stated it is cheaper to fix than to pave new roads. They will look at the costs associated with both to determine the next step. E. Maass stated you can request the feasibility reports on the cost for paving, chip seal or heating the roads to use for the estimates.

**H. NEXT REGULAR PLANNING COMMISSION MEETING IS NOVEMBER 8, 2017 AT 7:00 PM.**

**I. ADJOURN**

**P. Carlson made a motion to adjourn the meeting at 8:54 pm. M. Willcoxon 2<sup>nd</sup> the motion. All in favor, motion carried.**

A handwritten signature in blue ink, appearing to read "Mike Olson", written over a horizontal line.

Mike Olson, Chair

A handwritten signature in blue ink, appearing to read "Becky Schule", written over a horizontal line.

Becky Schule, Deputy Clerk