



Le Sueur County, MN

Thursday, February 18, 2016

Regular Session

Item 1

Approved February 18, 2016 Minutes

Staff Contact: Kathy Brockway or Michelle Mettler

**LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
BOARD OF ADJUSTMENT
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
February 18, 2016**

MEMBERS PRESENT: Colin Harris, Jeanne Doheny, Jim Mladek, John Wolf, Francis Cummins
OTHERS PRESENT: Kathy Brockway, Commissioner Connolly, List on file

The meeting was called to order at 3:00 PM by Chairperson, Jeanne Doheny.

ITEM #1: LARRY & SOLVEIG THEIS, SHAKOPEE, MN (APPLICANT); LYRA COMMUNITY SOLAR GARDENS, EDINA, MN, (OWNER): Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to construct solar panels 100 feet from the Ordinary High Water Level (OHWL) in a Special Protection "SP" District, on a Natural Environment Lake, Quiram's Slough. Property is located in the SW 1/4 SW 1/4, Section 10, Waterville Township. **VARIANCE IS FOR OHWL SETBACK.**

Patrick Smith, Lyra Solar Gardens, and Jordan Burmeister, Geronimo were present for application. Township: Al Gehrke, Township has no objections to the proposal. DNR: Project to stay out of shore impact zone. Letters submitted: Joshua Mankowski, LSC Resource Specialist (see file).

Discussion was held regarding: variance is to deviate from the Original High Water Level, 3 MW project, working with Xcel Energy, best site available per Xcel criteria for location, service territory, topography, looked at a handful of properties, racking system, square sheets, property values, location of wetland, fencing around the area, seeding and vegetation plan, prairie grasses, lower growing plants, erosion control methods, water quality of slough, PUC requirements, conditional use permit required and will address these issues if a variance is approved, ¼ of County has Xcel Energy, size of project, low impact of land use, preserves open space, natural vegetation around it, no longer a corn field a prairie, least environmental impact, help improve the water quality, reduce runoff due to elimination of farm chemicals, new site should be able to meet the setbacks, downsize project to fit within the setbacks, no practical difficulty, tax base, focus on setback not on the land use, if project met setbacks you would still be allowed to have a solar site, unable to downsize project due to Xcel requirements, time restraints, interconnection agreements.

Motion was made by Jim Mladek to deny the application, as there is no practical difficulty found as it is a new site. Lack of second. Therefore, motion failed.

Motion by Jim Mladek motioned to table the application in order for the applicant to adjust the project to meet the requirements and submit the data to support it or find a site that does meet the County requirements. John Wolf seconded the motion. Motion carried 4-1. Fritz Cummins does not make sense.

Minutes: Additions or corrections-None. Motion to approve minutes by Jim Mladek. Seconded by John Wolf. Motion approved. Motion carried.

Motion to adjourn meeting by John Wolf. Seconded by Jim Mladek. Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,
Kathy Brockway
February 18, 2016

*Tape of meeting is on file in the
Le Sueur County Environmental Services Office*