

Mower County Planning Commission

Minutes of the Mower County Planning Commission – August 26, 2003

Members Present: Dave Hillier, Myles Bendtsen, Brian McAlister, Diane Benson, Sheldon Lukes, Margaret Kirchner, Barb Hovde

Members Absent: Harold Boverhuis

Others Present: Daryl W. Franklin, Citizens

Dave Hillier called the regular meeting to order at 7:00 p.m. on Tuesday, August 26, 2003, in the Board of Commissioners Room at the Mower County Courthouse, 201 1st Street NE, Austin, Minnesota. Minutes of the July 22, 2003, meeting were approved as mailed on a motion made by Brian McAlister and seconded by Sheldon Lukes. The motion passed unanimously.

CUP #644 – Garwin McNeilus (Petitioner) and Roger Schwartz (Owner):

Conditional Use Permit #644 to construct up to four wind towers on property pursuant to Section 14-51(t) of the Mower County Zoning Ordinance on property located at: NE ¼ , Section 22, Adams Township (PIN #01-021-0020) Mower County, Minnesota.

Staff Presentation: Reference was made to the site investigation performed by Myles Bendtsen on August 19, 2003. Myles stated the request is in accordance with the Mower County Zoning Ordinance. The Staff Report was presented with conditions and background information noted. A power point presentation was shown, including pictures of the surrounding site. The Minnesota Dept. of Transportation sent an e-mail stating they didn't have a problem with the request.

Applicant's Presentation: Garwin McNeilus spoke and talked about the proposal.

Statement from the Public: Curtis Krebsbach, neighbor, stated he is concerned about dust control during construction, stray voltage, substation noise, television reception, home security, property values and scenic pollution.

Garwin McNeilus talked about the above concerns. He stated if dust is a problem during the construction process, calcium chloride will be applied on the road. He stated if bad television reception is experienced, he will get the

problem fixed. Regarding property values, he has received a report that property values are not diminished because of wind turbines being constructed

in the area. He stated that many people see the wind turbines not as scenic pollution but as a structure of art.

Conclude the Public Hearing: Dave Hillier closed the public hearing. After some discussion, a motion was made by Brian McAlister and seconded by Diane Benson to recommend approval of CUP #644 with the following conditions because it is in accordance with Section 14-31 of the Mower County Zoning Regulations and adopting the following Findings of Fact.

GARWIN MCNEILUS (PETITIONER) and ROGER SCHWARTZ (OWNER) – CUP #644

SECTION 14-31. FINDINGS

No conditional use shall be recommended by the Planning Commission unless said Commission shall find:

- (a) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.

The installation of the wind turbines in Section 22 of Adams Township will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted nor diminish and impair property values. It may actually enhance the property values because if there is sufficient energy generated, more property may be acquired for wind turbines.

- (b) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant properties for uses predominant in the area.

The installation of the wind turbines will not adversely influence orderly development of the township. The adjoining property can still be used for agricultural pursuits or residential pursuits. It will not diminish or impair vacant property values nor impede the normal and orderly development for vacant property in the area which will primarily be used for agricultural activities. The vacant property can still be used for farm land or other uses and this will not adversely impact it.

- (c) That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.

The turbine location is off a township road which provides adequate access to the site. The tower installation will not cause a need for drainage or other necessary facilities to the location.

- (d) That adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed use.

Considering the location of the area and the sites, there is adequate off-street parking and loading space to serve the proposed tower during the construction phases and afterwards.

- (e) That adequate measures have been or will be taken to prevent or 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.

The installation of the tower will not create excessive noise. There will be no odor, fumes, dust, or vibration and therefore will not constitute a nuisance to adjoining properties. There also will not be any lighted signs on the tower except those lights which may be required by the FAA.

The following are conditions of Conditional Use Permit #644:

1. Secure the necessary State, Federal or Local permits.
2. Follow all applicable Federal and State safety and health regulations during construction process.
3. The CUP shall become void two years from the date of approval by the County Board if no construction has begun or the use has not been established.

The motion passed unanimously. Chair Dave Hillier does not vote.

It was stated that the County Board would be acting on this petition at their Tuesday, September 2, 2003 meeting at 1:15 p.m. at the Mower County Courthouse.

Review and Recommend Amendments to Article IV Extraction of Earth Products of the Mower County Zoning Ordinance: Discussion took place regarding Article IV Extraction of Earth Products from the Mower County Zoning Ordinance. Daryl Franklin presented a hand-out of the present Article IV, including some possible changes.

Del Hennessy spoke and presented a hand-out of his concerns regarding the possible draft changes (see attached).

After some discussion a motion was made by Sheldon Lukes and seconded by Brian McAlister to table any changes to Article IV Extraction of Earth Products of the Mower County Zoning Ordinance indefinitely to allow Planning Commission members to present the idea to staff and staff to discuss why changes are appropriate. The motion passed unanimously.

There being no further business, the meeting adjourned at 8:10 p.m. on a motion by Barb Hovde, seconded by Myles Bendtsen. The motion passed unanimously.

Respectfully submitted,

Daryl W. Franklin
Mower County Planning Director