

**CASTLE ROCK TOWNSHIP
PLANNING COMMISSION PUBLIC HEARING
November 28, 2016 @ 6:30 p.m.**

Approved

The Planning Commission of Castle Rock Township scheduled a Public Hearing to be held on Monday, November 28, 2016 at 6:30 p.m.

Present were Jeff Partington, Chair, Mary Ann Enggren, Gerald Larson, and Barbara Lang, Commission members. Mike Betzold was absent. Also attending were Mark Henry, Norb Kuhn, Pete Schaffer, Roger and Elaine Wikstrom, Scott Qualle, Sandy Weber, Dave Nicolai, and late arrivals Erik and Shannon Nielsen.

Public Hearing was called to order by Chair Jeff Partington at 6:30 pm and the Pledge of Allegiance was recited.

Chair Jeff Partington read the purpose of the Hearing: The purpose of this hearing is to review an Ordinance Amending Zoning Ordinance 2013-01, the Castle Rock Township Zoning Ordinance, updating language in Section 6.04 B & K, Section 6.05 B & H, Section 6.06 B, H, and I; Section 6.07 C, I and J; and Section 7.21 A. Copies of the draft Ordinance Amendment and the existing Ordinance Amendment regarding solar energy systems were available for everyone in attendance as a reference.

Mr. Partington asked Clerk Barbara Lang to explain more detail about why this Ordinance Amendment is being proposed. She explained that it was discovered that when the Zoning Ordinance was amended about a year ago, the language that was approved requires that all zoning categories require obtaining an Interim Use Permit (IUP), which was not the township's intention for residential rooftop systems. In IUP would require an escrow to be paid and each project would be subject to a Public Hearing as well as the expense involved for that. The proposed Ordinance Amendment would remove the IUP requirement.

Chair Partington then asked if there were any comments or questions from those in attendance.

Pete Schaffer asked about how inspections will be handled on solar systems being installed on ag-zoned buildings. Pete has talked to Vermillion Township and they have provisions that do not require any type of inspection or permitting, other than the electrical requirements, for ag buildings.

Norb Kuhn commented that he feels that a solar system is equipment, not a structure, and should be considered additional equipment if it is installed on an ag building. It should be a resident's prerogative to install this equipment without going through a lot of permit paperwork and fees.

Sandy Weber asked, "If a solar company comes in to sell a system to someone, do they assess if the roof of the building where it will be installed can handle the weight?" No one had an answer to that question.

Jeff Partington asked how high the rooftop panels are above the roof surface. Pete Schaffer, who is certified to install this type of system, answered that they are approximately 6" from the roof surface.

There was some general discussion about the distance from roof edges that is listed in the current Ordinance for solar rooftop systems in both Ag-zoned property and Commercial/Industrial property. Presently it is listed that it must be placed six inches from the roof edges, which would definitely limit the number of panels that could be installed on some buildings. Scott Qualle, the township Building Official, stated that the MN State Fire Code requires that added equipment needs to be three inches from the edge for safety purposes.

There was some more general discussion about how the township will handle permitting and/or inspections for ag buildings. Pete Schaffer informed the group that if a solar project is receiving any Federal or State grant money, a Federal Inspector and a State Inspector would be at the work site inspecting the project. An electric permit is always required, so those inspections would be made. In

addition, it appears that that local energy companies also have their own compliance requirements before they will install the appropriate meter for the electricity. Bottom line is that several inspections will be made on new systems, regardless of our usual building permit process.

Pete Schaffer noted that the existing language limits the height of ground-mounted retail systems to fifteen feet. He knows that in a nearby township a ground-mounted system is in operation that is a tracking system that moves to follow the sun, and the height is closer to 25 feet. Planning Commission Member Mary Ann Enggren commented that her opinion is that fifteen feet is high enough, and that anything higher could become an eyesore for neighboring residents.

Roger and Elaine Wikstrom commented that the Federal Grant that they qualified for through USDA for their rooftop system will be expiring, and they will be losing money if this gets held up too much longer. The equipment is sitting at their property, but they can't proceed until the township gets this paperwork straightened out. Elaine Wikstrom also thanked the township for working with them to get this problem resolved as quickly as it can be, and understands that changing the Ordinance takes some time to go through the process.

Dave Nicolai asked if the Wikstroms could apply for a Variance so they could proceed with their project. Chair Partington asked Barbara Lang to answer this inquiry. She explained that a Variance application requires an application and fee, and that process requires its own Public Hearing, so this would add basically another month to approval.

Hearing no other comments or questions, Mr. Partington asked for a motion to adjourn the Public Hearing. The recommendation being made to the Board of Supervisors will be discussed during the regular Planning Commission meeting.

Gerald Larson / Mary Ann Enggren made a motion to adjourn the Public Hearing. 4 ayes. Motion carried.

Public Hearing adjourned at 7:05 pm.

Respectfully submitted,

Barbara Lang, Town Clerk
Castle Rock Township

Attest: Jeff Partington, Acting Chair, Castle Rock Planning Commission