MEETING MINUTES
POPE COUNTY PLANNING ADVISORY COMMISSION
Thursday December 19, 2019

The Planning Advisory Commission convened in regular session on Thursday, December 19, 2019 at the Pope County Courthouse Community Room.

Members Present: Dave Henke, *Ronald Feigum, Ivie Cooley, Mark Halls, John Messenger, Brian Jergensen, and Cody Rogahn (C.C. alt)

Other Officials Present: David Green (Land & Resource Management Director), Shelley Cameron (Sr. Administrative Associate) Jessica Hill (Land Use Specialist) and Barry Bouwman (Feedlot Officer/Co. Ag Inspector)

The meeting was called to order by Chairwoman Cooley at 6:19 p.m.

The following items were addressed by the chair:

Additions and Corrections to the Agenda
Director Green stated we are not prepared to have discussion related to the Section 4 Shoreland Districts but we will have a review of the Zoning Map revisions.

Review Minutes of November 21, 2019
The minutes of the Planning Advisory Commission meeting held on Thursday November 21, 2019 were submitted for approval. Motion by Commissioner Rogahn to accept the minutes as written. Feigum seconded. Motion carried.

CUP-Sandvig

Chairwoman Cooley introduces the item. Applicants Marvin and Chad Sandvig are present. Director Green presents staff report and "states we have a preexisting use and we need them properly permitted. As preexisting they would have to comply with the PCA and the EPA rules in regards to hazardous materials. Staff recommendation is either we table to allow us to get more information as far as the storm water pollution prevention plan or to approve the application with conditions stated in staff report." Chairwoman Cooley asks for any additional comments from the applicant. Applicant Marvin Sandvig states "I think David Green covered it really well. We just want to be compliant and plan to follow the rules and regulations. We have been storing cars there for 20 some years and this is the first time I have ever been notified from anyone that there was a problem here. As soon as I received a letter from David Green's office I came in and talked to him about it and that is how we got this far." Chairwoman Cooley asks for comments from the site team. Messenger states "it is a really unique area of the county and it is rather remote. The existing vehicles on site are not properly stored and are too close to the township

road and right up to the water's edge of the slew." Chairwoman Cooley asks "if you are to crush the cars on site are there designated times of the day?" Chad Sandvig states "I have crushed out there twice already in the past year and they work from 8:00 a.m. to 5:00 p.m." Chairwoman Cooley opens the public meeting and asks "is there anyone speaking for this?" None noted. Chairwoman Cooley asks "is there anyone speaking against this?" Wayne Evenson states "I have property to the east and totally oppose it. We have beautiful hunting land and we already have one eyesore a couple of miles away and we don't need another one. We don't need all of this stuff going into the slew and affecting the wildlife in the area." Ken Anderson states "I live on the gravel road that goes by the Sandvig property and in the spring our road is not good at all and it won't take heavy equipment. My neighbors here tonight I am sure would agree on that. Plus it is a scenic road. It is part of the Glacial Ridge Trail and who wants to look at a junk yard. I am against it." Sheldon Evenson states "I also have property with several family members and we use our property for recreational purposes. Our concern is wildlife. They may have the best of intentions of maintaining everything that could be harmful to wildlife but that isn't always possible and doesn't always happen. I am opposed to it." John Wordes states "I live on the west side of the proposed site. As far as crushing cars I told Barry (Bouwman) that at my place I ended up cleaning up and taking out soil because it is so contaminated. I had to dig down to grow grass. You can see the view from my house it would have to be a 60 foot fence to cover it from our view. They also own a tire grinder and I don't want to listen to that thing running. My wife's office is in the house and she doesn't want to listen to all that stuff. Nothing they have done now even comes close to being compliant as to what the state requires." Brad Fischer states "I live within a mile of them and the road can't handle it and it is peace and quiet out there and we don't need any more added stuff and it is an eyesore. I'm against it." Cindi Fisher states "I am totally against it because of the noise, the traffic and it is a scenic byway. It is agriculture land." Christina Wordes states "my concern is the safety with the additional traffic. It is difficult when passing traffic already." John Moe states "I am representing the town board of Lake Johanna and we had a discussion at our township meeting and we denied issuing a permit. The main thing we were opposed to is the title of a commercial vehicle salvage yard. Running a business that would be detrimental to everything out there. In fairness Marvin has been there forever and we are not opposed to if Marvin would approach the town board to discuss this. We will leave it open if Marvin wishes to come to the town board to talk about it. He owns the property and he talked about putting a building there and talked about storing parts in a building we talked about some cars out there. The town board does not feel we have enough information about it." Jack Evenson states "I am a property owner that is adjacent to the Sandvig property and we do a lot of hunting out there and it is a recreational spot for us. It is a mess to see. You see a junkyard is what you see. I feel it is also hazardous to the wildlife. I am totally opposed to it." Chairwoman Cooley closes the public hearing. There is discussion by the Board and staff about the storm water management plan that needs to be submitted. There is also discussion on number of cars

and screening. Barry Bouwman updates the board on the storm water management plan and states "I have had conversations with PCA on how we are approaching these things. There was a lot of crushing that was done and a lot of pollution into the soil and PCA is now highly regulating this. Part of the storm water management plan would require a building so that all draining of all the fluids are removed in this building prior to any crushing. Once all fluids are drained all the crushing will take place on a designated pad. There would also be screening in two different places so that the neighbors are not seeing any of that." Chairwoman Cooley seeks a motion. Halls states "based upon the Findings of Fact as presented in the staff report and as gathered this evening, I move to offer a recommendation of approval of the Conditional Use Permit provided that the conditions as identified in the staff report are complied with." There is discussion by board on conditions as to fencing and number of vehicles. Messenger asks for staff to provide an approximate length and width of the rectangle. Director Green states "approximately 300 x 150 feet." Messenger states "using the photograph provided by the state, it indicates a proposed way to store vehicles in rows. I picked one row at random and counted 33 vehicles in that row. Let's assume 10 feet of space for each vehicle to allow room between them and we will assume again another 15 feet approximately between rows. In my opinion the maximum number of vehicles that could be parked in that rectangle would probably be about 150. This is just an estimate based on the size." Chairwoman Cooley states "we do have a motion on the floor and I call for a second to the motion made." Jergenson seconded. Chairwoman Cooley states "we have a second and I call for a vote." Henke, Halls, and Jergenson vote in favor. Messenger, Cooley and Commissioner Rogahn oppose. Motion does not pass. Commissioner Rogahn states "I make a motion to approve with conditions and findings of fact provided by staff and add the condition of a limit of 150 cars and screened." There is discussion about the hours of operation. Commissioner Rogahn amends his motion to add hours of operation from 8:00 am to 5:00 pm Monday through Saturday. Chairwoman Cooley calls for a second. Halls seconded. Motion carried with no dissenting votes noted*.

Marta Jensen with Lantana Solar

Chairwoman Cooley introduces the item. Applicants Marta Jensen and Courtney Pelissero are present. Director Green presents staff report and states "staff recommends approving the application with conditions stated in staff report. You will also note in staff recommendations that since it takes place on two parcels the applicants will need to seek a variance before they can permit the construction." Chairwoman Cooley asks for any additional comments from the applicants. Marta Jensen states "as to the variance, in the past and in other jurisdictions that Geronimo has developed solar farms or gardens, the zoning authority has seen it as a continuous footprint because of the vested interest of the developer and the land owners to host the projects. But we understand that Pope County zoning ordinance may not allow for those allowances or exemptions so we are willing to work on that. The three poles that will directly

service the community solar garden they do meet the 100 foot setback from the right of way it is that fourth pole that is between the setback and the right of way that will be Excel Energy's cap pole and that should be in line with the existing Excel infrastructure so that is just an oversight on my part when we were putting together the preliminary design. That is the townships setbacks that we will be meeting as compared to the counties setback which is less restrictive. It has been determined that there are no wetland areas within the project area. We have met with the Glenwood Township Board as well and I do have applications that are ready to submit them as soon as possible. I am happy to answer any questions the Board may have." Henke states I have a questions for staff on condition number 4 the assurance of $25,000, is this something we can change?" Director Green states "that is probably something you can change if you want if you have a basis for it." Henke states "I have heard where a lot of them are going higher." Applicant Marta Jensen states "this is $25,000 per megawatt. If it were to be a larger project then that number would increase." Henke states "I guess why I had the question is because I had a conversation with a county down south and the people forfeited the land so the county had to deal with it. They did say there is salvage value but the county still has to pay someone to tear it down and there comment to me was that it was nowhere near enough." Marta Jensen states "it is Geronimo Energy's intent to own and operate these projects for their life." Chairwoman Cooley asks for comments from the site team. Messenger states "it is good southern exposure and a logical spot for a solar facility. I don't believe you are taking valuable agriculture land out of production so it is a good use for it." Chairwoman Cooley opens the public meeting and asks "is there anyone speaking for this?" None noted. Chairwoman Cooley asks "is there anyone speaking against this?" None noted. Chairwoman Cooley closes the public hearing. Chairwoman Cooley seeks a motion. Jergenson states "based upon the Findings of Fact as presented in the staff report and as gathered this evening, I move to offer a recommendation of approval of the Conditional Use Permit provided that the conditions as identified in the staff report are complied with. Messenger seconded. Motion carried with no dissenting votes noted*.

Marta Jensen with Camellia Solar

Chairwomen Cooley introduces the item. Applicants Marta Jensen and Courtney Pelissero are present. Director Green presents staff report with a recommendation to approve the application with conditions. Comments from the site team indicate that they have no objections or concerns. Chairwoman Cooley opens the public meeting and asks "is there anyone speaking for this?" None noted. Chairwoman Cooley asks "is there anyone speaking against this?" None noted. Chairwoman Cooley closes the public hearing. Chairwoman Cooley seeks a motion. Messenger states "based upon the Findings of Fact as presented in the staff report and as gathered this evening, I move to offer a recommendation of approval of the Conditional Use Permit provided

that the conditions as identified in the staff report are complied with. Jergenson seconded. Motion carried with no dissenting votes noted*.

Zoning Map Revisions

Director Green and Land Use Specialist Jessica Hill pass out the zoning map revisions for the Board to review and have discussion. Director Green states "our intent, based on your recommendation, is to bring it forward to the County Commissioners to adopt as the official map to administer to." Jergenson made a motion to accept the map revisions. Messenger seconded. Motion carried with no dissenting votes noted*.

* Feigum left meeting at 7:20 and did not vote on these matters

Tabled/Old Business
There was no old or tabled business.

Adjournment 8:21 p.m. Motion by Jergenson to adjourn the Planning Advisory Commission meeting. Motion seconded by Messenger. Motion carried with no dissenting votes noted.

Respectfully submitted,

Shelley Cameron

Shelley Cameron/Sr. Administrative Associate
Pope County Land & Resource Management