

Goodhue County Planning Commission Government Center - Board Room 509 West 5th St, Red Wing MN 55066

Virtual Meeting Notice

Virtual Meeting Notice: The Goodhue County Planning Advisory Commission will be conducting a meeting on June 21, 2021 at 6:00 p.m. Due to concerns surrounding the spread of COVID-19, the meeting and all public hearings will be conducted by telephone or other electronic means.

The public may monitor the meeting from a remote site by logging into https://global.gotomeeting.com/join/951865077 or calling 1 866 899 4679 beginning at 5:50 PM or any time during the meeting. Access Code: 951-865-077

Public Comments: Interested persons must submit comments by phone, in writing, or via email by noon on Monday, June 21, 2021. To submit your comments please email them to samantha.pierret@co.goodhue.mn.us or mail them to the Land Use Management Department at 509 West 5th Street, Red Wing, MN 55066. Comments received by this deadline will be read into the record during the public hearing for that item, including name and address.

Approval Of Current Agenda

Approval Of Previous Month's Meeting Minutes

1. May 17, 2021 Planning Commission Meeting Minutes

Documents:

MINUTES_MAY2021_ PAC_DRAFT.PDF

Conflict/Disclosure Of Interests

Public Hearings:

 PUBLIC HEARING: CUP Request For A Utility-Scale Solar Energy System (SES) Request submitted by ReneSola Power (MN Zumbrota 6-2 LLC, Applicant) and Swenson Family (Owner) for a Utility-Scale Photovoltaic Ground 1-Megawatt Solar Energy System (SES) occupying approximately 8.0 acres. Parcel 47.019.1000. 43701 County 6 BLVD Zumbrota, MN 55992. Part of the W ¹/₂ of the SW ¹/₄ Section 19 TWP 110 Range 15 in Zumbrota Township. A-3 Zoned District.

Documents:

Other-Discussion

Adjourn

Anyone interested is invited to attend. Agenda items may be subject to change.

Goodhue County Land Use Management

* Goodhue County Government Center * 509 West Fifth Street * Red Wing * Minnesota * 55066 *

* Building * Planning * Zoning * Telephone: 651/385-3104 * Fax: 651/385-3106 *

The meeting of the Goodhue County Planning Advisory Commission was called to order at 6:03 PM by Chair Huneke in the Basement IT Conference Room at the Government Center in Red Wing.

Roll Call

Commissioners Present Virtually via GoToMeeting: Mark Huneke, Tom Gale, Richard Miller, Darwin Fox, Chris Buck, Howard Stenerson, Todd Greseth and Carli Stark

Commissioners Absent: Richard Nystuen

Staff Present: Land Use Director Lisa Hanni (Virtual), Zoning Administrator Samantha Pierret, Zoning Assistant Alexandra Koberoski, and Zoning Administrative Assistant Kathy Bauer

1. Approval of Agenda

¹Motion by Commissioner Miller; seconded by Commissioner Fox to approve the meeting agenda.

Motion carried 8:0

2. Approval of Minutes

²Motion by Commissioner Stenerson; seconded by Commissioner Stark to approve the previous month's meeting minutes.

Motion carried 8:0

3. Conflict/Disclosure of Interest

There were no reported conflicts/disclosures of interest.

4. PUBLIC HEARING: CUP Request for Feedlot Expansion (Klingsporn)

Request, submitted by David Klingsporn (Owner/Operator), for expansion of an existing Feedlot up to 436 head (489.7 Animal Units) and construction of a liquid manure storage basin exceeding 500,000 gallons. Parcel 39,025,0600. 23025 510th Street, Pine Island, MN 55963. The SW ¹/₄ of Section 25 TWP 109 Range 15 in Pine Island Township. A-2 Zoned District.

Pierret presented the staff report and attachments.

David Klingsporn (applicant) stated the reason for the expansion is they are oversized for the current facility, and they have two sons and their wives that farm with them.

Chair Huneke Opened the Public Hearing

Commissioner Miller noted he is on the Pine Island Board, and they support the Klingsporn's and their proposal for expansion. He stated in Pine Island, they are down to two dairy farms in the area and would like to encourage them to continue farming.

³After Chair Huneke called three times for comments it was moved by Commissioner Stenerson and seconded by Commissioner Fox to close the Public Hearing.

Motion carried 8.0

Commissioner Stenerson questioned whether after approval of the feedlot expansion request, if the applicant finds a better way of spreading the manure than by tanker truck, would it be an issue with the Conditional Use Permit as it is specified.

Pierret stated it would not be an issue and further discussion of the application of the manure can be between Klingsporns' and the Feedlot Officer.

4It was moved by Commissioner Stenerson and seconded by Commissioner Buck to:

- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend the County Board of Commissioners **APPROVE** the CUP request, submitted by David Klingsporn (owner/operator) to establish a 489.7 Animal Unit Feedlot with a liquid manure storage basin of up to 4,443,803 gallons.

Subject to the following conditions:

- 1. The Feedlot expansion shall be constructed according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
- 2. Applicants shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to establishing the new barn;
- 3. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 22 (General Agriculture District) and Article 13 (Confined Feedlot Regulations);
- 4. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

Motion Carried 8:0

PUBLIC HEARING: Request for Map Amendment (Rezone)

Request for map amendment by Goodhue County Public Works, to rezone 6 County owned parcels in Stanton Township from A-2 (General Agriculture District), CR (Commercial Recreational District) and R-1 (Suburban Residence District) to PT (Parks and Trails District). Parcels 41.014.0400, 41.014.0100, 41.014.0201, 41.013.3500, 41.018.0300 and 41.018.1400. 5001 HWY 19 BLVD, Cannon Falls, MN 55009 and TBD 4TH AVE Way, Randolph, MN 55065. Part of the S ¹/₂ of the NE 1/4 and Part of the NE ¹/₄ of the NE ¹/₄ of the NE ¹/₄ and Part of the SE ¹/₄ of the NW ¹/₄ and Part of the NE ¹/₄ of the NW ¹/₄ and Part of Cascade Block 24 Section 18 TWP 112 Range 18 all in Stanton Township.

Pierret presented the staff report and attachments.

Commissioner Stenerson questioned negative impacts on neighboring property owners with this rezone, such as setbacks etc.

Pierret stated rezoning the properties would not have immediate negative effects. Future uses of the properties must be approved by Stanton Township and Goodhue County.

Chair Huneke opened the Public Hearing.

Mary Kay & Mike Holgate, (30126 4th Avenue Way), questioned whether the rezone would affect Sciota Trail or if Stanton Township had any plans to improve the road. Further stated it is the worst road in the County, a "dust pit", people drive to fast on it already. They suggested the establishment of a recreational area could worsen conditions. Said the Township doesn't currently maintain Sciota Trail, and questioned how they will maintain 4th Avenue Way in addition.

Hanni stated this meeting is meant for Goodhue County change of zone request only, anything being done in the park will need to go through a CUP process with Stanton Township. The area is currently zoned R-1, and changes such as a parking lot, etc. will need to go through the township and a public hearing will be held. At that time, public comments on road issues, etc. may be discussed.

Commissioner Stenerson questioned if the entrance to the park is on the Holgate's road and whether the home would be directly impacted by the changes of this rezone?

Mark Kay Holgate replied the future changes are concerning to them because it will be a park, so there will likely be more traffic by their home, especially in the summer.

Jeff Davis, (867 Sciota Trail), questioned if there has been discussion of traffic control and enforcement, parking and waste management for the Cascade Park

Pierret restated that the reason for the meeting was for rezoning the parks only. Public Works has been working on some plans, but no final decisions in that regard have been made yet. The parks need to be rezoned first so some of these plans can be firmed up. She also noted that Stanton Township will require a CUP for the use, so a public hearing will happen at that time.

Hanni stated that comments and concerns are noted and will be addressed with the township at the appropriate time.

⁵After Chair Huneke asked three times for additional comments it was moved by Commissioner Stenerson and seconded by Commissioner Fox to close the public hearing.

Motion carried 8:0

⁶It was moved by Commissioner Stenerson, seconded by Commissioner Miller for the Planning Advisory Commission to:

• adopt the staff report into the record; • accept the application, testimony, exhibits, and other evidence presented into the record; and

APPROVE the map amendment request from Goodhue County Public Works to rezone parcels 41.014.0400, 41.014.0100 and 41.014.0201 from A2 (General Agriculture District) to PT (Parks and Trails District), rezone parcel 41.013.3500 from CR (Commercial Recreational District) to PT

(Parks and Trails District) and rezone parcels 41.018.0300 and 41.018.1400 from R1 (Suburban Residence District) to PT (Parks and Trails District).

Motion carried 8:0

Other Discussion

Discussion: Retreat Centers

At the April 19, 2021 meeting the Planning Advisory Commission recommended denial of a Text Amendment to allow Retreat Centers as a Conditional/Interim Use in the A1 District. The County Board of Commissioners denied the Text Amendment request and requested the Planning Commission and staff review the language for Retreat Centers, Educational Farm Retreats and Bed and Breakfasts to determine whether these definitions/uses could be combined, eliminated and/or revised. The reason for the denial of the Text Amendment was to maintain the A1 District for intensive agricultural uses and direct Retreat Centers to the A2 or A3 Districts.

Staff has provided the Planning Commission with the definitions and performance standards for Retreat Centers, Educational Farm Retreats and Bed and Breakfasts and an analysis of the uses.

Pierret presented the items for discussion.

Commissioner Stark questioned if there was a maximum number of attendants allowed at the Educational Farm Retreats at one time.

Hanni answered the Educational Farm Retreats have no performance standards, so however many people can fit into the space are permitted.

Commissioner Miller added the guests can stay for a maximum of two weeks.

Hanni stated currently there are 2 Educational Farm Retreats, some Retreat Centers and some Bed and Breakfasts. She questioned if the uses should be listed as one category and performance standards be prepared for it, rather than separate uses as it is currently.

Commissioner Greseth asked how we can bring them all together since they are all unique in their own way.

Hanni answered for example, with the Educational Farm Retreats, there are no performance standards for the use.

Commissioner Stenerson suggested looking at the Educational Farm Retreats language and adding the concepts of what the use is.

Hanni further noted the Educational Farm Retreats are more like a Bed and Breakfast and questioned if they should be put under the same category.

Commissioner Gale questioned if the Bed and Breakfasts should be removed from A-1 to avoid issues. These operations are not compatible with feedlots in the A-1 District.

Commissioner Miller stated the proposed Retreat Center in Pine Island has farm land all around it, is close to the City of Pine Island, and is a part of the A-1 District. He noted concerns of the number of people coming into the district and the amount of time allowed for their stay and the need for protecting the agricultural areas.

Hanni remarked in regards to the Retreat Centers, possibly limiting the number of guests for an overnight stay.

Commissioner Greseth questioned how many Educational Farm Retreats are permitted currently.

Pierret answered one, but staff will look into its current operation further.

Commissioner Greseth asked if the Educational Farm Retreats could be dissolved and permit these as Bed and Breakfasts.

Hanni replied we could eliminate the Educational Farm Retreats and grandfather in the one that is currently operating.

Chair Huneke stated the purpose of the Educational Farm Retreats is basically covered with the Bed and Breakfasts, suggesting combining the two.

Commissioner Stenerson noted if a person is in the A-1 Zone, and claims it is not agricultural anymore, they can apply to have the zone changed.

Commissioner Miller suggested the original applicant be annexed into the city; the city water and sewer go by her property, and she will need improvements of the sewer system as it is not set up for the expected number of guests.

Hanni stated further discussion will be had, and staff will contact the current operating Educational Farm Retreat for input. Staff will prepare the research for future review.

Hanni said in regards to the PAC meetings, the plan at this time is the July meeting will return to inperson, but that could still change depending on Covid-19 outbreaks and state mandates, etc.

Commissioner Greseth questioned if it is possible to have the meetings optional, virtual or in-person.

Hanni said we will look into that option as well.

Hanni introduced our new Zoning Assistant, Alex Koberoski to the members.

⁷ADJOURN: Motion by Commissioner Greseth and seconded by Commissioner Stark to adjourn the Planning Commission Meeting at 7:03 p.m.

Motion carried 8:0

Respectfully Submitted, Kathy Bauer, Zoning Administrative Assistant

¹APPROVE the PAC meeting agenda. Motion carried 8:0 MORRICALIUMILARIAGUED BUNNINGER ²APPROVE the previous month's meeting minutes. Motion carried 8:0

Goodhue County Land Use Management

Goodhue County Government Center | 509 West Fifth Street | Red Wing, Minnesota 55066

Lisa M. Hanni, L.S. Director

Building | Planning | Zoning Telephone: 651.385.3104 Fax: 651.385.3106



County Surveyor / Recorder

Environmental Health | Land Surveying | GIS Telephone: 651.385.3223 Fax: 651.385.3098

To: Planning Commission From: Land Use Management Meeting Date: June 21, 2021 Report date: June 11, 2021

PUBLIC HEARING: Request for CUP for a Utility-Scale Solar Energy System (SES)

Request submitted by ReneSola Power (MN Zumbrota 6-2 LLC, Applicant) and Swenson Family (Owner) for a Utility-Scale Photovoltaic Ground 1-Megawatt Solar Energy System (SES) occupying approximately 8.0 acres.

Application Information:

Applicant: ReneSola Power (MN Zumbrota 6-2 LLC, Applicant) and Swenson Family (Owner) Address of zoning request: TBD County 6 BLVD, Zumbrota, MN 55992 Parcel(s): 47.019.1000 Abbreviated Legal: Part of the W ½ of the SW ¼ Section 19 TWP 110 Range 15 in Zumbrota Township Zoning District: A-3 (Urban Fringe District)

Attachments and links:

Applications and submitted project summary (excerpt of materials; full submittal available upon request) Site Map(s) Goodhue County Zoning Ordinance (GCZO): http://www.co.goodhue.mn.us/DocumentCenter/View/2428

Background:

The Applicant has submitted a CUP request to construct and operate a 1 Megawatt (MW) photovoltaic (PV) utility-scale solar garden on approximately 8.0-acres of leased land located in Zumbrota Township that is owned by Julie Swenson ET AL. The project would be developed in conjunction with the State of Minnesota Solar Garden program and Xcel Energy's Solar Rewards Community Program. The program allows developers to design, permit, own, and operate solar energy systems and sell the generated power directly to consumers. Upon completion, the Solar Garden would connect to Xcel Energy's distribution grid and generate up to 1 MW of energy annually over the next 25 years.

Per Goodhue County regulations, Solar Energy Systems (SES) that are the primary use of the land and are designed to primarily provide energy to off-site users or export to the wholesale market may be conditionally permitted as a "Utility-Scale SES" within the County's A-3 zoned districts.

Goodhue County Zoning Ordinance: Article 4 Conditional/Interim Uses

No CUP/IUP shall be recommended by the County Planning Commission unless said Commission specifies facts in their findings for each case which establish the proposed CUP/IUP will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, will not substantially diminish and impair property values within the immediate vicinity, will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area, that adequate measures have been, or will be, taken to provide utilities, access roads, drainage, and other necessary facilities, to provide sufficient off-street parking and loading space, to 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.

<u>Project Summary:</u>

Property Information:

• The 8.0-acre (approximate) area to be leased by the Applicant is situated on a 43.42-acre parcel owned by Julie Swenson ET AL. The proposed lease area and the remainder of the property is currently used for row-crop agriculture and pastureland.

There is one existing 1-megawatt utility-scale SES array located directly north of the proposed site on land owned by Tyron Friese. That array was approved in July 2016 and installation was completed in 2018.

- Adjacent land uses include primarily row-crop and animal agriculture (Feedlots) to the north, east and south. The Zumbrota City limits are directly across County 6 BLVD from the property. The nearest residence is located approximately 775 feet from the proposed array to the west in the City of Zumbrota (Jace Dilley).
- Adjacent zoning districts include A-1 (Agriculture Protection) to the north; A-3 (Urban Fringe) to the east and south and City of Zumbrota to the west.

Solar Array:

The solar array is proposed to include 2,880 (455W) single-axis tracker panels installed in 11 rows spaced 20-feet apart. Steel and aluminum racks will hold up the solar panels, reaching 13' 9" above grade at the maximum tilt configuration.

The racking will be installed with piles that are anchored into the ground to an appropriate depth based on soil and geotechnical analysis.

The solar array will interconnect to the power grid via a pad-mounted transformer in the northwest portion of the project area, facilitating connection to an existing Xcel Energy circuit.

- A new driveway access to CTY 6 BLVD will need to be established to access the site. A 20-foot wide access drive is proposed to be installed for direct access to this site composed of crushed aggregate.
- An access permit will be required for new access to CTY 6 BLVD. Staff consulted with Greg Isakson, County Engineer, who noted he did not see any issues with the preliminary proposal however the driveway location and construction within the right-of-way will be reviewed in detail prior to approval of an access permit.

A recorded ingress/egress easement is not required for the property given the site is to be leased and all land to be crossed to access the site will remain under common ownership.

A separate fire number will be required for the site. Emergency vehicle access appears adequate to service the facility.

- Ample space exists within the project area to provide off-street parking, turnaround, unloading, and storage space for workers and materials during the construction phase.
- Once constructed, traffic to the site would be limited to periodic visits by maintenance and landscaping personnel to perform routine maintenance, in addition to any unplanned maintenance.
- The solar garden is sited to comply with all GCZO setback requirements for Solar Energy Systems.

Landscaping/Drainage:

- The site slopes generally from east to west with slopes ranging from 8 to 13% within the project area. Stormwater runoff drains towards wetland areas in the center of the parcel.
- A preliminary erosion control plan has been provided for this project. The plan notes that stormwater management will include the use of best management practices and perimeter control devices (silt fencing) to prevent erosion until the site is re-vegetated. No Bluffland features have been identified on this site.

• A Level 1 Wetland Delineation has been completed for this project. Wetland features are present outside the project area however the proposed access will cross an existing wetland stream. The proposed crossing will be professionally designed using a check dam and pipe with rip rap and will be reviewed by the Goodhue Soil and Water Conservation District prior to installation.

Beau Kennedy (Goodhue SWCD Manager) reviewed the proposal and offered the following comments:

Things look good on my end of things. The access road is aligned to avoid wetland impacts. We'll keep the erosion control plan in the wetland file for records sake. No wetlands present within the project area, however there are wetlands present just outside the solar project.

- An erosion control/stormwater management plan is customarily submitted for administrative review at the time of building permit application. An NPDES (National Pollutant Discharge Elimination System) and SWPPP will be required for this project and will need to be submitted by the Applicant prior to Building Permit approvals.
- There are trees present on the property providing some vegetative screening between the proposed site and County 6 BLVD. No additional screening has been proposed for the project. The Planning Commission should consider whether any screening of the proposed SES is warranted.
- Apart from the meter pad (typically less than 500 square feet), the entire area within the project boundary will be seeded with a MNDOT type pollinator blend of grasses, specific seed types are typically reviewed by the SWCD during the building permit phase.
- A 6-foot tall chain link fence will be constructed around the perimeter of the project area for security.
- Construction is expected to last approximately 4 months and is expected to begin in 2022.

Maintenance/Decommissioning:

- The project is subject to issuance of a Building Permit and must be constructed according to applicable building code requirements. The project will be inspected by County Building Inspections Staff and the State Electrical Inspector. In addition, Planning and Zoning Staff will inspect the project upon completion to ensure conformance with applicable zoning requirements.
- The Applicant has prepared a Decommissioning Agreement between MN Zumbrota 6-2 LLC and Julie Swenson ET AL. The plan includes the removal of all of the solar arrays, cables, electrical components, accessory structures, fencing, roads, and other ancillary facilities owned by the solar garden and the reclamation of the site.
- Per GCZO Article 19, the applicant may be required to provide a financial surety at up to 125% of the estimated decommissioning cost. The County has not typically exercised the right to financial assurance requirements for similar solar installations. The Planning Advisory Commission and County Board should consider if the County should require financial assurance to cover anticipated decommissioning costs.

Zumbrota Township:

- Zumbrota Township signed the Conditional Use Permit Application on May 11, 2021 without comments.
- A Township Zoning Approval permit will need to be acquired by the Applicant as part of the Building Permit submittal package.

Draft Findings of Fact:

The following staff findings shall be amended to reflect concerns conveyed during the PAC meeting and public hearing.

1. The proposed Solar Garden does not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted, nor would it substantially diminish and impair property values in the immediate vicinity. The Solar Garden is located within a primarily agricultural area with one existing Solar Garden directly north of the site that has been installed

and functioning without record of complaint from neighboring residences.

- 2. The establishment of the proposed Solar Garden is not anticipated to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. The use is proposed to meet all development standards of the Goodhue County Zoning Ordinance and it does not appear incompatible with adjacent land uses.
- 3. A review of the Applicant's submitted project summary indicates adequate utilities, access roads, drainage, and other necessary facilities are available or will be provided to accommodate the proposed use.
- 4. The submitted plans identify means to provide sufficient off-street parking and loading space to serve the proposed use and meet the Goodhue County Zoning Ordinance's parking requirements.
- 5. The submitted plans detail adequate measures to prevent or control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance.

Staff recommendation is based on the review of the submitted application and project area prior to the public hearing.

Staff Recommendation:

LUM Staff recommends the Planning Advisory Commission

- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend that the County Board of Commissioners **APPROVE** the request for a CUP, submitted by ReneSola Power (MN Zumbrota 6-2 LLC, Applicant) and Julie Swenson ET AL (Owner) for a Utility-Scale Photovoltaic Ground 1-Megawatt Solar Energy System (SES) occupying approximately 8.0 acres.

Subject to the following conditions:

- 1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
- 2. The project shall be decommissioned according to Article 19 Section 6 of the Goodhue County Zoning Ordinance and submitted plans;
- 3. A decommissioning agreement between the landowner and MN Zumbrota 6-2 LLC shall be maintained to ensure reclamation of the area;
- 4. LUM staff shall be notified by the landowner or solar company 30 days prior to ownership transfer or operator changes;
- 5. A stormwater management and erosion control plan shall be submitted for administrative review as part of the Building Permit Application for the project;
- 6. Applicant shall work with the Goodhue County Soil and Water Conservation District to determine an appropriate seed mix for disturbed areas of the site and should submit "seed tags" to the Land Use Management Department prior to final inspection;
- 7. Applicant shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to establishing the use;
- 8. Applicant shall obtain a driveway access permit from Goodhue County Public Works prior to approval of a Goodhue County Building Permit;
- 9. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 19 Solar Energy Systems (SES) and Article 23 (Urban Fringe District). The Applicant shall request a final inspection of the project for compliance with applicable zoning requirements upon completion of the project;
- 10. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
- 11. This CUP shall expire 30 years from the date of approval unless terminated prior to that date.

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel #___470191000

Parcel #				Permit#	
PROPERTY OWNER INFOR	MATION				
Last Name Swenson Family, Mark Swenson		First		Email:	
Street Address 43701 Co 6	Blvd.			Phone	
city Zumbrota	State MN	zip 55992	Attach Legal	Description as Exhibit "A" 🗌	
Authorized Agent MN Zum	orota 6-2 LLC		Phone		
Mailing Address of Landowner: 6 Mailing Address of Agent: 43	3 Grandview D SE Main Street,			N 55424	
PROJECT INFORMATION					
Site Address (if different than abo	ve):				
ot Size 46.35 acres	Structure Dimension	s (if applicable) App	proximately 7.	8 acres for community solar garde	
What is the conditional/interim us	e permit request for? X	cel Energy com	nunity solar o	arden	
ordinance. Community sola or byproducts and solar pro ocating the solar garden of DISCLAIMER AND PROPER I hereby swear and affirm that the acknowledge that this application	ar gardens are a sa oducts have a long in the least amount TY OWNER SIGNA <i>e information supplied It</i> <i>is rendered invalid and</i> <i>ccurate or untrue. I her</i>	fe means of proc history of safe of of ag land. TURE <i>void should the County L</i>	ucing clean e perations. In a and Use Managen any determine tha	are allowed on Ag land per county energy. There are no emissions addition, great effort was put into ment Department is accurate and true. I at Information supplied by me, the applican mentioned agent to represent me and my	
Signature of Landowner:	70			Date 4-30-21	
Signature of Agent Authorized by	L Swenzer			,	
the second second second second	· · · · · · · · · · · · · · · · · · ·		ahada 🗖 të	no please have township complete below:	
TOWNSHIP INFORMATION	The second s	p Zoning Permit Atta		stated above. In no way does signing	
this application indicate the To				stated above, in no way abou signing	
Comments:	sernemann	Title Cl	erK	Date 5-11-21	
COUNTY SECTION CO	JNTY FEE \$1,000	RECEIPT #	DA	TE PAID	
Applicant requests a CUP/IUP pur	suant to Article Se	ction Subdivision	on of the G	oodhue County Zoning Ordinance	
What is the formal wording of the	request?				
Shoreland Lake/Stream	Name		Zonin	g District	
Date Received	Date of Public Hearing	[NR Notice	_ City Notice	
Action Taken:Approve	Deny Conditions:				

PROJECT SUMMARY

Please provide answers to the following questions in the spaces below. If additional space is needed, you may provide an attached document.

- 1. Description of purpose and planned scope of operations (including retail/wholesale activities). MN Zumbrota 6-2 LLC is applying for a conditional use permit to construct and operate a 1 MW ac
- community solar garden on the property which is currently zoned Agriculture (A). Most of the garden will be located on pasture land.
- 2. Planned use of existing buildings and proposed new structures associated with the proposal. No planned use of existing buildings, only structure will be the solar garden.
- 3. Proposed number of non-resident employees. There will be 5-7 workers during construction. There will be 1 worker for grass mowing and weed control

for the life of the garden.

4. Proposed hours of operation (time of day, days of the week, time of year) including special events not within the normal operating schedule.

During the 3-4 months of construction, construction crew will follow Goodhue County work hour

regulations.

- 5. Planned maximum capacity/occupancy. N/A
- 6. Traffic generation and congestion, loading and unloading areas, and site access. There will be truck traffic and a construction team on site during the 3-4 month construction period.

The construction team will adhere to the location construction ordinances.

- Off-street parking provisions (number of spaces, location, and surface materials). The project will coordinate with the county highway department to permit the installation of the new driveway and adhere to regulations. No off street parking needed for the solar garden.
- Proposed solid waste disposal provisions. The construction contractor chosen to build the solar garden will follow the waste management plan by having a dumpster on site during construction.

9. Proposed sanitary sewage disposal systems, potable water systems, and utility services. Project will not generate any sewage.

- 10. Existing and proposed exterior lighting. N/A
- 11. Existing and proposed exterior signage. An emergency contact sign will be on the front gate according to Goodhue County regulations.
- 12. Existing and proposed exterior storage. N/A
- 13. Proposed safety and security measures. A peripheral 6 ft chain link fence will be around the project for security.
- 14. Adequacy of accessibility for emergency services to the site. There will be an access driveway, 9-1-1 address assigned to the solar garden, and full emergency contact information on the front sign of the solar garden.
- 15. Potential for generation of noise, odor, or dust and proposed mitigation measures. The project will not generate noise, odor, dust, or waste.
- 16. Anticipated landscaping, grading, excavation, filling, and vegetation removal activities. We anticipate some grading, excavation, filling and vegetation removal. Please see erosion control plan.
 We will have a full civil build set prepared and provided to Goodhue County prior to applying for the building permit. In addition we will continue to work with Goodhue SWCD to create an approved plan.
- 17. Existing and proposed surface-water drainage provisions. A full stormwater management plan will be prepared and provided to Goodhue County prior to applying for the project's building permit.
- 18. Description of food and liquor preparation, serving, and handling provisions. There will be no food or liquor preparation, serving or handling on this site.
- 19. Provide any other such information you feel is essential to the review of your proposal. We plan to plant MnDOT - type pollinator blend grasses inside the solar garden. This will enhance

native habitat, soil and ground water.



43 SE Main Street, Suite 504 - EH, Minneapolis, MN 55414

MN Zumbrota 6-2 LLC Conditional Use Permit Application 1MW AC Community Solar Garden April 22, 2021

MN Zumbrota 6-2 LLC is applying for a conditional use permit to construct and operate a 1MW AC community solar garden on approximately 8.0 acres in Goodhue County parcel number: 470191000. The property is owned by the Swenson family and leased by the project under a long-term solar site lease agreement.

The 1MW AC community solar garden will be comprised of solar panels, racking equipment, electrical equipment, an overhead electric line, a driveway, and a six-foot chain link perimeter fence. The project is shown on the attached site plan and is located on the eastern side of the parcel away from Co. 6 Blvd. Great efforts have been taken to locate the facility on mostly pastureland to avoid use of ag land. The project will comply with all required setbacks. The project's road access will be off County 6 Blvd. The project will connect to Xcel Energy's distribution line running along County 6 Blvd.

The project will utilize single-axis trackers which will track the sun across the sky from east to west throughout the day. The project is expected to generate over 2.2 million kWh of clean energy each year.

Sincerely,

Cindy Larson O'Neil Project Manager Renessa Power 43 SE Main Street, Suite 504, Expo Hall, Minneapolis, MN 55414

MAP 01: PROPERTY OVERVIEW



PLANNING COMMISSION

Public Hearing June 21, 2021

ReneSola (Applicant) & Swenson Family (Owner) A3 Zoned District

W1/2 of the SW 1/4 Section 19 TWP 110 Range 15 in Zumbrota Township.

Request for a Utility-Scale Photovoltaic 1 MW SES occupying approximately 8 acres





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2020 Aerial Imagery Map Created June, 2021 by LUM

MAP 02: VICINITY MAP



PLANNING COMMISSION

Public Hearing June 21, 2021

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2020 Aerial Imagery Map Created June, 2021 by LUM

MAP 03: ELEVATIONS



PLANNING COMMISSION

Public Hearing June 21, 2021

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W1/2 of the SW 1/4 Section 19 TWP 110 Range 15 in Zumbrota Township.

Request for a Utility-Scale Photovoltaic 1 MW SES occupying approximately 8 acres



2020 Aerial Imagery Map Created June, 2021 by LUM



Minnesota Wetland Conservation Act

Notice of Decision

Local Government Unit: Goodhue SWCD County: Goodhue
Applicant Name: Cindy Larson O'Neil/ MN Zumbrota 6-2, LLC Applicant Representative: EOR, Jason Naber
Project Name: MN Zumbrota 6-2, LLC LGU Project No. (if any): WB-11-20-5
Date Complete Application Received by LGU: 11/19/2020
Date of LGU Decision: 12/1/2020
Date this Notice was Sent: 12/1/2020
WCA Decision Type - check all that apply
🛛 Wetland Boundary/Type 🛛 Sequencing 🖓 Replacement Plan 🖄 Bank Plan (not credit purchase
□ No-Loss (8420.0415) □ Exemption (8420.0420)
Part: A B C D E F G H Subpart: 2 3 4 5 6 7 8 1
Replacement Plan Impacts (replacement plan decisions only)
Total WCA Wetland Impact Area:
Wetland Replacement Type: 🔲 Project Specific Credits:
Bank Credits:
Bank Account Number(s):
Fechnical Evaluation Panel Findings and Recommendations (attach if any)
Approve Approve w/Conditions Deny No TEP Recommendation
.GU Decision
\Box Approved with Conditions (specify below) ¹ \boxtimes Approved ¹ \Box Denied
List Conditions
Decision-Maker for this Application: 🛛 Staff 🔲 Governing Board/Council 🖾 Other:
Decision is valid for: 🛛 5 years (default) 🛛 Other (specify):
Wetland Replacement Plan approval is not valid until BWSR confirms the withdrawal of any required wetland bank credits. For project
pecific replacement a financial assurance per MN Rule 8420.0522, Subp. 9 and evidence that all required forms have been recorded or
itle of the property on which the replacement wetland is located must be provided to the LGU for the approval to be valid.
CU Findings - Attack document(a) and (an incert neuroting num iding the basis for the LCU decision)
GU Findings – Attach document(s) and/or insert narrative providing the basis for the LGU decision ¹ .
 Attachment(s) (specify): EOR memo with updated wetland boundary lines and project area. Summary
The TEP identified some slight adjustments to the wetland boundary as well as the project area. See
attached TEP findings. Following the TEP meeting, EOR, Inc. provided an updated memo showing the
suggested changes being documented. The WCA LGU approves the 1.146 acre, Type 1 Seasonally Flooded
Basin identified only within the 11/25/2020 adjusted project area.

¹ Findings must consider any TEP recommendations.

Attached Project Documents

Site Location Map Project Plan(s)/Descriptions/Reports (specify): EOR Memo.

Appeals of LGU Decisions

If you wish to <u>appeal</u> this decision, you must provide a written request <u>within 30 calendar days of the date you</u> <u>received the notice</u>. All appeals must be submitted to the Board of Water and Soil Resources Executive Director along with a check payable to BWSR for \$500 *unless* the LGU has adopted a local appeal process as identified below. The check must be sent by mail and the written request to appeal can be submitted by mail or e-mail. The appeal should include a copy of this notice, name and contact information of appellant(s) and their representatives (if applicable), a statement clarifying the intent to appeal and supporting information as to why the decision is in error. Send to:

Appeals & Regulatory Compliance Coordinator Minnesota Board of Water & Soils Resources 520 Lafayette Road North St. Paul, MN 55155 travis.germundson@state.mn.us

Does the LGU have a local appeal process applicable to this decision?

□ Yes¹ ⊠ No

¹If yes, all appeals must first be considered via the local appeals process.

Local Appeals Submittal Requirements (LGU must describe how to appeal, submittal requirements, fees, etc. as applicable)

Notice Distribution (include name)

Required on all notices:

 ⊠ SWCD/County TEP Member:
 Willie Root
 ⊠ BWSR TEP Member:
 Alyssa Core

 □ LGU TEP Member (if different than LGU contact):

 ⊠ DNR Representative:
 Brandon Schad

 □ Watershed District or Watershed Mgmt, Org.:

☑ Applicant: Cindy Larson O'Neil/ MN Zumbrota 6-2, LLC ☑ Agent/Consultant: Jason Naber-EOR

Optional or As Applicable:

Corps of Engineers:	David Studenski		
BWSR Wetland Mitigat	ion Coordinator (required for	bank plan applications onl	y):
Members of the Public	(notice only):	🛛 Other:	Ryan Bechel-GC P&Z Administrator

Signature:	Date:
B-K-1	12-1-2020

This notice and accompanying application materials may be sent electronically or by mail. The LGU may opt to send a summary of the application to members of the public upon request per 8420.0255, Subp. 3.

memo

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Project Name	MN Zumbrota 6-2	Date	11/25/2020
To / Contact info	Beau Kennedy- Goodhue SWCD/WCA Administrator		
Cc / Contact info	Cindy Larson O'Neil- ReneSola		
From / Contact info	Jason Naber, Jimmy Marty		
Regarding	Revised Wetland Boundary and Type - MN Zumbrota 6-2 (LGU	Project No. WB-	4-11/2020)

ecology

Background

The following memo summarizes revisions made to the boundary and type of a wetland complex delineated at the proposed MN Zumbrota 6-2 site. A Level 2 delineation report and joint project application were received by the LGU from EOR on 11/19/2020. The TEP reviewed the delineation in the field on 11/24/2020. The TEP recommended minor revisions to wetland boundary and type as well as expanding the Study Area in a TEP form dated 11/25/2020.

Summary of Revisions

- 1. The Study Area was expanded to include wetlands near potential crossings (Figure 1).
- 2. Two areas along the western wetland boundaries were expanded (Figure 1).
- 3. "Stream 1" as identified in **Figure 1** was changed to a Type 1, Seasonally Flooded Basin with an associated 4-ft wide channel (**Figure 2**)
- 4. Since all revised wetlands are contiguous, all wetland areas were merged into a single wetland area identified as Wetland 1 on **Figure 2**.

An updated summary of the revised wetland types and areas (including former IDs) are provided below in **Table 1**.

		Area (Acres) Within		
Wetland ID	Cowardin <i>et al /</i> NWI	Circular 39	Eggers and Reed	Study Area
Wetland 1	PEMA	Type 1	Seasonally Flooded Basin	1.146
Wetland 1	PEMA	Type 1	Seasonally Flooded Basin	0.655
Wetland 2	PEMA	Type 1	Seasonally Flooded Basin	0.113
Stream 1	R2UBF	N/A	N/A	0.021

Table 1. Revised Delineated Wetland Summary

Emmons & Olivier Resources, Inc. is an Equal Opportunity Affirmative Action Employer



Figure 1. Study Area, wetland boundary, and wetland type revisions recommended by the TEP.

Emmons & Olivier Resources, Inc.

memo 3 of 3





Emmons & Olivier Resources, Inc.



GRADING & EROSION CONTROL NOTES

- 1. THE CONTRACTOR SHALL IMPLEMENT EROSION CONTROL IN ACCORDANCE WITH GOODHUE COUNTY, AND THE STATE OF MINNESOTA REQUIREMENTS, AND AS SHOWN ON PLANS.
- 2. THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES, INCLUDING THE REMOVAL OF ACCUMULATED SEDIMENT AT ¹/₂ CAPACITY FROM BMPS DURING THE DURATION OF CONSTRUCTION UNTIL FINAL STABILIZATION IS ACHIEVED.
- 3. CONTRACTOR TO MINIMIZE THE AREA DISTURBED BY GRADING AT ANY GIVEN TIME AND TO COMPLETE TURF RESTORATION WITHIN THE TIME REQUIRED BY THE PERMIT AFTER COMPLETION OF GRADING OF AN AREA.
- 4. ALL CONSTRUCTION ENTRANCES SHALL BE SURFACED WITH CRUSHED ROCK (OR APPROVED EQUAL) ACROSS FULL WIDTH FROM ENTRANCE POINT TO 50 FEET INTO THE CONSTRUCTION ZONE.
- 5. THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES, INCLUDING THE REMOVAL OF ACCUMULATED SILT IN FRONT OF SILT FENCES, SEDIMENT CONTROL LOGS, ETC. DURING THE DURATION OF THE CONSTRUCTION.
- 6. CONTRACTOR SHALL PROVIDE ADDITIONAL TEMPORARY EROSION CONTROL MEASURES AS REQUIRED FOR CONSTRUCTION.
- REMOVE ALL EROSION CONTROL MEASURES AFTER THE WORK HAS 7. BEEN ACCEPTED BY THE CITY, COUNTY, STATE, AND PROJECT ENGINEER.
- 8. THE CONTRACTOR SHALL REMOVE ALL SOILS AND SEDIMENT TRACKED ONTO EXISTING STREETS AND PAVED AREAS WITHIN 24 HOURS OF NOTICE IN ACCORDANCE WITH CITY, COUNTY, AND STATE REQUIREMENTS.
- 9. IF BLOWING DUST BECOMES A NUISANCE, THE CONTRACTOR SHALL APPLY WATER FROM A TANK TRUCK TO ALL CONSTRUCTION AREAS.
- 10. CONTRACTOR TO FOLLOW STABILIZATION TIMELINE SET FORTH BY THE STATE OF MINNESOTA CONSTRUCTION STORMWATER PERMIT.
- 11. CONTRACTOR TO SEED PROJECT LIMITS WITH TEMPORARY SEEDING (COVER CROP) MIXTURE 22-111, OATS COVER CROP FROM MAY 1ST TO AUGUST 1ST, WINTER WHEAT COVER CROP FROM AUGUST 1ST TO OCTOBER 1ST, BOTH SEED MIXTURES TO BE INSTALLED AT A RATE OF 100 PLS POUNDS PER ACRES.

NO	DATE	BY	REVISION	
1				NOT FOR CONSTRU
2				FORCON
3				CONSIN
4				TD
5				
6				

UCTION

SUBMISSION DATE: 05-01-2021 ESIGN BY DRAWN BY BR BR EOR PROJECT NO. XXXX-XXXX

Emmons & Olivier Resources, Inc.

1919 University Ave W. water St Paul, MN 55014 ecology Tele: 651.770.8448 community www.eorinc.com



STATE PROJECT NO. ---

MN ZUMBROTA 6-2 LLC ZUMBROTA, GOODHUE COUNTY, MINNESOTA

NOTES & SEQ

CITY PROJECT NO. ###

SHEET 02 OF 04 SHEETS

