

CASTLE ROCK TOWNSHIP
PLANNING COMMISSION PUBLIC HEARINGS
December 21, 2015 @ 6:00 p.m.

Approved

The Planning Commission of Castle Rock Township scheduled a series of Public Hearings to be held on Monday, December 21, 2015 at 6:00 p.m. Posting had been made that the Town Board Supervisors may be in attendance at the Public Hearings.

PUBLIC HEARING #1

Present were Jon Juenke, Chair; Jeff Partington, Vice-Chair, Mary Ann Enggren, Gerald Larson, and Barbara Lang, Commission members. Also attending were Dean Johnson, Town Planner; Kaya Tarhan, Wayne Hallcock, Lee Dilley, Vicky Dilley, Carolyn Dilley, Diana Dilley, Steven Waliga, Avery Hildebrand, Sandy Weber, Michelle Nicolai, Dave Nicolai, Dan Gill, Loren Thompson, Clyde Thompson, Craig Braun, Russ Zellmer, Lis Dilley, Rhonda Rademacher, Eric Zweber, and Mark Zweig.

CALL TO ORDER:

Chair Jon Juenke called Public Hearing #1 to order at 6:00 p.m. and the Pledge of Allegiance was recited.

The purpose of this hearing is to consider the Interim Use Permit application by SUNE MN Holdings, LLC for a community solar garden on approximately 75 acres of land owned by Leland C. Dilley, et al. located at 27280 Denmark Ave.

Chair Jon Juenke then turned to floor over to Dean Johnson, Township Planner. Mr. Johnson deferred comments until after Mark Zweig, representing Sun Edison, gave his overview of the project.

The project will involve installation of approximately 22,000 solar panels and five (5) inverters. A chain link fence is planned to be erected around the perimeter. Pollinator-friendly ground cover will be planted within the panel area. Black Hill spruce trees will be planted along two of the corners of the property. Dogwood bushes will be planted as an additional screen along Denmark Avenue. Nothing that is being constructed will be over ten (10) feet in height. There will be no lighting or noise at night. Access to the property will be from Denmark Avenue and built to County code for traffic access. Once construction is complete and system is operational, they expect minimal maintenance requirements to check equipment and for mowing in the summer. Ground cover outside of the fenced area will be of the type that won't require maintenance. If all approvals and requirements are met, construction is expected to begin by early May. Mr. Zweig then asked if any of the Planning Commission members had any questions.

Barbara Lang: Will a taller communication pole be required for this project for the equipment?

Mark Zweig: At this time, it is unknown if a higher pole will be needed. Xcel will determine if that will be necessary.

Jon Juenke: Will any of the solar equipment transmission affect GPS devices on farm equipment?

Mark Zweig: The energy generated by solar is classified as distribution voltage, which is the same as residential voltage, and shouldn't affect any of that type of equipment.

No further questions being asked by the Planning Commission, Mr. Johnson took the floor to give an overview of the ongoing process for issuance of Interim Use Permits (IUP). He then moved on to explain specific requirements for this IUP request. He recommends a term of 27 years, which includes a year for constructing the facility, 25 years of operation and a year to decommission and remove the system. The Decommission Plan for this project is for the Applicant to pay an annual Escrow amount of \$3,000 for a period of 25 years (total of \$75,000 by the end of the term). This project will have fixed panels, which will have non-glare surfaces. No radio interference is expected, and the requirements included in the plan for landscaping are appropriate to the location. This

project is still waiting for more information and final approval from Xcel. Final site plan and final stormwater management plans will be required prior to the beginning of construction and must be approved before construction begins.

Mr. Juenke then opened the meeting to other questions or comments.

Steve Waliga: Vegetation was discussed along Denmark Ave. What kind of glare is expected?

Mark Zweig: Vegetation is normally planted to screen visibility of the panels from the road. Panels will have anti-glare coating, so glare is not normally considered an issue. The point of the panels is to absorb the sunlight, not to reflect it, so very little glare is expected.

Wayne Hallcock: Could you give a brief history of the SunEdison Company?

Mark Zweig: SunEdison was founded over 50 years ago. The company is known around the world. Thousands of 400 megawatt (MW) projects planned to add in 2016. Their company focuses on constructing facilities only in high profit, stable countries around the globe.

Clyde Thompson: Why did you select this particular size for this project?

Mark Zweig: Under the current limitations of the Public Utilities Commission (PUC), they cannot build facilities that would generate over 5 MW, and the capacity is also limited by Xcel.

Dean Johnson: The PUC ruled that the facilities are limited to 5 MW, but the township does not list a cap for the capacity. This is less than what was originally expected by the power companies. Sites will be limited to fit into the existing electric grid infrastructures. These smaller solar gardens are expected to localize the generation of power.

Hearing no further questions or comments, Chair Juenke closed comments.

Mary Ann Enggren / Gerald Larson made a motion to adjourn Public Hearing #1. 5 ayes. Motion carried.

Public Hearing #1 was adjourned at 6:25 pm.

PUBLIC HEARING #2

Present were all persons listed above for Public Hearing #1.

CALL TO ORDER:

Chair Jon Juenke called Public Hearing #2 to order at 6:30 p.m.

The purpose of this hearing is to consider the Interim Use Permit application by Farmington Holdco, LLC for a solar photovoltaic project on approximately 35 acres of land owned by Stage Five Holdings, LLC at 3100 225th Street W. (NOTE: Property address has been updated to 3330 225th St W.)

Chair Jon Juenke then turned to floor over to Kaya Tarhan, from SolarStone Partners, Inc. Mr. Tarhan presented a Powerpoint to give their overview of the project. The project is to be located on a site that is approximately 35 acres, and about 25 acres will actually be involved in the solar project located at 225th St and Highway 3. Previous tree farm landowner has been clearing the land with the exception of the southern part in the floodplain area. The actual site layout will avoid the floodplain. Access to the project will be from 225th St, and a new driveway access is expected to be installed across from Cantrell. A gravel road will be established within the project area for access to the panels. The connection point to the power grid will be along 225th St., and they are working with Xcel to minimize onsite poles. The presentation included photos showing how panels are erected and installed. The heaviest construction equipment expected would be 18-wheelers, and construction vans and pick-ups will also be used during the construction phase. Once the site is operational, maintenance would consist of mowing when necessary and normal equipment maintenance. They are working with Xcel on the final details and height requirements for a communications antenna, which would be a maximum of an 80 foot wooden pole fitted with a five foot radio antenna at the

top. Tax revenue paid to the State will be distributed to the County and Township, and is based on actual power production.

Decommissioning for this project: They are requesting a 35-year term for the permit with a possible five-year extension. Solar Stone is offering to post a \$125,000 Bond to the township at year 25. Based on salvage values, they expect a positive number for salvaging and recycling equipment. There will be no audible sound at night. A hum, similar to a refrigerator running, is to be expected some of the time during the day. The equipment is set up to trip off if stray voltage would ever be detected. Any random stray voltage would be more of a problem to wildlife than to humans, if it would ever occur.

They propose to construct a chain link fence around the facility to be topped with barbed wire. Gates will be locked. Glare is not expected to be a problem as surfaces of the panels are coated with anti-reflective coating to achieve better absorption of energy.

Pollinator-friendly ground cover will be planted on the property which will consist of grasses and native flowers, and will require minimum maintenance.

Mr. Tarhan then asked if there were any questions.

Jerry Larson: If there would be a car accident that involved a car going off the road and through the fencing would there be a chance of electrocution to the people involved?

Kaya Tarhan: This risk would be minimal. A car would have to go through the ditch and then the fence before they would ever get as far as the equipment. The panels themselves are not dangerous. The inverter equipment is where the main voltage is located. Any disruption of the system would trip it to an off position for the entire facility.

Eric Zweber with WSB also gave some further explanation of the equipment and the separations involved.

Mary Ann Enggren: What is the time frame for repairing any voltage problems?

Kaya Tarhan: The local Xcel service people would be called to determine the response. If anything is out of balance, it is typically a single-phase problem and not as dangerous as high voltage facilities.

Barbara Lang: Under the current State Building Code, fences up to seven feet in height do not require a separate building permit, so they should take that into consideration for the expected fence enclosure.

Russ Zellmer: How many semi loads are expected during construction and what kind of weight will they be carrying?

Kaya Tarhan: Weight is expected to range from 55,000 to 82,000 per load, and they expect 60 to 70 loads which would be delivered within a month.

Craig Braun: My understanding was that this property was zoned as single residential. He owns the property to the south of this project and feels that if this solar project is constructed there would be no possibility for water or sewer to come in and would also most likely mean that his property would no longer qualify for annexation by the City of Farmington.

Dave Nicolai: All the property in this area was zoned quite some time ago, prior to the term of this project. Anyone who owns property adjacent to the current city line has to go through the process of petitioning the City of Farmington to request being annexed.

Dan Gill: I own land that surrounds the project area. I have been considering selling my lot, but can't list it until it is determined if there is a buildable lot there.

Dave Nicolai: My understanding is that the quarter-section has no more buildables.

Barbara Lang: The Resolution that was executed by the Township at the time the parcel splits were authorized states that there is not a buildable lot for Mr. Gill's parcel.

Clyde Thompson: Are there any chemicals that are used on the panels?

Kaya Tarhan: No. The panels are sealed and are made from silicon. If the panels need to be cleaned, they are cleaned with a soap and water solution.

Clyde Thompson: Does SolarStone intend to sell the project once it is constructed?

Kaya Tarhan: We are currently working with another investor, NRG.

Clyde Thompson: If they take over the project, who would insure it?

Kaya Tarhan: Financing requirements will ensure insurance coverage for the equipment. Our group will get it installed and functioning, then intend to sell the energy to another investor who would continue to deliver power to Xcel.

Clyde Thompson: Posting a bond late in the project as stated in your presentation wouldn't protect the township if the energy company would shut down operation ahead of schedule.

Kaya Tarhan: The intention and expectation is that someone will continue to operate the facility no matter who owns it at any given time, and any buyer would be required to fulfill the original terms.

Clyde Thompson: I just want to mention that economics seem to be driving some of this construction. It looks like there are some lucrative credits and financial incentives that are available for projects being constructed through the end of 2016.

Kaya Tarhan: My understanding is that some of the incentives are being extended to at least 2019 and then are expected to taper off. SolarStone is still focused on completing existing projects in 2016, and no later than 2017. In April the PUC will be revisiting the MW cap again, which could affect future projects in the state.

Dan Gill presented a copy of an e-mail from Darold Holden, another nearby resident, who was unable to attend the Public Hearing due to illness. The copy was given to Barbara Lang, Clerk, who will make sure copies are distributed to the Board of Supervisors before they make their final decision on the permit.

Hearing no further comments or questions, Chair Juenke closed the hearing to further comments.

Gerald Larson / Mary Ann Enggren made a motion to adjourn this Public Hearing. 5 ayes. Motion carried.

Public Hearing #2 was adjourned at 7:10 p.m.

Respectfully submitted,

Barbara Lang, Town Clerk
Castle Rock Township

Attest: Jon Juenke, Chair, Castle Rock Planning Commission