



LE SUEUR COUNTY PLANNING AND ZONING COMMISSION  
88 SOUTH PARK AVE.  
LE CENTER, MINNESOTA 56057  
507-357-8538

**NOTICE OF PUBLIC HEARING**

**TO WHOM IT MAY CONCERN:**

**NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD.**

**DATE:** JUNE 9, 2016

**TIME:** 7:00 PM

**PLACE:** LE SUEUR COUNTY ENVIRONMENTAL SERVICES BUILDING, 515 SOUTH MAPLE AVE, LE CENTER MN

**PURPOSE:** To hear testimony from interested parties and consider Rezoning and Conditional Use Permit Applications and other questions pertaining to and as provided by the Zoning Ordinance of Le Sueur County as described below. ***Information regarding the applications is available for review at the Environmental Services Building during normal business hours.***

- ITEM #1** Planning Commission Notice of Public Hearing
- ITEM #2** Planning Commission Agenda
- ITEM #3** SoCore Red Maple LLC Packet
- ITEM #4** Lyra Community Solar Garden Packet
- ITEM #5** DRAFT APRIL 14, 2016 Meeting Minutes

**APPLICANT OR REPRESENTATIVE MUST BE PRESENT IN ORDER FOR THE APPLICATION TO BE HEARD.**

KATHY BROCKWAY, LE SUEUR COUNTY PLANNING & ZONING ADMINISTRATOR  
MICHELLE R. METTLER, ASSISTANT PLANNING & ZONING ADMINISTRATOR



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# **Le Sueur County, MN**

**Thursday, June 9, 2016**

**Regular session**

## **Item 1**

### **Planning Commission Notice of Public Hearing**

Staff Contact: Kathy Brockway or Michelle Mettler

**LE SUEUR COUNTY PLANNING AND ZONING COMMISSION**  
**88 SOUTH PARK AVE.**  
**LE CENTER, MINNESOTA 56057**  
**507-357-8538**  
[www.co.le-sueur.mn.us](http://www.co.le-sueur.mn.us)

**NOTICE OF PUBLIC HEARING**

**TO WHOM IT MAY CONCERN:**

**NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD.**

**DATE:** JUNE 9, 2016

**TIME:** 7:00 P.M.

**PLACE:** Le Sueur County Environmental Services, 515 South Maple Ave, Le Center, MN.

**PURPOSE:** To hear testimony from interested parties and consider Rezoning, Amendments and Conditional Use Permit Applications, as provided by the Zoning Ordinance of Le Sueur County, as described below.

Applications are available for review at the Environmental Services Building during normal business hours and on the website on or after **MAY 27, 2016**.

**ITEM #1: SOCORE RED MAPLE LLC, CHICAGO, IL, (APPLICANT); KATHLEEN REGENSCHEID REVOCABLE TRUST, (OWNER):** Request that the County grant a Conditional Use Permit to allow the applicant to construct a 3 MW solar garden in the Conservancy "C" and Agriculture "A" Districts and the Special Protection "SP" District, on an unnamed stream. Property is located in the NW 1/4 SE 1/4, Section 24, Kasota Township.

**ITEM #2: LYRA COMMUNITY SOLAR GARDEN, EDINA, MN, (APPLICANT); LARRY & SOLVEIG THEIS, SHAKOPEE, MN, (OWNER):** Request that the County grant a Conditional Use Permit to allow the applicant to construct a 3 MW solar garden in a Special Protection "SP" District, on a Natural Environment "NE" lake, Querum's Slough. Property is located in the SW 1/4 SW 1/4, Section 10, Waterville Township.

**APPLICANT OR REPRESENTATIVE MUST BE PRESENT IN ORDER FOR THE APPLICATION TO BE HEARD.**

KATHY BROCKWAY, LE SUEUR COUNTY PLANNING & ZONING ADMINISTRATOR  
MICHELLE R. METTLER, ASSISTANT PLANNING & ZONING ADMINISTRATOR





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# **Le Sueur County, MN**

**Thursday, June 9, 2016**

**Regular session**

## **Item 1**

### **Planning Commission Agenda**

Staff Contact: Kathy Brockway or Michelle Mettler





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# **Le Sueur County, MN**

**Thursday, June 9, 2016**

**Regular session**

## **Item 1**

### **SoCore Red Maple LLC Packet**

Staff Contact: Kathy Brockway or Michelle Mettler

# STAFF REPORT

## GENERAL INFORMATION

**APPLICANT:** SOCORE RED MAPLE, LLC  
**LANDOWNER:** Kathleen Regenscheid

**911 ADDRESS:**

**PROJECT DESCRIPTION:** Establish up to 3MW Solar Farm on approximately in the Conservancy, Special Protection "SP" and Agricultural Districts

**ZONING ORDINANCE SECTIONS:** Section 7, 8 and 13.1

**GOALS & POLICIES:** The current Land Use Plan as adopted in 2009, does not make reference to the use of solar energy or any other type of renewable energy in Le Sueur County.

## SITE INFORMATION

**LOCATION:** 18 acres in the NW1/4SE1/4, Section 24, Kasota Township

### ZONING & PURPOSE:

The intent of the **Special Protection (SP) District** is to guide the wise development and utilization of shorelands of public waters for the preservation of water quality, natural characteristics, economic values and the general health, safety and welfare of all public waters in the unincorporated areas of the County. Further, the purpose of this district is to manage areas unsuitable for development due to wet soils, steep slopes or large areas of exposed bedrock; and to manage areas of unique natural and biological characteristics in accordance with compatible uses.

The **Conservancy (C) District** is established for areas that typically contain significant water courses and associated features such as bluffs, woods and flood plain that are best left mostly in existing natural ground cover. Dwellings, livestock production, and other intense land uses should be kept to a minimum. Housing density should be the same as in the Agriculture (A) District. Rezoning should only be considered on the zone's borders in order to maintain the Zoning integrity with the Conservancy (C) District. However, transfer of development rights may be utilized to exceed the permitted housing density of one dwelling per quarter-quarter section (40 acres), provided the density does not exceed four dwellings per quarter-quarter section in the receiving quarter-quarter section. Lots of Record shall be exempt from density standards.

The **Agriculture (A) District** is established for areas where agriculture uses are seen as the best and highest long term use of the land. The land itself needs to be preserved for primarily agricultural activities. These areas should avoid existing cities, residential zones and subdivisions. They should be large contiguous land areas with mostly prime soils. Rezoning should only be considered on the zone's borders in order to maintain the Zoning integrity of the District. Dwellings that are allowed should be on the edges of the open farmland where possible or utilize existing abandoned farm sites. The total number of Dwellings shall not exceed sixteen (16) per section of land with the exception of Transfer of Development Right and lots of record. Transfer of development rights may be utilized to exceed the permitted housing density of one dwelling per quarter-quarter section (40 acres), provided that the density does not exceed four dwellings per quarter-quarter section in the receiving quarter-quarter section. Lots of Record, shall be exempt from density standards.

**GENERAL SITE DESCRIPTION:** Ag Land

**ACCESS:** New access off County Road 106, approved by County Hwy. Department

### EXISTING LAND USE WITHIN ¼ MILE:

North: Ag Land/Wooded	South: Ag Land
West: Ag Land	East: Ag Land/Wooded

## TOWNSHIP BOARD NOTIFICATION

The applicant's contacted Darren Barfknecht, Kasota Township on February 2, 2016.

## NATURAL RESOURCES INFORMATION

**SHORELAND:** The proposal is located within the Shoreland District (unnamed stream)

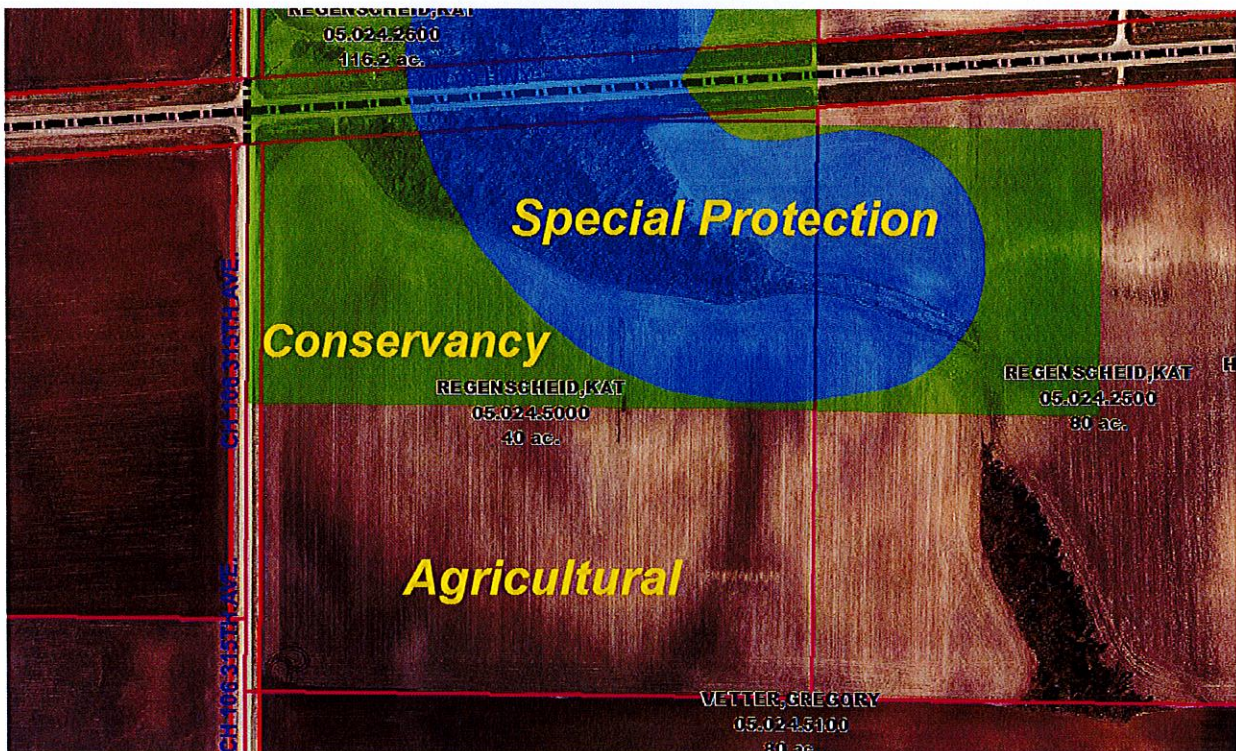
**WETLANDS:** According to the National Wetlands Inventory, No wetlands located in the quarter-quarter section where the project is proposed.



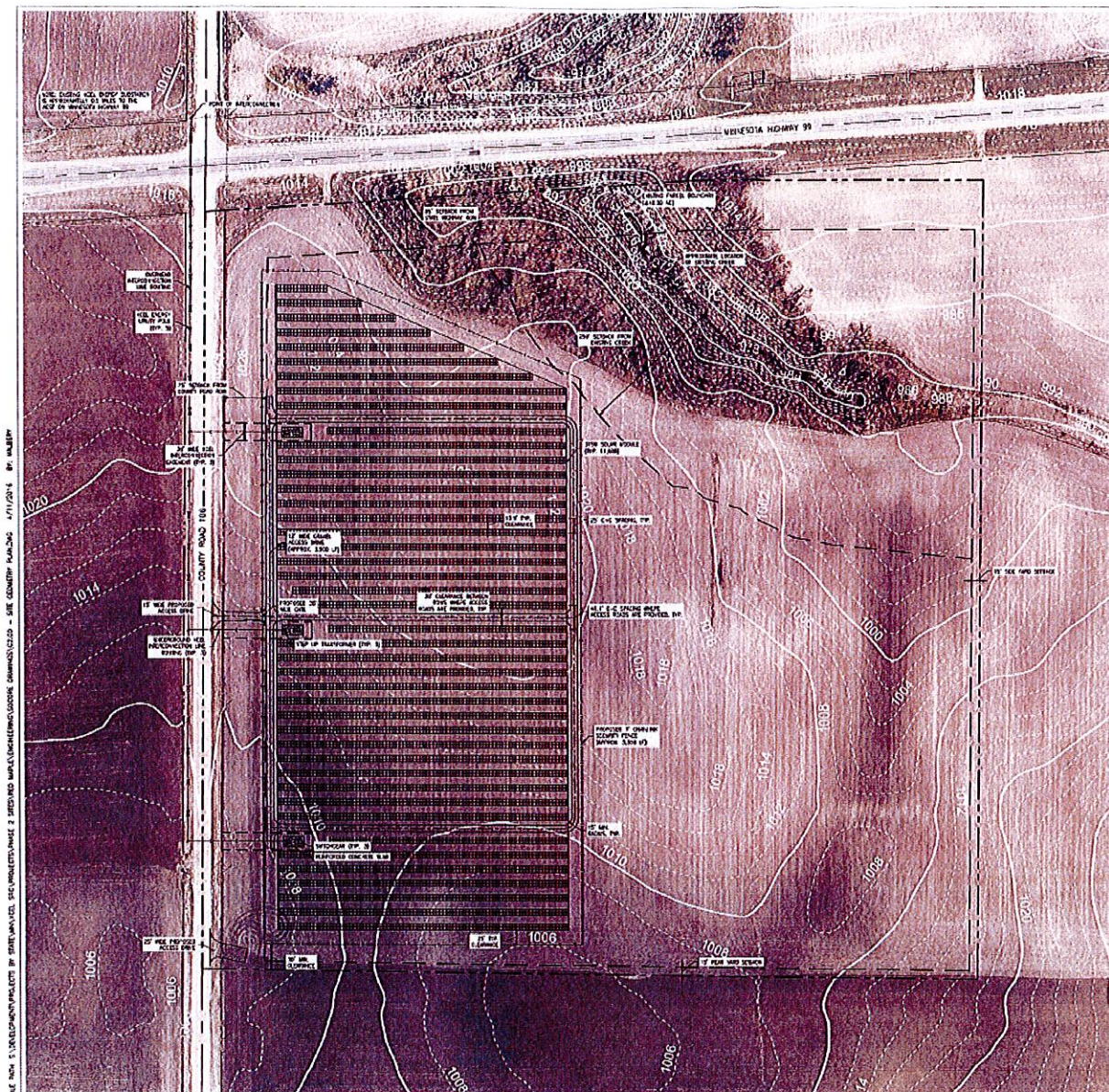
## ATTACHMENTS

Application, Narrative, Site Plan, Certificate of Insurance

## AERIAL PHOTO/SITE PLAN







The Planning Commission and staff shall consider possible adverse effects of the proposed conditional use and what additional requirements may be necessary to reduce such adverse effects. Its judgment shall be based upon the following factors to include, but not limited to:

1. Relationship to County plans.
2. The geographical area involved.
3. Whether such use will negatively affect surrounding properties in the area in which it is proposed.
4. The character of the surrounding area.
5. The demonstrated need for such use.
6. Whether the proposed use would cause odors, dust, flies, vermin, smoke, gas, noise, or vibration or would impose hazards to life or property in the neighborhood.
7. Whether such use would inherently lead to or encourage disturbing influences in the neighborhood.
8. Whether stored equipment or materials would be screened and whether there would be continuous operation within the visible range of surrounding residences.
9. Abatement of Environmental Hazards as regulated in this Ordinance
10. Other factors impacting the public health, safety and welfare.

## CONDITIONS

The Planning Commission shall recommend such conditions relating to the granting of said Conditional Use Permit, as they deem necessary to carry out the intent and purpose of this Ordinance or recommend that the request be denied. Such recommendation shall be in writing. The conditions may include, but are not limited to the following:

1. Increasing the required lot size or yard dimension.
2. Limiting the height, size, or location of the structures.



3. Controlling the location, size, and number of vehicle access points.
4. Increasing the street width.
5. Increasing the number of required off-street parking space.
6. Limiting the number, size, location, or lighting of signs.
7. Requiring diking, **fencing**, screening, **landscaping** or other facilities to protect adjacent or nearby property.
  - *Although the project proposes natural groundcover beneath the solar arrays, the applicant must maintain this area and remove all noxious weeds on a regular basis.*
8. Designating sites for open space.

### PLANNING AND ZONING COMMISSION FINDINGS

Based on the information submitted by the applicant, contained in this report, and as required by the Le Sueur County Zoning Ordinance, the following findings have been developed for this request:

*(Please circle one for each item: Agree, Disagree, Not Applicable.)*

1. *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 diminishes and impairs property values within the immediate vicinity.*
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
3. *Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
4. *Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures have been or will be taken to prevent and 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.*
6. *Is the Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?*
7. *Is the Conditional Use Permit consistent with the Comprehensive Land Use Plan?*

***Recommend (circle one) approval / denial / table / of Conditional Use Permit.***

# LE SUEUR COUNTY CONDITIONAL USE PERMIT CRITERIA

Permit # 16047

Name of Applicant: SOCORE RED MAPLE LLC

Conditional Use Permit #: 16047

Name of Property Owner: KATHLEEN REGENSCHEID REVOCABL

Conditional Use Permit Request: TO ALLOW THE APPLICANT TO CONSTRUCT A 3 MW SOLAR GARDEN ON 18 ACRES OF A 40 ACRE PARCEL

1. 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 diminishes and impairs property values within the immediate vicinity.

CR AG PT DR BB JD SO SK DK DRY TOTAL

1.											
----	--	--	--	--	--	--	--	--	--	--	--

Explain \_\_\_\_\_

2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

CR AG PT DR BB JD SO SK DK DRY TOTAL

2.											
----	--	--	--	--	--	--	--	--	--	--	--

Explain \_\_\_\_\_

3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.

CR AG PT DR BB JD SO SK DK DRY TOTAL

3.											
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Explain \_\_\_\_\_

4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to service the proposed use.

CR AG PT DR BB JD SO SK DK DRY TOTAL

4.											
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Explain \_\_\_\_\_

5. Adequate measures have been or will be taken to prevent and 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.

CR AG PT DR BB JD SO SK DK DRY TOTAL

5.											
----	--	--	--	--	--	--	--	--	--	--	--

Explain \_\_\_\_\_

6. Is the Conditional Use Permit consistent with and supported by the statement of purposes, policies, goal and objectives in the Ordinance?

CR AG PT DR BB JD SO SK DK DRY TOTAL

6.											
----	--	--	--	--	--	--	--	--	--	--	--

Explain \_\_\_\_\_

7. Is the Conditional use permit consistent with the Comprehensive Plan?

CR AG PT DR BB JD SO SK DK DRY TOTAL

--	--	--	--	--	--	--	--	--	--	--	--

Explain \_\_\_\_\_

If all answers are "YES" by a majority of the Planning Commission, the criteria for granting of the Conditional Use Permit request have been met. The Conditional Use Permit will main the goals of safety, health and the general welfare of the public.

Date: \_\_\_\_\_

APPROVED \_\_\_\_\_

DENIED \_\_\_\_\_

PZ Chairperson \_\_\_\_\_

COUNTY BOARD MEETING DATE \_\_\_\_\_



# Le Sueur County

## Conditional Use Application

### I. Applicant:

Name SoCore Red Maple 1 LLC

Mailing Address c/o SoCore Energy, 225 W Hubbard St., Suite 200

City Chicago State IL Zip 60654

Phone # (773) 676 9874 Phone # (773) 897-0316

### II. Landowner:

Name Kathleen M Regenscheid Revocable Trust

Mailing Address 6075 Lincoln Drive #302

City Edina State MN Zip 55436

Property Address 43555 315th Ave

City Cleveland State MN Zip 56017

Phone # \_\_\_\_\_ Phone # \_\_\_\_\_

### III. Parcel Information:

Parcel Number 05.024.5000 Parcel Acreage 40.00

Attach Full Legal Description (**NOT** abbreviated description from tax statement)

Township Kasota Section 24

Subdivision \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

### IV. Township Notification: Township must be notified of proposed use prior to application.

Kasota Township notified on 2/2/2016

(Township Name)

(Date)

Board Member Darren Barfknecht regarding the proposed use.  
(Name)

### V. Quantities and Submittal Formats:

- One (1) reproducible 8.5" x 11" copy of the request and all other supporting documents.
- Twenty three (23) copies must be submitted, if any documents are in color, an aerial, or larger than 8.5" x 11" in size.
- Electronic version of any supporting documents *if available*.
- Additional copies may be requested as deemed necessary by the Department.
- Application must be made **in person** by the applicant and/or landowner no later than 12 P.M. on the date of application deadline.
- Appointment is necessary.
- Applications will not be accepted by mail.

### VI. Fees: Must be paid at the time of application.

Conditional Use Permit \$ 750 After-The-Fact fee is doubled.  
Filing Fee \$ 46

#### Additional Fees:

Special Meeting \$ 2,000  
After-The-Fact Penalty \$ 1,500 OR 10% of improvement, whichever is greater



**VII. Type of Request:**

- |  |  |
|--|--|
| <input type="checkbox"/> Self Service Storage      | <input type="checkbox"/> Value Added Agriculture   |
| <input type="checkbox"/> School/Church/Cemetery    | <input type="checkbox"/> Antique Sales/Service/Repair  |
| <input type="checkbox"/> Retail Nursery/Greenhouse | <input type="checkbox"/> Substation/Transmission Lines etc.  |
| <input type="checkbox"/> School/Church/Cemetery    | <input checked="" type="checkbox"/> Other <u>Build and operate a 3MW photovoltaic energy system (solar farm)</u> |

**VIII. Description of Request:**

- a. A full description of request with detailed information must be attached.  
Please see attached application for detailed responses to all questions.
- b. Complete the following in relationship to the proposed Conditional Use Permit.
1. PROPOSED DAYS AND HOURS OF OPERATION: Daily operation except during occasional maintenance
  2. ESTIMATED NUMBER OF PERSONS TO ATTEND PLACE OF BUSINESS/LOCATION ON A DAILY OR WEEKLY BASIS: During operation, 1-2 people per quarter
  3. LIST OF PUBLIC HEALTH PLANS:
    - I. Water Supply: No water supply necessary
    - II. Toilet facilities: No toilet facilities necessary
    - III. Solid Waste Collection: No solid waste collection necessary
  4. FIRE PREVENTION: No fire prevention necessary
  5. SECURITY PLANS: 7 foot fence with locked gate as required by National Electric Code
  6. RETAIL SALES: Electricity will be sold to Xcel Energy customers
  7. FOOD OR ALCOHOL SERVED OR FOR SALE: No food or alcohol will be served or for sale
  8. DESCRIBE IF THE APPLICANT REQUESTS THE COUNTY TO PROVIDE ANY SERVICES OR COUNTY PERSONNEL: (For example, pedestrian and/or vehicular traffic control.) No services or county personnel required
  9. SOUND AMPLIFICATION, PUBLIC ADDRESS SYSTEM, PLAYING OF MUSIC:  
No sound amplification public address system, or playing of music
  10. EXTERIOR LIGHTING: Small light for security purposes only
  11. PARKING AND LOADING: Access drive onsite will enable parking for construction
  12. SIGNAGE: There will be a small sign identifying the array
  13. ROAD ACCESS: (Approved by the road authority) Access drive off 315th Ave
  14. CERTIFICATE OF INSURANCE: Please see attached
  15. MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS: Please see attached  
(For example additional licensing and/or permitting)

**IX. Site Plan: Shall include but not limited to the following:**

- |                     |           |                       |                            |
|---------------------|-----------|-----------------------|----------------------------|
| • North point       | • Lake    | • Existing Structures | • Septic system            |
| • Setbacks          | • River   | • Proposed Structures | • Well                     |
| • Property Lines    | • Wetland | • Lot Dimensions      | • Access (size & location) |
| • Road Right-Of-Way | • Stream  | • Ponds               | • Easements                |
- Parking (Size & location-if applicable to application)  
• Landscape, screening and buffering (if applicable to application)  
• Location of significant trees to be removed (if applicable to application)





X. Attachments: shall include but not limited to:

- ☒ a. Description of Request-See Part VIII for full details and requirements.
- ☒ b. Site Plan-See Part IX for full details and requirements.
- ☒ c. Full legal description-Not abbreviated description from tax statement.
- ☒ d. Access approval-Attach approval in writing from proper road authority.
- ☒ e. Township Notification-See Part IV for details and requirements.
- ☐ f. Septic System Compliance Inspection
- ☒ g. Erosion control plan-Attach completed and signed plan including map.
- ☒ h. Floor plans and/or blue prints

XI. Procedure:

The Planning & Zoning Commission shall hold a public hearing on the proposed Conditional Use Permit at a scheduled Planning and Zoning Commission meeting.

The Planning and Zoning Commission is an advisory board to the County Board of Commissioners and will make a recommendation to the County Board.

The Department shall report the findings and the recommendations of the Planning Commission to the County Board for final decision.

Action by the County Board shall be a majority vote of its members.

The Department shall notify the applicant and/or landowner in writing of the County Board decision.

A certified copy of the Conditional Use Permit shall be filed with the Le Sueur County Recorder by the Department.

XII. Signatures:

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

[Signature] 4/11/2016  
Applicant signature Date

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

[Signature] 2-8-16  
Property Owner signature Date

OFFICE USE ONLY

Request: solar garden - 3mw

Pre-App Date <u>4-19-16</u>	Lake Classification <u>1</u>	Feedlot <u>500'</u> <u>1000'</u> <u>N</u>
Meeting Date <u>6-9-16</u>	Lake <u>1</u>	Wetland Type <u>1-2</u> <u>3-8</u> <u>N</u>
60 Day <u>6-18-16</u>	FEMA Panel # <u>27079C0</u> <u>0235</u> <u>D</u>	Water courses <u>Y</u> <u>N</u>
Zoning District <u>A/C/SR</u>	Flood Zone <u>X outside</u>	Bluff <u>Y</u> <u>N</u>

- ☒ Request Description
- ☒ Site Plan
- ☒ Full Legal
- ☒ Ordinance

- ☒ Access Approval
- ☒ Erosion Control Plan
- ☒ Blue Prints
- ☐ Other -

- ☐ Septic
- ☒ Meeting Reg ATF Spec
- ☒ Fee \$ 796-
- ☐ Penalty \$ -

☒ Application Complete

[Signature]  
Planning & Zoning Department Signature

4-19-16  
Date

16047  
Permit #

RECEIVED  
APR 12 2016  
BY: mm

3

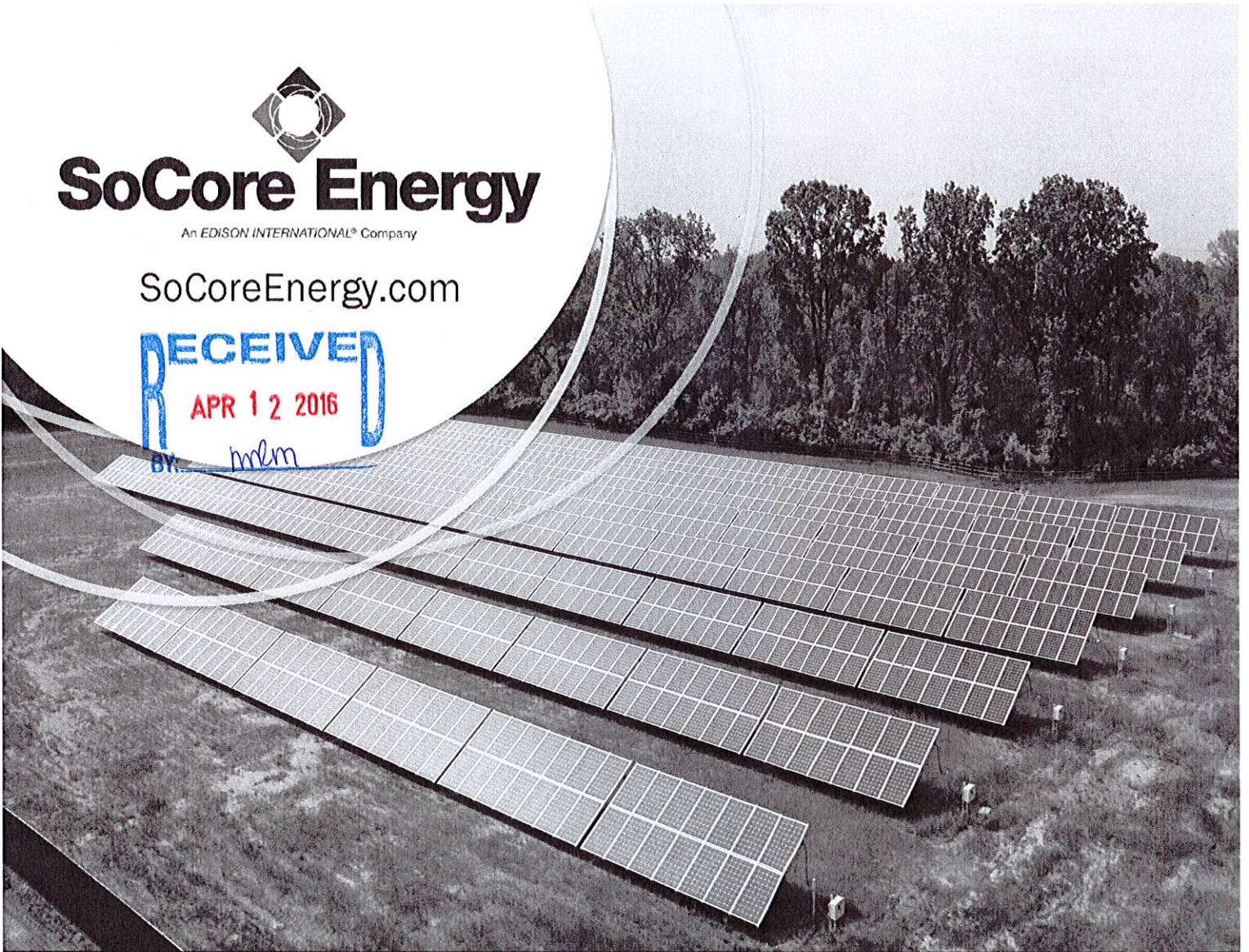




# SoCore Energy

An EDISON INTERNATIONAL® Company

SoCoreEnergy.com



## Red Maple Solar Project

Conditional Use Permit Application  
Le Sueur County

April 12, 2016

PRIMARY CONTACT

**Laura Caspari**

Senior Project Developer

[lcaspari@socoreenergy.com](mailto:lcaspari@socoreenergy.com)

PROPRIETARY AND CONFIDENTIAL

SoCore Energy is not the same company as Southern California Edison, the utility, and SoCore Energy is not regulated by the California Public Utilities Commission.



April 12, 2016

Michelle Mettler  
Le Sueur County  
88 South Park Ave  
Le Sueur, MN 56057

Dear Ms. Mettler,

Please find enclosed an application from SoCore Red Maple 1 LLC for a Conditional Use Permit (CUP) to build, own, and operate a photovoltaic energy system (solar farm) in Kasota Township, Le Sueur County. We have included detailed responses to the permit application, in addition to the site plan, erosion control plan, and application fee as required.

We look forward to working with local planning and zoning authorities to ensure this solar energy facility meets established guidelines and operates in a safe and community friendly manner throughout the project's life.

Sincerely,



Laura Caspari  
  
Senior Project Developer  
SoCore Energy  
225 W. Hubbard St.  
Chicago, IL 60654

PROPRIETARY AND CONFIDENTIAL



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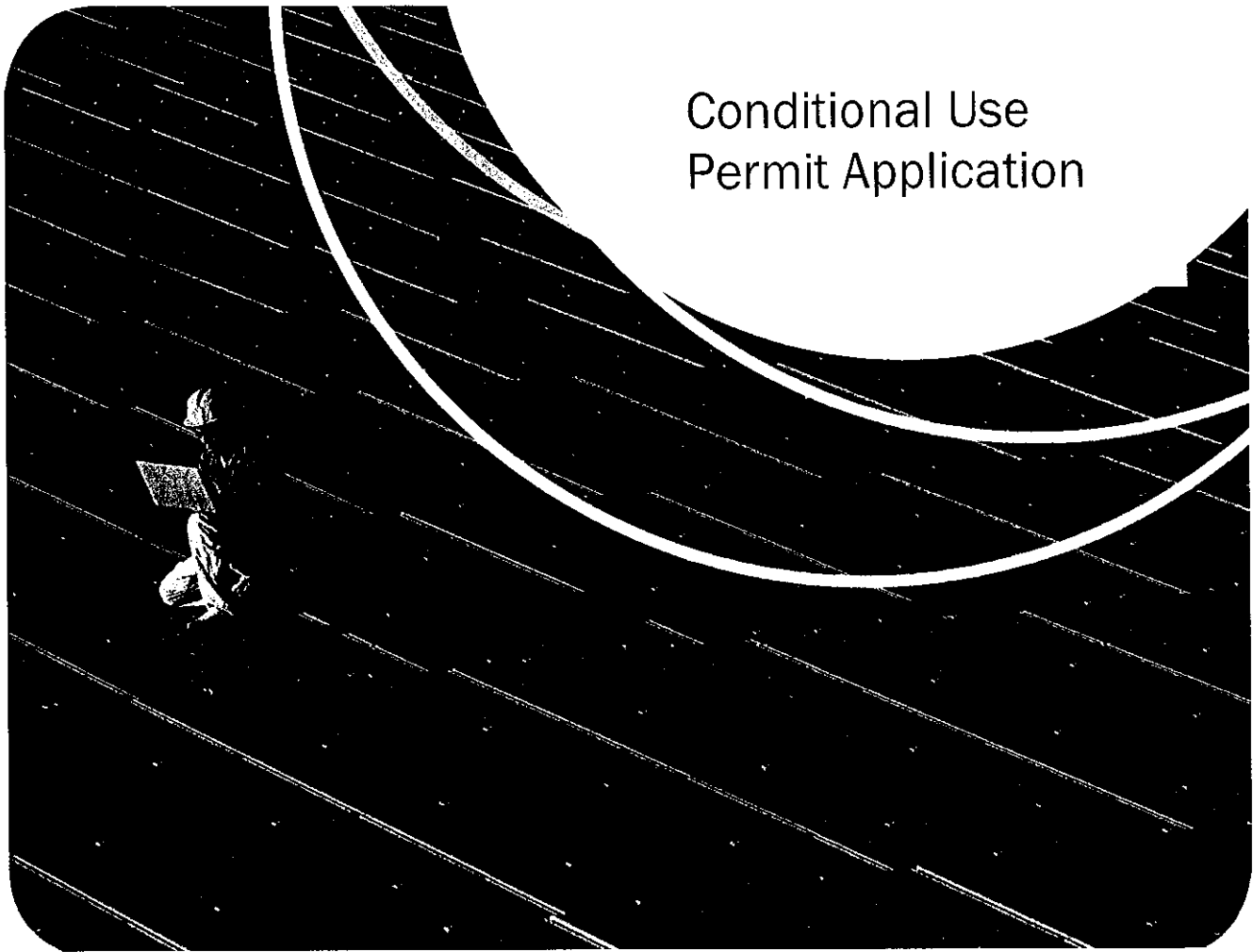
PROPRIETARY AND CONFIDENTIAL

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## Conditional Use Permit Application



PROPRIETARY AND CONFIDENTIAL



SoCore Energy is not the same company as Southern California Edison the utility, and SoCore Energy is not regulated by the California Public Utilities Commission.

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# Conditional Use Application

## I. Applicant:

- a. Name: SoCore Red Maple 1 LLC
- b. Mailing Address: c/o SoCore Energy, 225 W Hubbard St., Suite 200
- c. City: Chicago
- d. State: IL
- e. Zip: 60654
- f. Phone #: (773) 676 9874
- g. Phone #: (773) 897-0316

## II. Landowner:

- a. Kathleen M Regenscheid Revocable Trust
- b. Mailing Address: 6075 Lincoln Drive #302
- c. City: Edina
- d. State: MN
- e. Zip: 55436
- f. Property Address: 43555 315<sup>th</sup> Ave
- g. City: Cleveland
- h. State: MN
- i. Zip: 56017

## III. Parcel Information:

- a. Parcel Number: 05.024.5000
- b. Parcel Acreage: 40.00
- c. Full Legal Description: Please see attached
- d. Township: Kasota
- e. Section: 24

## IV. Township Notification: Kasota Township notified on 2/2/2016 Board Member Darren Barfknecht regarding the proposed use.

## V. Quantities and Submittal Formats:

- a. SoCore Energy will comply with submittal requirements.

## VI. Fees:

- a. SoCore Energy is submitting a \$750 Conditional Use Permit fee and \$46 filing fee with the application

## VII. Type of Request:

- a. Other: Build and operate a 3MW photovoltaic energy system (community solar garden)

## VIII. Description of Request:

- a. A full description of request with detailed information must be attached.
  - i. Please find detailed information for each response within this attached application. SoCore Energy is submitting the attached Conditional Use Permit to build, own, and operate a photovoltaic energy system (community solar garden) in Kasota township.
  - ii. The site will consist of up to 3 megawatts on an estimated 18 acres. The modules will be installed on a driven pile racking structure. Each linear string of modules will tilt towards the south and remain stationary. The height of the panels will be approximately 7' AGL, depending on soil conditions and final design.

PROPRIETARY AND CONFIDENTIAL

SoCore Energy is not the same company as Southern California Edison, the utility, and SoCore Energy is not regulated by the California Public Utilities Commission





- iii. SoCore Energy also respectfully requests the term of the Conditional Use Permit, if not permanent, be at least 35 years and retain the ability to assign to other potential owners, as required by financing.
- b. Complete the following in relationship to the proposed Conditional Use Permit.
  - i. Proposed Days and Hours of Operation: The solar farm will operate daily, producing energy during daylight hours. The array will not operate during periodic maintenance as required.
  - ii. Estimated number of persons to attend place of business/location on a daily or weekly bases: SoCore Energy estimates that during operation, 1-2 people will visit the site per quarter, as required for site maintenance (snow removal, washing, lawn care, technical maintenance).
  - iii. List of Public Health Plans:
    - 1. Water supply: The solar array will not require water to produce energy
    - 2. Toilet facilities: No toilet facilities will be necessary for the site
    - 3. Solid Waste Collection: No solid waste collection will be necessary for the site
  - iv. Fire Prevention: SoCore Energy will not require fire prevention
  - v. Security Plans: A 7 foot fence will surround the array, as required by the National Electric Code. The access drive will have a locked gate, further restricting access to the site. Some minor security lighting is also expected to be installed at the entrance to the site.
  - vi. Retail Sales: The energy produced by the array will be sold to Xcel Energy customers as part of the Xcel Solar Rewards Community program and distributed through the electricity grid. No retail sales will occur on the premises.
  - vii. Food or Alcohol Served or For Sale: No food or alcohol will be served or for sale on the site.
  - viii. Describe if the applicant requests the county to provide any services or county personnel: SoCore Energy does not anticipate the need for any services or county personnel during the construction or operation of the solar array. During construction, which will last approximately two months, crews will be able to pull entirely into the array site and will not require pedestrian and/or vehicular traffic control. SoCore Energy will be responsible for performing onsite maintenance, including ground care and snow removal as necessary, during the project's lifetime.
  - ix. Sound amplification, public address system, playing of music: The proposed solar array will not have sound amplification, will not require a public address system, nor play any music. Additionally, the fixed tilt solar design will produce no noise during operation as the solar panels do not move.
  - x. Exterior lighting: A small security light is expected to be used onsite.
  - xi. Parking and Loading: The solar array's access drive will enable enough parking, loading, and staging needs for construction crews and all maintenance visits during the project's operation.
  - xii. Signage: There will be a small sign identifying the array.
  - xiii. Road Access: The solar array's access drive will be off County Road 106, as approved by the Le Sueur County Highway Department.
  - xiv. Certificate of Insurance: Please see attached
  - xv. Meet all applicable county, state, and federal regulations: SoCore Energy will meet and comply with all county, state, and federal regulations for the solar array.
- IX. Site Plan:
  - a. Please see site plan attached meeting all requirements as listed in the application.
- X. Interconnection:
  - a. SoCore Energy is willing to send the interconnection agreement with Xcel Energy upon request.
- XI. Planting Plan and Construction Sequence:

PROPRIETARY AND CONFIDENTIAL



**SoCore Energy**  
AN EASTMAN KODAK COMPANY



SoCore Energy is not the same company as Southern California Edison, the utility, and SoCore Energy is not regulated by the California Public Utilities Commission.

6

- a. Prior to construction, the contractor will install silt fence on the down-slope perimeter of the project site and smooth the site to remove dirt rows created during farming activities in previous growing seasons. Site grade elevations and stormwater flow paths are not impacted. The construction of the site will be phased and the site divided into sections. Driven pile foundations and trenching for all underground utilities will be done in concentrated areas to minimize the area disturbed at a given time. As sections of pile driving and utility trenching are completed, we will spread a perennial wheat or oat seed that will establish quickly. This will provide additional erosion control during construction and provide cover and protection during the establishment period of the final, native vegetation. Once construction is complete the site will be planted with a diverse mix of native grasses requiring very minimal maintenance after the initial 3 year establishment period. These native plantings have the benefits of requiring little maintenance and encouraging the infiltration of stormwater reducing the overall runoff pre-construction runoff volume. Once the site is permanently stabilized in accordance to the general permit, remove all temporary erosion and sediment control devices.

XII. SWPP:

- a. SoCore Energy will be submitting a stormwater pollution prevention plan (SWPP) with the Minnesota Pollution Control Agency upon approval of the CUP application.

XIII. Attachments:

- a. Please find the Certificate of Insurance, site plan, full legal description, access approval, erosion control plan, and decommissioning report and cost estimate attached.

PROPRIETARY AND CONFIDENTIAL

SoCore Energy is not the same company as Southern California Edison, the utility, and SoCore Energy is not regulated by the California Public Utilities Commission.



## Appendix

## Appendix

- 1) Certificate of Insurance
- 2) Full legal description
- 3) Access drive approval
- 4) Site plan and erosion control plan
- 5) Decommissioning Plan and Cost Estimate

PROPRIETARY AND CONFIDENTIAL

SoCore Energy is not the same company as Southern California Edison, the utility, and SoCore Energy is not regulated by the California Public Utilities Commission.



**Legal Description of Property**

The Northwest Quarter of the Southeast Quarter, Section 24, Township 110 North, Range 26 West, Le Sueur County, Minnesota.

05-024-5000

## LE SUEUR COUNTY HIGHWAY DEPARTMENT

## Application For Access Driveway or Entrance Permit

C.S.A.H./Co. Hwy. No. 106 Name of Twp. Kusota

SKETCH PROPERTY, PRESENT AND PROPOSED DRIVEWAY AND RELATION TO COUNTY HIGHWAY.

Name of Applicant: SoCore Red Maple 1 LLC Telephone No.: (773) 676 - 9874Address: c/o SoCore Energy, 225 W Hubbard St., Suite 200, Chicago, IL 60654Name of Property Owner: Kathleen M Regenschoid Trust Telephone No.: ( ) -Address: 43565 315th Ave, Cleveland, MN 56017Location: Co Hwy. No.: 106 In Le Sueur Co. 0.19 Miles N-S-E-W of Co Hwy 106 and MN-99  
(Specify Road, or Intersection)Legal Description of Property West-24 Twp-110 Range-026 40.00 AC NW 1/4 OF SE 1/4Purpose of Driveway: Farm Residence Field Other: Access driveIs a Building to be Constructed: Yes X No        What kind Solar arrayPossible replacement cost of this pipe will be the responsibility of the owner: Yes/No  
(Circle One)Will the Building be Temporary: X Permanent       Distance from center of highway to front of building is 110 (approx) feet.Is land higher?        lower?        or level? X with highway.  
(show feet & inches) (show feet & inches)Number of present driveways to property 2 Date Proposed driveway will be needed May 2016

Give exact location to Proposed Driveway to Property: (Give path to mark center of Proposed Driveway)

Please see attached site plan with proposed access drives

I, We, the undersigned, herewith make application for permission to construct the access driveway at the above location, said driveway to be constructed to conform with the standards of the Minnesota Highway Department and to any special provisions included in the permit. It is agreed that all work will be done to the satisfaction of the Le Sueur County Highway Department. It is further agreed that no work in connection with this application will be started until the application is approved and the permit issued.

2/4/2016

Date

  
Signature of Applicant

**Office Use Do Not Write on this page**

**"NOT VALID UNLESS SIGNED AND NUMBERED"**

Access Driveway or Entrance Permit 2016004  
Permit No.

Permission is hereby granted for the construction of the driveway as described in the above application, said driveway to be constructed in accordance with the Minnesota Highway Department's Driveway Standard Plate Nos. 9000B and 9001A and subject to the requirements on the next page and the following special provisions:

It is expressly understood that this permit is conditioned upon replacement or restoration of the County Highway to its original or to satisfactory condition.

2-8-16  
Date

David Ring  
Asst Le Sueur County Highway Engineer

## LE SUEUR COUNTY HIGHWAY DEPARTMENT

## Application For Access Driveway or Entrance Permit

C.S.A.H./Co. Hwy. No. 106 Name of Twp. Kassota

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(Circle one)Will the Building be Temporary: X PermanentDistance from center of highway to front of building is 110 (approx) feet.Is land higher? lower? or level? X with highway.  
(show feet & inches) (show feet & inches)Number of present driveways to property 2 Date Proposed driveway will be needed May 2016

Give exact location to Proposed Driveway to Property: (Give talk to mark center of Proposed Driveway)

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2/4/2016

Date

Signature of Applicant

Office Use Do Not Write on this page

**\*NOT VALID UNLESS SIGNED AND NUMBERED\***

Access Driveway or Entrance Permit: 2016005  
Permit No.

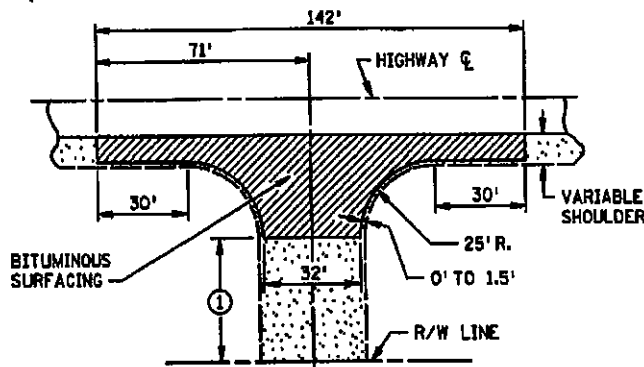
Permission is hereby granted for the construction of the driveway as described in the above application, said driveway to be constructed in accordance with the Minnesota Highway Department's Driveway Standard Plate Nos. 9000B and 9001A and subject to the requirements on the next page and the following special provisions:

It is expressly understood that this permit is conditioned upon replacement or restoration of the County Highway to its original or to satisfactory condition.

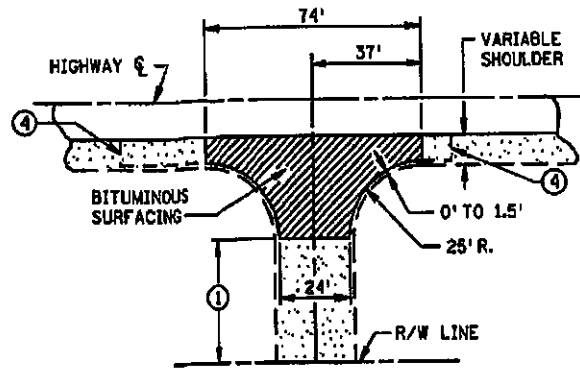
2-8-16  
Date

David Crisp  
ASST Le Sueur County Highway Engineer

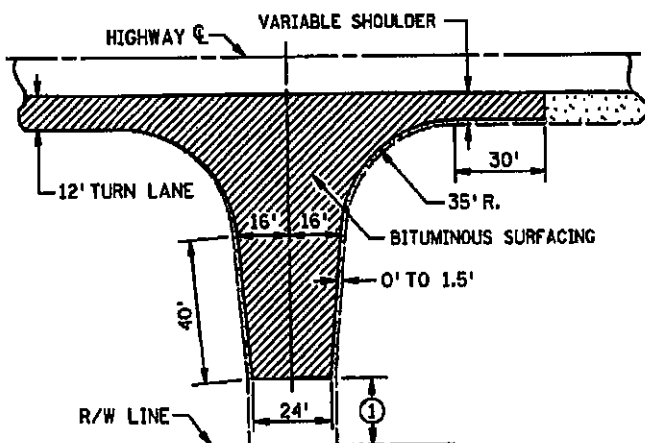




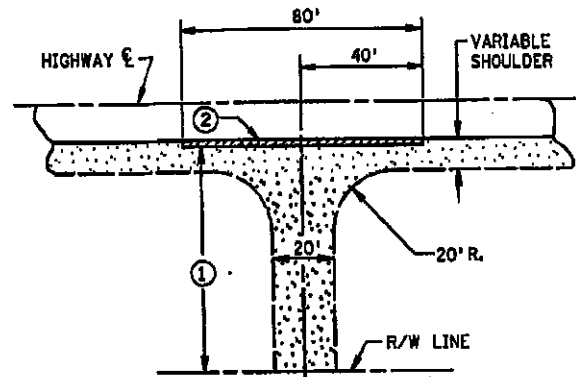
COMMERCIAL - INDUSTRIAL - FARM ENTRANCES



RURAL RESIDENTIAL ENTRANCE

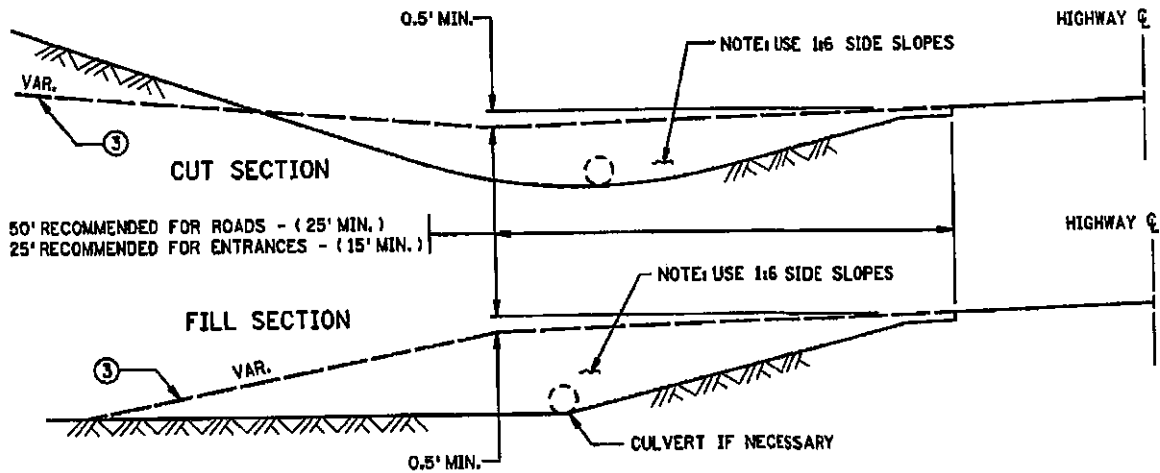


LOW VOLUME ROAD



FIELD ENTRANCES

- ① SURFACING TO MATCH EXISTING CONDITIONS. WHERE THERE IS NO SURFACING, PLACE GRAVEL BEYOND BITUMINOUS SURFACING TO R/W LINE.
- ② PLACE 2 FT. WIDE BITUMINOUS SURFACING AS DIRECTED BY ENGINEER.
- ③ 8% MAXIMUM COMMERCIAL; 15% MAXIMUM RESIDENTIAL.
- ④ THE USE OF PAVING SIMILAR TO COMMERCIAL ENTRANCES MAY BE APPROPRIATE FOR SOME RESIDENCES - AS SHOWN IN PLANS OR DIRECTED BY THE ENGINEER.



CROSS SECTIONS

APPROVED SEPT. 27, 2012

*[Signature]*  
STATE DESIGN ENGINEER

STATE OF MINNESOTA  
DEPARTMENT OF TRANSPORTATION

### APPROACHES AND ENTRANCES RECOMMENDED STANDARDS

SPECIFICATION  
REFERENCE

STANDARD  
PLATE  
NO.

9000E

COUNTY OF Le Sueur  
DEPARTMENT OF HIGHWAYS

Page 1

APPLICATION FOR UTILITY PERMIT on  
COUNTY HIGHWAY RIGHT-OF-WAYBoard of County Commissioners  
Le Center, Minnesota  
Attn: County Highway EngineerC.S.A.H. \_\_\_\_\_  
C.R. 106Application is hereby made for permission to place, construct, and thereafter maintain a PLEASE SEE ATTACHED  
SKETCHES FOR FULL DETAILS along or across County Highway No. 106  
from \_\_\_\_\_  
to \_\_\_\_\_

\_\_\_\_\_ feet from center line on the \_\_\_\_\_ (East, west, north, or south) side of the county highway in accordance with the sketch shown on the inside hereof, or attached thereto.

## I. AERIAL CONSTRUCTION

- ☒ Single Pole  
☐ H-Frame  
☐ Single Pole and H-Frame  
☐ Steel Tower  
☐ Other \_\_\_\_\_
- ☐ Open Wire  
☒ Cable  
☐ Vertical  
☐ Cross-arm  
☐ Vertical and Cross-arm

VOLTAGE	NUMBER OF CONDUCTORS	SIZE OF CONDUCTORS
<u>13,800</u>	<u>3 Primary 1 Neutral</u>	<u>336 ACSR Primary 2/0 Neutral</u>

Minimum height of conductor: 25' ft along highway \_\_\_\_\_ ft at crossing over highway

EXTENT AND LOCATION OF TREE TRIMMING AND/OR CLEARING:

None

## II. UNDERGROUND CONSTRUCTION

## CONDUIT

- ☐ Multiple Tile  
☐ Transite  
☐ Clay Tile
- ☐ Sectional Concrete  
☐ Steel Pipe  
☐ Other \_\_\_\_\_

## CASING

- ☐ Steel Pipe    ☐ Sectional Concrete    ☐ Other NONE

SIZE	DEPTH
	<u>5'</u>

VOLTAGE	NUMBER OF CONDUCTORS	SIZE OF CONDUCTORS
<u>13,800</u>	<u>3 Primary 1 Neutral</u>	<u>336 ACSR Primary 2/0 Neutral</u>

METHOD OF INSTALLING UNDER ROADBEDS (if open trench, explain why necessary)

☐ Open Trench  
☐ Jacking    ☒ Boring    ☐ Pneuma Gopher

EXTENT AND LOCATION OF TREE CLEARING	NEW FACILITY	REPLACEMENT FACILITY
<u>None</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

III. Work to start on or after June 1, 2016 and to be completed on or before December 1, 2016.

IV. The applicant in carrying on any and all of the work herein above-mentioned or referred to in its application and in the Permit issued hereof, shall strictly conform to the terms of such Permit, and the regulations of the Board of County Commissioners, as set forth herein together with the Special Provisions, all of which are made a part hereof. The applicant specifically agrees to be bound hereby. The applicant shall also comply with the regulations of all other governmental agencies for the protection of the public. The work shall be accomplished in a manner that will not be detrimental to the highway and that will safeguard the public.

Date this 21 day of March, 2016

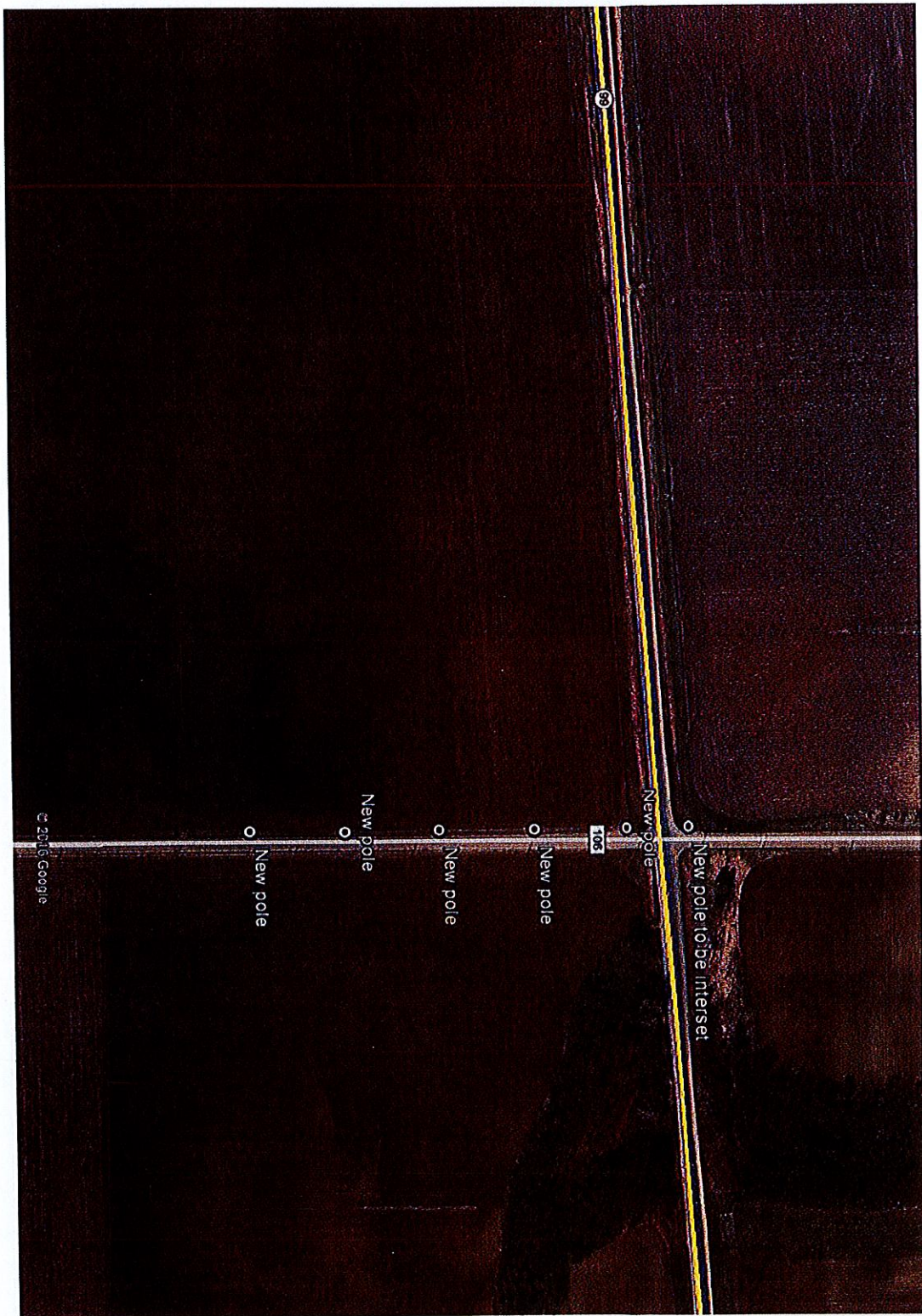
Signature

Pat UnterbergerXcel EnergyBy Patrick Unterberger Permitter

Address

5505 Manitou Road, Excelsior, MN 55331







# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
02/01/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Marsh USA, Inc. 1166 Avenue of the Americas New York, NY 10036 Attn: NewYork.Certs@marsh.com Fax: 212-948-0500  56461-socor--15-16	<b>CONTACT NAME:</b>	
	<b>PHONE (A/C, No. Ext):</b>	<b>FAX (A/C, No):</b>
<b>INSURED</b> SoCore Energy LLC 225 W. Hubbard St., Suite 200 Chicago, IL 60654	<b>E-MAIL ADDRESS:</b>	
	<b>INSURER(S) AFFORDING COVERAGE</b>	
	<b>INSURER A:</b> Federal Insurance Company	<b>NAIC #</b> 20281
	<b>INSURER B:</b>	
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	
	<b>INSURER F:</b>	

**COVERAGES****CERTIFICATE NUMBER:**

NYC-008414368-01

**REVISION NUMBER:**2

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			3711-46-50	07/01/2015	07/01/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
A	<input type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			7358-45-85	07/01/2015	06/01/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			7986-80-30	07/01/2015	07/01/2016	EACH OCCURRENCE \$ 25,000,000 AGGREGATE \$ 25,000,000
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Time Element Pollution			3731-14-21	07/01/2015	07/01/2016	Limit \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

**CERTIFICATE HOLDER****CANCELLATION**Le Sueur County  
Attn: Michelle Mettler  
88 South Park Avenue  
Le Sueur, MN 56057

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE  
of Marsh USA Inc.

Paul Martelloni

*Paul Martelloni*

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ACORD 25 (2014/01)

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# **SOLAR PROJECT DECOMMISSIONING PLAN**

**Red Maple Solar Farm**

April 2016



SoCore Energy  
225 W. Hubbard St., Suite 200  
Chicago, Illinois 60654

## **Decommissioning Plan**

Red Maple Solar Farm, Le Sueur County, Minnesota

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### **Introduction**

SoCore Red Maple 1 LLC (SoCore), a solely owned company of SoCore Energy, LLC, proposes to build, own, and operate an approximately 3 megawatt (MW) solar electric photovoltaic (PV) generating facility. The Red Maple Solar Farm, a solar generating facility (SGF) will be built in Le Sueur County, Minnesota on approximately 18 acres. The SGF will be located in the General Agriculture (AG) Zone District. The SGF could produce solar power for up to 35 years. However, for the purposes of this decommissioning plan, SoCore, as the Applicant, assumes 25 years of operation.

The Applicant has developed this decommissioning plan to return the land to agricultural use once the SGF has terminated service after approximately 25 years. The plan will assist in reclaiming the land, as much as feasible, to conditions existing before construction. This will include removal of all: PV modules, support equipment, and support beams foundations or other fixed structures. It will also include the removal of all non-native debris to a recycling facility or to a local landfill. All roads and drainage features constructed on the site for the SGF will be removed and drainages will be restored to approximate pre-construction conditions. This decommissioning plan will be kept on file with the facility owner. The plan will be updated as necessary to keep it current with the SGF site conditions, reclamation technology, and to update the cost estimates for implementation, as required.

### **Site Ownership and Location**

The SGF property is currently privately owned. SoCore will lease the acreage for the SGF development, construction, and operation, until the completion of this decommissioning plan pursuant to a written lease agreement. If the SGF ownership is transferred to another entity, the decommissioning plan requirements shall be included within any such transaction.

The proposed SGF site is located at 43555 315<sup>th</sup> Ave, Cleveland, Minnesota 56017 (see attached Site Plan). This is directly southeast of the intersection of Minnesota State Highway 99 and County Road 106.

## **Decommissioning Plan**

Red Maple Solar Farm, Le Sueur County, Minnesota

### **Proposed Use of the Land**

The SGF will be located on approximately 18 acres. The remaining approximately acreage will be maintained as agricultural land and associated farm residences, which are expected to be maintained by the owner.

### **Present Use of the Land**

The SGF is located on agricultural land in an agricultural area. No buildings, wells, or sewage facilities are located on the approximately SGF site. Based on a review of Google Earth aerial imagery, seasonal crops have been planted on the SGF site for at least the past 25 years.

### **Documentation of Existing Drainages**

Prior to the start of construction, existing drainage information and approximate pre-construction condition information will be preserved in the site plans that will be kept with the site environmental documentation for the life of the SGF.

### **Determination of Land Use After Closure**

After the SGF has been operating for 25 years, a future land use for the property will be established. The property will likely be used for one of the following: continued use as a solar energy facility, or redeveloped for agricultural purposes. For the purpose of this decommissioning plan, the future land use is specified as agricultural farmland.

### **Major Components of the SGF**

The SGF is designed for optimum performance and ease of maintenance. The SGF will include construction of a series of PV module arrays mounted on racking systems supported by a pile-driven foundation design. Rows of modules and racks will be organized, each with their own power inverters. To achieve these objectives, the SGF will use PV technology on a fix- tilt racking mounted system at a 25-degree tilt laid out in a PV block design to allow for maintenance and access.

The energy from the PV arrays will be collected, converted from direct current (DC) to alternating current (AC) at the inverters, and combined. The electrons will be routed through an

## Decommissioning Plan

Red Maple Solar Farm, Le Sueur County, Minnesota

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AC collection system. The system will be designed to minimize cable routing and trenching thereby ensuring minimal electrical losses.

The final output from the SGF will be processed through a step-up transformer to match the interconnection voltage (assumed to be 12.5 kilovolts [kV]) and to comply with utility interconnection requirements. Electrical safety and protection systems will be provided to meet utility and regulatory codes and standards. The energy will be delivered to the Xcel electrical distribution network.

A security perimeter fence with appropriate signage for public protection will be installed. Points of ingress/egress will be accessed by locked gates for facility services and maintenance. Additional information on specific elements of the SGF is provided in the following sections.

### **PV MODULES**

The SGF will require installation of 11,988 PV modules. Any unanticipated adjustment to this number will depend upon the final selected technology decided after an optimization evaluation and detailed design. The evaluation, design, and selected technology will take into account market conditions, economic considerations, and environmental factors.

The current design for the SGF proposes to use PV crystalline silicon technology, in the form of 72 solar cell panels rated to produce between 295 to 315 watts per panel. The modules will be installed at a 25-degree angle in a fixed-tilt configuration facing south.

### **STANDARD INSTALLATION, ARRAY ASSEMBLY, AND RACKING**

There are various solar module mounting systems that can be mounted on several different types of foundations. The SGF will use a fixed-tilt mounting system.

The module mounting system provides the structure that supports the PV module arrays. The foundations are typically beam piles, which are driven into the soil using pneumatic techniques, similar to hydraulic pile driving. The final foundation design will be determined based on the geotechnical survey for the SGF location. Once the foundation has been installed, the module mounting system will be installed to support the PV modules. For the fixed-tilt configuration, a rigged structure will be installed and design to support wind and snow loads, as well as meet local design criteria.

The PV modules will be delivered to the SGF site during construction to support the installation schedule. The module mounting system will orient the PV panels in rows, reflecting a standard and uniform appearance across the facility. The panel configuration will be uniform in height and width.



## **Decommissioning Plan**

Red Maple Solar Farm, Le Sueur County, Minnesota

### **SOLAR COLLECTION, INVERTERS, AC COLLECTION, AND TRANSFORMERS**

The PV modules will be electrically connected into a series of strings. A string inverter will be installed for each string located throughout the solar field. The module strings will be wired to string inverters (DC-to-AC conversion equipment) on the SGF site.

The inverter output power cables will be combined in five distributed AC panel boards located throughout the SGF. The outputs of the AC panels will be combined at a centrally located AC switchgear station installed on a concrete pad. A step-up transformer will also be located at this central location and the output of the transformer will feed to the utility, Xcel.

Underground electrical cables will be installed in PVC (polyvinyl chloride) conduit using ordinary trenching techniques, which includes excavation of trenches to accommodate PVC conduit. The PVC electrical conduits and wires will be installed at varying depths across the SGF. The depths for the PVC conduit and trench backfill will be in accordance with local, state, and federal codes. The AC energy will be stepped up to the appropriate interconnection voltage by the system transformer to match the voltage at the grid interconnection. Required switchgear cabinetry will be provided as necessary for circuit control. The electrical inverters will be H-frame mounted and the AC collection panel, switchgear, and step-up transformers will be placed on poured concrete foundations.

### **SGF INTERCONNECTION DESCRIPTION**

Each inverter will be outdoor rated and mounted on a steel, rigid frame. The AC output of the inverters will be fed to the distributed AC panel boards. The AC collection system cables will be connected in parallel and collected at the site switchgear. The switchgear includes the main circuit breaker and utility metering equipment. It will be enclosed separately but pad-mounted together with the set-up transformer. The output of the SGF will be at the Xcel distribution lines along State Highway 99.

### **GENERATOR-TIE LINE**

The power generated by the SGF will be connected to the existing Xcel network using the voltage transformation equipment and system safety equipment to be constructed at the SGF. The generator tie-line for the SGF will be extended along County Road 106 to the distribution lines located on the north side of State Highway 99.

### Timeline for Decommissioning Plan

As stated above, the proposed SGF will operate for no less than 25 years. After operations cease at the facility, equipment removal will take approximately one month, and reclamation will take an additional two weeks.

### Removal of Hazardous Materials

Based on the use of the site, hazardous materials will not be present in significant quantities and the risk of spill or release is considered low. Once the SGF ceases operations, all potential hazardous materials (i.e., transformer coolant) and wastes (i.e., broken PV panels) will be removed from the site and disposed of in accordance with local, state, and federal laws.

### Removal of Equipment

After SGF operations cease, all equipment, module mounting systems, and foundations will be removed from the site so it can be restored to productive agriculture farmland. Bids will be taken from potential vendors, whose costs will include purchasing the SGF equipment and materials, mobilizing to the site, loading it onto trucks, and transporting it from the site for off-site recycling or disposal at designated facilities, in accordance with local, state, and federal laws.

PV modules will be unbolted from the support structures and consolidated in a designated "lay down" area. The PV modules will be sold to an off-site recycler, loaded onto trucks, and moved offsite by the selected vendor.

The pier foundations supporting the mounting system have been driven to a supporting depth. They will be excavated from the ground and the entire length of column will be moved to the lay down area where they will be cleaned off and consolidated. The columns will be sold to an off-site recycler. They will be loaded onto trucks and moved offsite by the selected vendor.

The PVC electrical conduits and wires have been installed at varying depths across the SGF. Those located at depths between 0 to 3 feet below ground surface (bgs) will be removed during decommissioning, while those at depths greater than 3 feet bgs will be left in place. During decommissioning the overburden layer of soil will be removed from the targeted buried electrical trenches with a backhoe, and the PVC electrical conduits and wires from 0 to 3 feet bgs will be excavated from the ground, as appropriate. All extracted PVC electrical conduits and wires will be moved to the lay down area and consolidated. The PVC conduits and wires will be sold to an off-site recycler. They will be loaded onto trucks and moved offsite by the selected vendor.

## **Decommissioning Plan**

Red Maple Solar Farm, Le Sueur County, Minnesota

The inverters will be removed and temporarily stored on an impermeable base (i.e., concrete pad) in the lay down area. The inverters will be sold to an off-site recycler. They will be loaded onto trucks in batches and moved offsite by the selected vendor.

The electrical switchgear and step-up transformer will be removed and temporarily stored in the lay down area. Best management practices (i.e., berms, plastic sheeting) will be implemented to minimize potential leaks or spills from occurring in the lay down area. The equipment will be sold to an off-site recycler. This equipment will be loaded onto trucks and moved offsite. The concrete foundation for the switchgear and transformer will also be removed and properly disposed of offsite by the selected vendor.

The fencing will be dismantled and sold with other scrap material. Any other miscellaneous equipment will be removed properly disposed of offsite by the selected vendor.

Any roads and access pathways within the SGF site will be grubbed, graded, and soil will be spread for restoration. Any aggregate at the site will be hauled away for disposal by the selected vendor.

## **Contouring, Erosion, and Sediment Control**

Contouring the site will be conducted using standard grading and farming equipment to return the land to approximately match the pre-construction surface conditions. All aggregate base will be removed from access roads and removed from the site, as required. The site drainage features will be restored to their pre-construction condition. Temporary erosion and sediment control measures such as sediment fences, hay bales, mulch, and soil stabilizers and other best management practices will be used as needed. As noted above, the pre-construction site conditions will be recorded prior to beginning construction for the SGF.

## **Types of Crops to be Planted**

After reclamation of the site, the type of crop(s) to be planted will be determined by then-prevailing market conditions. Details of ground treatments, erosion control, fertilization, planting methods, weed control, and irrigation systems will be added to the plan, once the crops are selected. This information will be summarized in a revised version of this decommissioning plan before it is implemented.

## **Decommissioning Costs**

The decommissioning cost estimate is presented in Attachment B. The estimated decommissioning costs should be updated on a routine basis to account for price level changes and inflation.

**ATTACHMENT B**  
**DECOMMISSIONING COST ESTIMATE**

**Table: Decommissioning Cost Estimate**  
SoCore Red Maple Solar Generating Facility  
43555 315th Ave, Cleveland, Minnesota 56017

Task Number	Reclamation Task	Unit	Estimated Quantity	Price Per Unit	Total
1	Removal of hazardous material and transport for off-site disposal (Per 55-gallon drum)	Each	2	\$500.00	\$1,000.00
2	Removal of miscellaneous hazardous material and transport for off-site disposal (Per 40 cubic yard Roll-off)	Each	3	\$500.00	\$1,500.00
3	Removal of fencing and gates, including transport for off-site recycling	Lump	1	\$6,000.00	\$6,000.00
4	Removal of PV modules from racking system and transport for off-site recycling	Lump	1	\$46,000.00	\$46,000.00
5	Deconstruct racking system, removal of support posts from subsurface, and transport to off-site recycling	Lump	1	\$8,000.00	\$8,000.00
6	Disconnect electrical services	Lump	1	\$5,000.00	\$5,000.00
7	Removal of electrical conduit and wiring from subsurface and transport to off-site recycling	Lump	1	\$6,000.00	\$6,000.00
8	Removal of electrical transformer/switchgear from ground and transport for off-site recycling	Lump	1	\$8,000.00	\$8,000.00
9	Demolition of concrete pads, piers, and access roads, removal and transport for off-site recycling	Lump	1	\$8,000.00	\$8,000.00
10	Site grading	Acre	20	\$200.00	\$4,000.00
11	Restoration of soils, tilling, and seeding	Acre	20	\$300.00	\$6,000.00
<b>Total Decommissioning Cost 2015 Dollars</b>					<b>\$99,500.00</b>
<b>Total Decommissioning Cost 2040 Dollars *</b>					<b>\$208,330.90</b>
12	Recycling and salvage of materials (aluminum)	Pound	71950	\$0.16	\$11,512.00
13	Recycling and salvage of materials (steel)	Pound	422400	\$0.04	\$16,896.00
14	Recycling and salvage of materials (copper)	Pound	8250	\$0.90	\$7,425.00
<b>Total Salvage Value 2015 Dollars</b>					<b>\$35,833.00</b>
<b>Total Salvage Value 2040 Dollars *</b>					<b>\$75,026.34</b>
<b>Net Cost 2015 Dollars</b>					<b>\$63,667.00</b>
<b>Net Cost 2040 Dollars*</b>					<b>\$133,304.56</b>

Notes

\* The 2040 cost values were calculated assuming a 3.0% annual increase to account for inflation



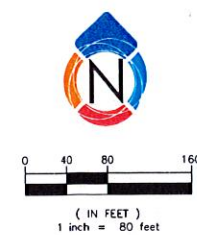




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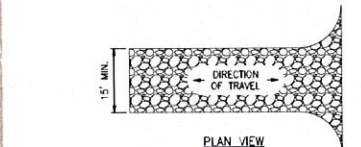
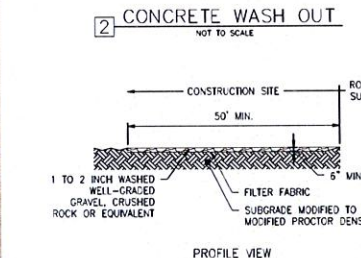
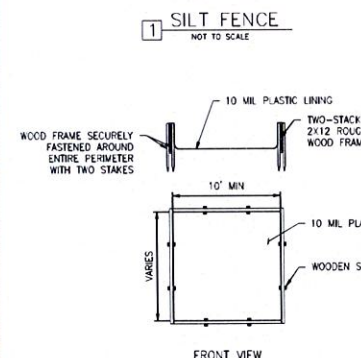
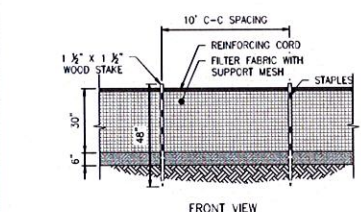
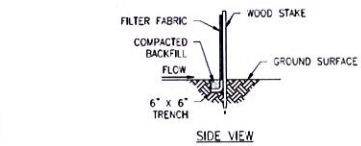


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LEGEND AND ABBREVIATIONS:

- EXISTING PROPERTY LINE
- EXISTING RIGHT OF WAY LINE
- LIMITS OF CONSTRUCTION
- PROPOSED SECURITY FENCE
- TEMPORARY SILT FENCE (SEE DETAIL 1, THIS SHEET)
- CONCRETE WASH-OUT (SEE DETAIL 2, THIS SHEET)
- CONSTRUCTION ENTRANCE (SEE DETAIL 3, THIS SHEET)
- PROPOSED STORM CULVERT WITH RIP RAP PADS
- SLOPE



3. CONSTRUCTION ENTRANCE

- INSTALLATION NOTES:
1. STONE FOR A STABILIZED CONSTRUCTION ENTRANCE SHALL BE 1 TO 2 INCH GRAVEL, RECLAIMED STONE OR RECYCLED CONCRETE EQUIVALENT. THE LENGTH OF THE STABILIZED ENTRANCE SHALL NOT BE LESS THAN 50 FEET.
  2. THE THICKNESS OF THE STONE FOR THE STABILIZED ENTRANCE SHALL NOT BE LESS THAN 6 INCHES.
  3. THE WIDTH OF THE ENTRANCE SHALL NOT BE LESS THAN THE FULL WIDTH OF THE PROPOSED ENTRANCE.
  4. GEOTEXTILE FILTER FABRIC SHALL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING THE STONE.
  5. ALL SURFACE WATER THAT IS FLOWING TO OR DIVERTED TOWARD THE CONSTRUCTION ENTRANCE SHALL BE PIPED BENEATH THE ENTRANCE. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, WASHED, OR TRACKED ONTO PUBLIC RIGHT-OF-WAYS MUST BE REMOVED PROPERLY.

GENERAL NOTES:

1. REFER TO EROSION CONTROL DETAILS PROVIDED ON THIS SHEET.
2. THE CONTRACTOR SHALL PROVIDE, MAINTAIN, AND INDICATE ON THESE PLANS THE LOCATION OF THE FOLLOWING USING APPROPRIATE BEST MANAGEMENT PRACTICES:
  - A. VEHICLE WASH AREA (WITHIN A DESIGNATED CONSTRUCTION ENTRANCE)
  - B. CONTAINER AND MATERIALS STORAGE AREA
  - C. DESIGNATED FUELING AREA (POLYMER BARRIER SHALL BE INSTALLED SURROUNDING THE MOBILE FUELING TANK AND FUELING AREA)
3. DUE TO THE SHALLOW SLOPES ON-SITE, THERE ARE NO EARTH MOVING ACTIVITIES PLANNED FOR CONSTRUCTION. THE SITE WILL BE SMOOTHED TO MINIMIZE THE LEFTOVER IMPACTS FROM FARMING ACTIVITY, BUT NO GRADING WILL BE REQUIRED.
4. CHANGE TO ANY EXISTING UTILITIES AND SERVICES TO REMAIN SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. CONTRACTOR SHALL REPAIR AND/OR REPLACE IN KIND.
5. DUST CONTROL MEASURES SHALL BE IMPLEMENTED DURING SITE CLEARING AND CONSTRUCTION INCLUDING BUT NOT LIMITED TO WATERING DIRT AND GRAVEL ACCESS ROADS.
6. DRY CAST SEED SHALL BE DISTRIBUTED AS EARTHWORK IS COMPLETED. HYDROSEED SHALL BE APPLIED TO AREAS THAT HAVE NOT REACHED FINAL STABILIZATION AS DEFINED BY THE GENERAL PERMIT. FERTILIZER AND SEED SHALL BE APPROVED BY A QUALIFIED PERSON BASED ON SOIL TEST RECOMMENDATIONS.

SEQUENCE OF CONSTRUCTION

1. INSTALL STABILIZED CONSTRUCTION EXIT VEHICLE TRACKING CONTROL INCLUDE WASH RACK IF NECESSARY. IF ENTRANCE EXTENDS OVER A CULVERT PROVIDE RIP-RAP AT BOTH THE OUTLET AND INLET.
2. PREPARE TEMPORARY PARKING AND STORAGE AREAS. UPDATE IMPLEMENTATION AND INSTALLATION OF THE FOLLOWING AREAS: TRAILER, PARKING, LAYOUT, PORTABLE RESTROOMS, WHEEL WASH, CONCRETE WASH-OUT, FUEL, AND MATERIAL STORAGE CONTAINERS. SOLID WASTE CONTAINERS, ETC. DENOTE THESE ITEMS ON THE SITE MAPS IMMEDIATELY AND NOTE ANY CHANGES IN THE LOCATIONS AS THEY OCCUR THROUGHOUT THE CONSTRUCTION PROCESS.
3. INSTALL SILT FENCE ON THE DOWN-SLOPE PERIMETER OF THE PROJECT SITE, AND AROUND ON-SITE WETLANDS.
4. SMOOTH THE SITE TO REMOVE DIRT ROWS CREATED DURING FARMING ACTIVITIES IN PREVIOUS GROWING SEASONS. ENSURE THAT THE SITE GRADE ELEVATIONS AND STORMWATER FLOW PATHS ARE NOT IMPACTED.
5. ADDITIONAL EROSION CONTROL DURING CONSTRUCTION AND PROVIDE COVER AND PROTECTION DURING THE ESTABLISHMENT PERIOD OF THE FINAL NATIVE VEGETATION.
6. PHASE THE PROJECT BY DIVIDING THE SITE IN TO SECTIONS. DRIVE PILE FOUNDATIONS AND TRENCH FOR ALL UNDERGROUND UTILITIES IN CONCENTRATED AREAS TO MINIMIZE THE AREAS DISTURBED AT ONE TIME.
7. AS SECTIONS OF PILE DRIVING AND UTILITY TRENCHING ARE COMPLETED, SPREAD A PERENNIAL WHEAT OR OAT SEED THAT WILL ESTABLISH QUICKLY. THIS WILL PROVIDE ADDITIONAL EROSION CONTROL DURING CONSTRUCTION AND PROVIDE COVER AND PROTECTION DURING THE ESTABLISHMENT PERIOD OF THE FINAL NATIVE VEGETATION.
8. ONCE THE SITE IS PERMANENTLY STABILIZED IN ACCORDANCE TO THE GENERAL PERMIT, REMOVE ALL TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES.

LE SUEUR COUNTY REQUIREMENTS

EROSION & SEDIMENTATION CONTROL MEASURES

1. MAINTAIN EXISTING VEGETATION WHENEVER POSSIBLE AND MINIMIZE THE AREA OF DISTURBANCE. RETAIN AND PROTECT TREES TO ENHANCE FUTURE LANDSCAPING EFFORTS AND TO REDUCE RAINFALL IMPACT (VEGETATION IS THE BEST AND MOST COST-EFFECTIVE EROSION CONTROL PRACTICE).
2. INSTALL ALL EROSION AND SEDIMENT CONTROL PRACTICES PRIOR TO ANY SOIL DISTURBING ACTIVITIES, WHEN APPLICABLE.
3. PHASE CONSTRUCTION ACTIVITIES TO MINIMIZE THE AREAS DISTURBED AT ONE TIME. THIS WILL ALSO ALLOW COMPLETED AREAS TO BE STABILIZED AND RE-VEGETATED BEFORE DISTURBING ADJACENT SITES.
4. MAINTAIN AND PROTECT ALL NATURAL WATERWAYS. RETAIN AT LEAST A 20-FOOT WIDE STRIP OF NATURAL VEGETATION ALONG ALL WATERWAYS TO FILTER OUT SEDIMENT AND OTHER POLLUTANTS.
5. MINIMIZE THE USE OF IMPERMEABLE SURFACES SUCH AS ROOFS, DRIVEWAYS, PARKING LOTS AND ROADS. THE ENVIRONMENTAL RESOURCES STAFF MUST APPROVE ALL STORM WATER RUNOFF PLANS.
6. USE ROCK RIP-RAP AT BOTH THE OUTLET AND INLET ENDS OF CULVERTS TO PREVENT SCOUR EROSION.
7. LIMIT CONSTRUCTION EQUIPMENT TO DESIGNATED AREAS TO CONTROL SOIL COMPACTION.
8. INSTALL SILT FENCE ON THE DOWN-SLOPE PERIMETER OF ALL DISTURBED AREAS ACCORDING TO THE ATTACHED INSTALLATION INSTRUCTIONS. SENSITIVE AREAS SUCH AS WETLANDS, DRAINAGE SWALES, AND SHORELAND AREAS SHOULD ALSO BE PROTECTED WITH SILT FENCE.
9. INSTALL STRAIN BALE CHECKS OR ROCK CHECK DAMS IN AREAS OF CONCENTRATED FLOW.
10. COVER ANY STOCKPILED TOPSOIL WITH PLASTIC OR OTHER IMPERVIOUS COVERING. USE STOCKPILED TOPSOIL AS EARTHEN BARRIERS TO REDUCE WIND TRANSPORTED DUST. A ROCK CONSTRUCTION ENTRANCE MAY BE REQUIRED. THIS WILL REQUIRE A SIX-INCH LAYER OF 1-2 INCH DIAMETER WASHED ROCK A MINIMUM OF 50 FEET IN LENGTH.
11. MULCH ALL DISTURBED AREAS AT THE RATE OF ONE 50-POUND BALE OF STRAW PER 500 SQUARE FEET. ON SLOPES 4:1 OR STEEPER USE THE FOLLOWING EROSION CONTROL BLANKETS THAT HAVE BEEN PINNED TO THE SLOPE ACCORDING TO THE MANUFACTURER'S INSTRUCTIONS:
  - 2:1 SLOPES OR STEEPER STRAW/COCONUT BLANKET OR HIGH VELOCITY WOOD BLANKET
  - 3:1 SLOPES OR STEEPER WOOD OR STRAW BLANKET WITH NET ON BOTH SIDES
  - 4:1 SLOPES OR STEEPER WOOD OR STRAW MULCH BLANKET WITH NET ON ONE SIDE
  - FLAT AREAS STRAW MULCH W/DEC ANCHORING
12. SEED ALL DISTURBED AREAS WITHIN SEVEN DAYS OF FINAL GRADING AND TEMPORARY SEED/MULCH ALL AREAS THAT WILL BE LEFT INACTIVE FOR MORE THAN SEVEN DAYS. DO NOT SEED LATER THAN SEPTEMBER 1ST. AREAS THAT NEED TO BE SEED AFTER THIS DATE SHOULD BE CORN/RYE SEED IN LATE OCTOBER OR EARLY NOVEMBER. SEE THE ATTACHED INSTRUCTION SHEET FOR RECOMMENDED MIXTURES AND RATES. THE USE OF NATIVE PLANT MATERIALS, INCLUDING TREES AND SHRUBS, IS ENCOURAGED. NATIVE SPECIES WILL PROVIDE GOOD VEGETATIVE COVER THAT IS ADAPTED TO OUR SOILS AND CLIMATE.
13. APPLY FERTILIZER ACCORDING TO SOIL TEST RECOMMENDATIONS.
14. INSTALL WATER BARS ON ACCESS ROADS TO PREVENT CONCENTRATED WATER FROM FLOWING DOWN THE ROAD AND ERODING GRAVEL.
15. ATTACH A SITE MAP SHOWING THE LOCATION OF ALL EROSION CONTROL PRACTICES, PROPERTY LINES, ROADS, LAKES, WATERCOURSES, WETLANDS, ON-SITE SYSTEMS AND BUILDING LOCATIONS. NOTE: TO REDUCE WIND TRANSPORTED DUST PAVED ROADS, A ROCK CONSTRUCTION ENTRANCE MAY BE REQUIRED. THIS WILL REQUIRE A SIX-INCH LAYER OF 1-2 INCH DIAMETER WASHED ROCK A MINIMUM OF 50 FEET IN LENGTH.

INSPECTION AND MAINTENANCE

16. INSPECT THE CONSTRUCTION SITE EVERY 7 DAYS AND WITHIN 24 HOURS AFTER EVERY RAIN EVENT TO ENSURE THE PRACTICES ARE WORKING PROPERLY (I.E. SILT FENCES, WATER BARS).
17. CLEAN OUT THE SILT FENCES WHEN THEY ARE 1/3 FULL OF SEDIMENT OR REPLACE WITH FUNCTIONAL SILT FENCES WITHIN 24 HOURS.
18. CLEAN OUT SEDIMENT BASINS ON A REGULAR BASIS TO MAINTAIN CAPACITY.

**SoCore Engineering**  
225 West Hubbard St. Suite 200  
Chicago, IL 60604  
1-877-SOCORE1

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**Larson Engineering, Inc.**  
1000 West Main Street, Suite 100  
Minneapolis, MN 55405-1000  
(763) 421-1000

REV.	DATE	DESCRIPTION

PROJECT NAME: RED MAPLE SOLAR

43555 31ST AVENUE, CLEVELAND, MN 55017

EROSION CONTROL PLAN

DATE: 4/12/16

SCALE: AS NOTED

SHEET SIZE: 24" X 36"

DESIGNED BY: MSA

CHECKED BY: MSA

DATE: 4/12/16

BY: GCM

STAMP

FOR REVIEW ONLY  
Not for Construction Purposes

**SoCore Engineering**

Engine: JAVIER CHAVEZ-HERNANDEZ  
PE No. 52706 Exp. 12/2020

FOR: CIVIL  
Chris Hernandez, PE  
773-476-5875

C3.00





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# **Le Sueur County, MN**

**Thursday, June 9, 2016**

**Regular session**

## **Item 2**

### **Lyra Community Solar Garden Packet**

Staff Contact: Kathy Brockway or Michelle Mettler



# STAFF REPORT

## GENERAL INFORMATION

**APPLICANT:** LYRA COMMUNITY SOLAR GARDENS, LLC  
**LANDOWNER:** LARRY & SOLVEIG THEIS

**911 ADDRESS:** New off State Hwy 13

**PROJECT DESCRIPTION:** Establish up to 3MW Solar Farm on approximately in a Special Protection "SP" District.

**ZONING ORDINANCE SECTIONS:** Section 13.1

**GOALS & POLICIES:** The current Land Use Plan as adopted in 2009, does not make reference to the use of solar energy or any other type of renewable energy in Le Sueur County.

## SITE INFORMATION

**LOCATION:** SW 1/4 SW 1/4 Section 10, Waterville Township

**ZONING & PURPOSE:** Special Protection, Shoreland District

The intent of the **Special Protection (SP) District** is to guide the wise development and utilization of shorelands of public waters for the preservation of water quality, natural characteristics, economic values and the general health, safety and welfare of all public waters in the unincorporated areas of the County. Further, the purpose of this district is to manage areas unsuitable for development due to wet soils, steep slopes or large areas of exposed bedrock; and to manage areas of unique natural and biological characteristics in accordance with compatible uses.

**GENERAL SITE DESCRIPTION:** Rural, Shoreland

**ACCESS:** New off State Highway 13-MN DOT Approval

**LAKE:** Quiram's Slough, Natural Environment Lake

**Natural Environment Lake** - Lakes that usually have less than one hundred fifty (150) total acres, less than sixty (60) acres per mile of shoreline, and less than three (3) dwellings per mile of shoreline. They may have some winterkill of fish; may have shallow, swampy shoreline; and are less than fifteen (15) feet deep.

### EXISTING LAND USE WITHIN ¼ MILE:

North: Ag land	South: Ag Land/Cemetery
West: Ag land/Wetland	East: Shoreland/Ag Land

## TOWNSHIP BOARD NOTIFICATION

The applicants contacted Judy Hering, Waterville Township Board member December 16,18,2015 (phone,letter) January 19, 2016 phone.

## NATURAL RESOURCES INFORMATION

**SHORELAND:** The proposal is located within the Shoreland District.

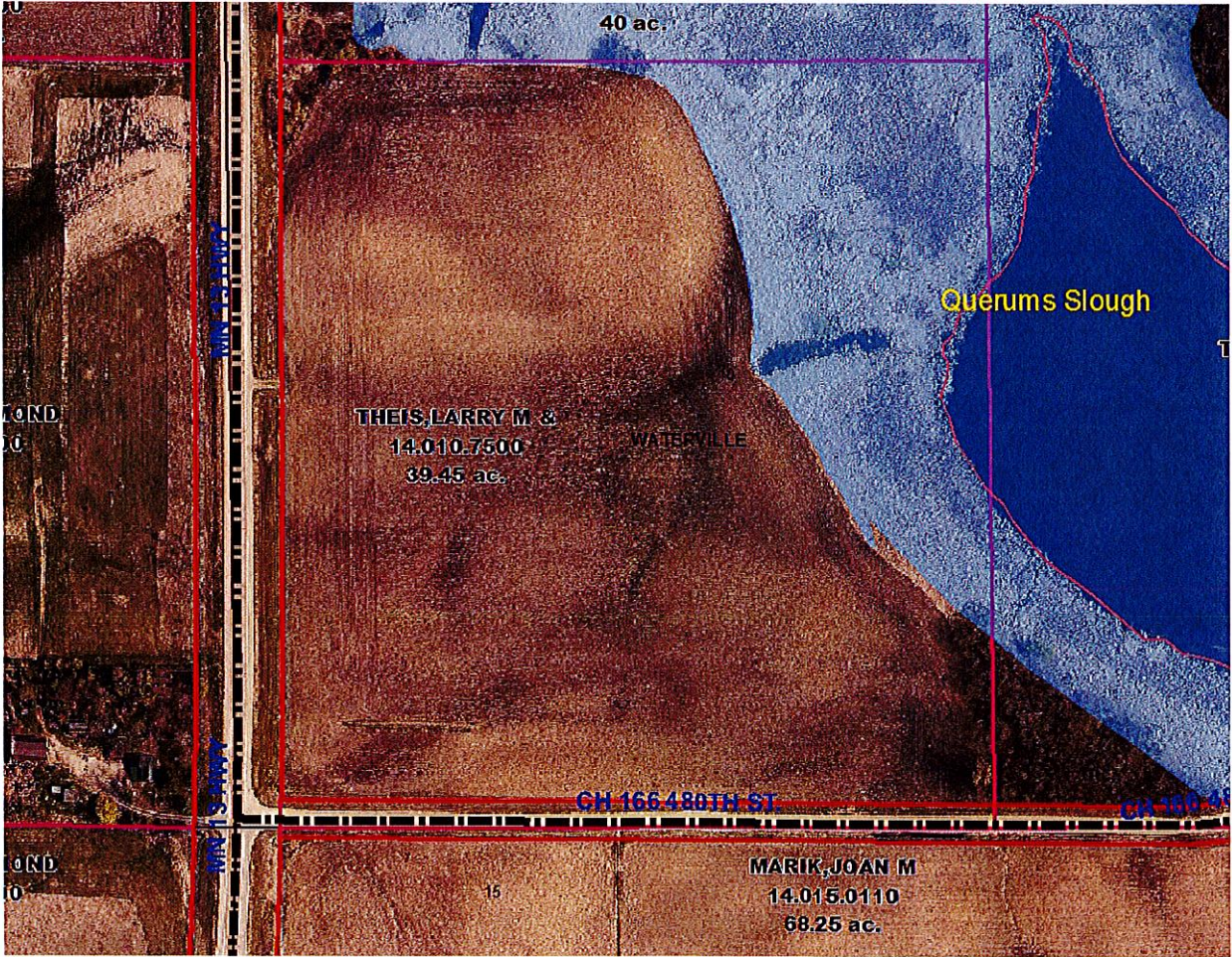
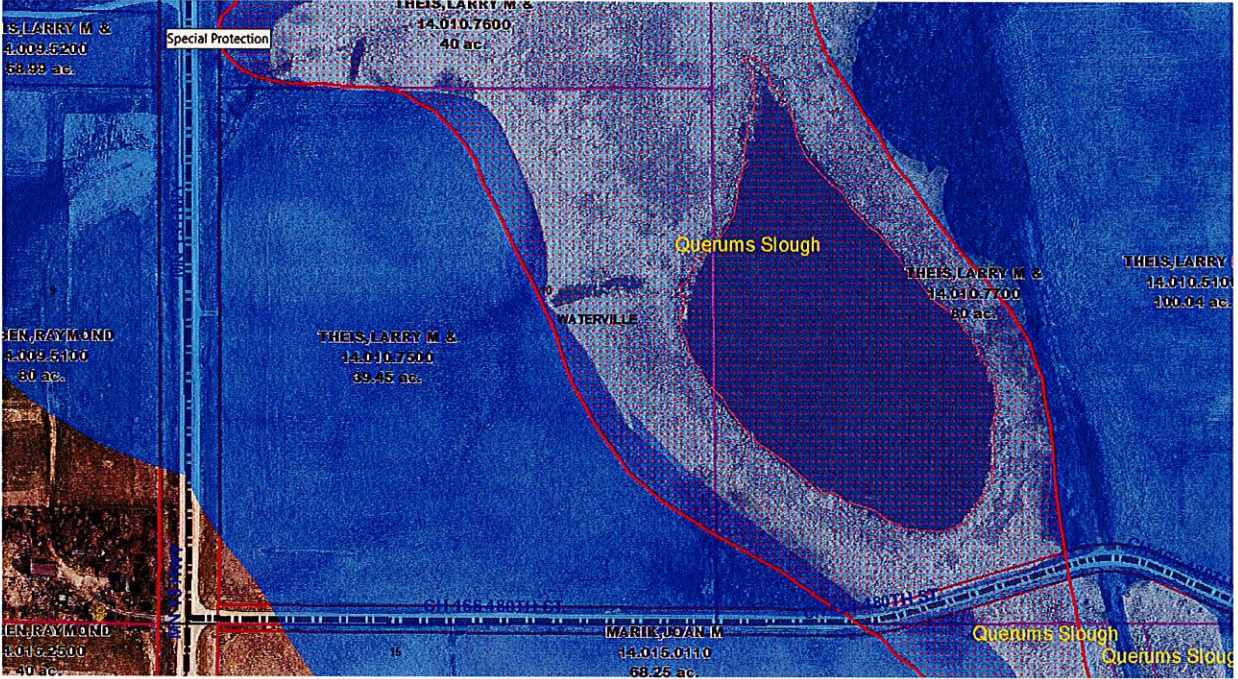
**WETLANDS:** According to the National Wetlands Inventory, Type 3 wetlands located in the quarter-quarter section where the project is proposed.

## ATTACHMENTS

Application, Narrative, Site Plan, Wetland Delineation Report, Interconnection Agreement, Certificate of Insurance



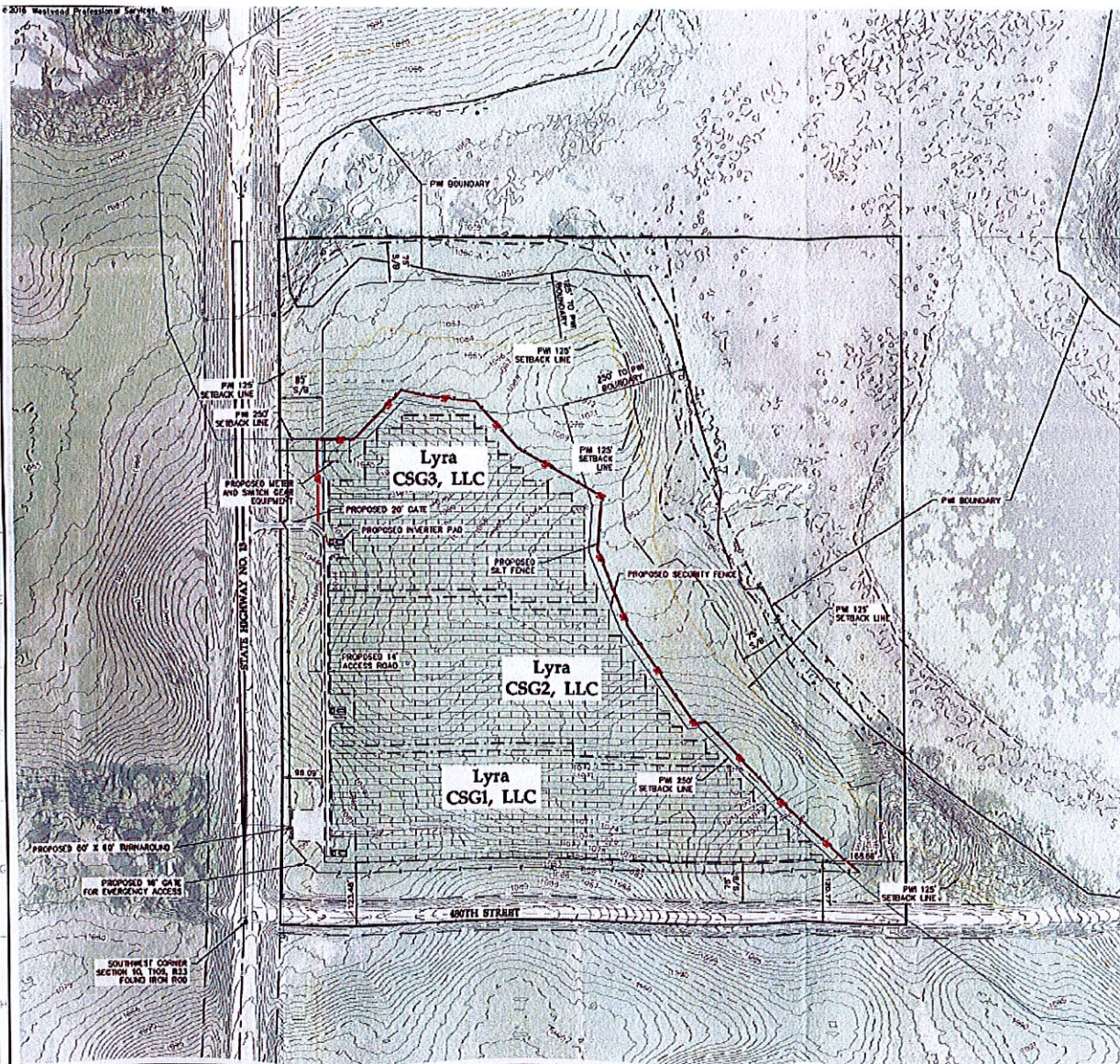












## PLANNING AND ZONING COMMISSION CONSIDERATIONS

The Planning Commission and staff shall consider possible adverse effects of the proposed conditional use and what additional requirements may be necessary to reduce such adverse effects. Its judgment shall be based upon the following factors to include, but not limited to:

1. Relationship to County plans.
2. The geographical area involved.
3. Whether such use will negatively affect surrounding properties in the area in which it is proposed.
4. The character of the surrounding area.
5. The demonstrated need for such use.
6. Whether the proposed use would cause odors, dust, flies, vermin, smoke, gas, noise, or vibration or would impose hazards to life or property in the neighborhood.
7. Whether such use would inherently lead to or encourage disturbing influences in the neighborhood.
8. Whether stored equipment or materials would be screened and whether there would be continuous operation within the visible range of surrounding residences.
9. Abatement of Environmental Hazards as regulated in this Ordinance
10. Other factors impacting the public health, safety and welfare.

## CONDITIONS

The Planning Commission shall recommend such conditions relating to the granting of said Conditional Use Permit, as they deem necessary to carry out the intent and purpose of this Ordinance or recommend that the request be denied. Such recommendation shall be in writing. The conditions may include, but are not limited to the following:

1. Increasing the required lot size or yard dimension.
2. Limiting the height, size, or location of the structures.
3. Controlling the location, size, and number of vehicle access points.
4. Increasing the street width.





5. Increasing the number of required off-street parking space.
6. Limiting the number, size, location, or lighting of signs.
7. Requiring diking, **fencing**, screening, **landscaping** or other facilities to protect adjacent or nearby property.
  - *Although the project proposes natural groundcover beneath the solar arrays, the applicant must maintain this area and remove all noxious weeds on a regular basis.*
8. Designating sites for open space.

<b>PLANNING AND ZONING COMMISSION FINDINGS</b>
--

Based on the information submitted by the applicant, contained in this report, and as required by the Le Sueur County Zoning Ordinance, the following findings have been developed for this request:

*(Please circle one for each item: Agree, Disagree, Not Applicable.)*

1. *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 diminishes and impairs property values within the immediate vicinity.*
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
3. *Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
4. *Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures have been or will be taken to prevent and 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.*
6. *Is the Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?*
7. *Is the Conditional Use Permit consistent with the Comprehensive Land Use Plan?*

*Recommend (circle one) approval / denial / table / of Conditional Use Permit.*





# LE SUEUR COUNTY CONDITIONAL USE PERMIT CRITERIA

Permit # 16063

Name of Applicant: LYRA COMMUNITY SOLAR GARDENS L Conditional Use Permit #: 16063

Name of Property Owner: LARRY & SOLVEIG THEIS

Conditional Use Permit Request: O ALLOW THE APPLICANT TO CONSTRUCT A 3 MW SOLAR GARDEN ON 16 ACRES OF A 39.45 ACRE PARCEL

1. 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 diminishes and impairs property values within the immediate vicinity.

CR AG PT DR BB JD SO SK DK DRY TOTAL

1.											
----	--	--	--	--	--	--	--	--	--	--	--

Explain \_\_\_\_\_

2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

CR AG PT DR BB JD SO SK DK DRY TOTAL

2.										
----	--	--	--	--	--	--	--	--	--	--

Explain \_\_\_\_\_

3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.

CR AG PT DR BB JD SO SK DK DRY TOTAL

3.										
----	--	--	--	--	--	--	--	--	--	--

Explain \_\_\_\_\_

4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to service the proposed use.

CR AG PT DR BB JD SO SK DK DRY TOTAL

4.										
----	--	--	--	--	--	--	--	--	--	--

Explain \_\_\_\_\_

5. Adequate measures have been or will be taken to prevent and 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.

CR AG PT DR BB JD SO SK DK DRY TOTAL

5.										
----	--	--	--	--	--	--	--	--	--	--

Explain \_\_\_\_\_

6. Is the Conditional Use Permit consistent with and supported by the statement of purposes, policies, goal and objectives in the Ordinance?

CR AG PT DR BB JD SO SK DK DRY TOTAL

6.										
----	--	--	--	--	--	--	--	--	--	--

Explain \_\_\_\_\_

7. Is the Conditional use permit consistent with the Comprehensive Plan?

CR AG PT DR BB JD SO SK DK DRY TOTAL

--	--	--	--	--	--	--	--	--	--	--

Explain \_\_\_\_\_

If all answers are "YES" by a majority of the Planning Commission, the criteria for granting of the Conditional Use Permit request have been met. The Conditional Use Permit will main the goals of safety, health and the general welfare of the public.

Date: \_\_\_\_\_

APPROVED \_\_\_\_\_

DENIED \_\_\_\_\_

PZ Chairperson \_\_\_\_\_

COUNTY BOARD MEETING DATE \_\_\_\_\_



**Lyra Community Solar Gardens, LLC**  
**Application for a Conditional Use Permit**

**Applicant:**

**Lyra Community Solar Gardens, LLC**

---

Application Prepared by Geronimo Energy on behalf of Lyra Community Solar Gardens, LLC, a wholly owned subsidiary of BHE Solar, LLC.

Application fee: \$750.00

Lyra Community Solar Gardens, LLC | 7650 Edinborough Way, Ste 725, Edina, MN 55435 | P 952.988.9000 | F 952.988.9001

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May 16, 2016

Conditional Use Permit Application



# 1 Introduction

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Lyra Community Solar Gardens, LLC (“The Project” or “Lyra”) respectfully submits this application to Le Sueur County’s Board of Commissioners for a Conditional Use Permit (CUP) as required under the Le Sueur County Zoning Ordinance. Lyra respectfully requests that the County Board of Commissioners issues a CUP for the Lyra Community Solar Gardens to be permitted, constructed, owned, and operated by Lyra Community Solar Gardens, LLC. Lyra has completed the County’s CUP application form and attached it to this application text as Appendix A. The Project has included the Site Plan in Appendix B for review.

The Project will be located in Waterville Township in the SW ¼ of SW ¼ of Section 10, Township 109 North, Range 23 West, Le Sueur County, Minnesota. The Project will consist of up to 3, 1 megawatt (MW) solar gardens that will generate enough energy to power 600 homes annually and avoid the emission of 3,635 metric tons of carbon annually.<sup>1</sup> The Project plans to interconnect to Xcel Energy’s existing distribution system near the Project.

The Project will be marketed as a host for Xcel Energy’s Solar Rewards Community program. Under the program, Xcel Energy customers may subscribe to a solar garden and receive a credit on their monthly Xcel Energy bill based upon the production of their garden subscription. The final size of the facility will be dependent upon final interconnection parameters, final equipment design and demand for garden subscriptions. The project as proposed in this application represents what Lyra anticipates building. See Appendix C for additional information. Because of the newness of Xcel’s Energy’s program Lyra anticipates that we may need to extend the development cycle into a second year and require a permit extension.

Lyra is being developed by Geronimo Energy, a renewable energy developer based in Edina, Minnesota. Geronimo Energy is a North American utility-scale renewable energy development company headquartered in Edina, Minnesota. Geronimo has developed multiple operating wind farms and solar projects throughout the United States. Approximately 1,300 MW of wind projects and 200 MW of solar projects developed by Geronimo are either operational or are expected to be constructed by the end of 2016. Geronimo has a multi-gigawatt development pipeline of wind and solar projects in various stages of development throughout the United States. Geronimo provides custom renewable energy development solutions for utilities, independent power purchasers and corporations looking to harness renewable energy for business growth. With deep roots in agriculture, Geronimo prides itself on developing wind farms that are farmer-friendly, community-driven, and beneficial for rural communities.

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<sup>1</sup> Based on EPA Greenhouse Gas Equivalencies Calculator and 1,757,000 kWh annual production PVSYST model

## **2 Project Description**

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### **2.1 SUMMARY AND LOCATION**

The Project will be located in Waterville Township in the SW ¼ of SW ¼ of Section 10, Township 109 North, Range 23 West, Le Sueur County, Minnesota. The Project area lies in the Special Protection District within Waterville Township. The planned project design will be a 3 MW solar facility consisting of 3, 1 MW solar gardens each owned as described in section 2.2 of this application. Final design will be dictated by interconnection study results. It is proposed to utilize typical photovoltaic panels, central inverters and a fixed-tilt racking system for the site. The parcel is approximately 37.59 acres with a total fenced area of approximately 16 acres.

The estimated start date will be fall 2016 and completion before December 2017.

### **2.2 PROJECT OWNERSHIP**

Lyra Community Solar Gardens, LLC (Lyra) has a lease agreement with the landowner for The Project site consisting of approximately 30.8 acres. A copy of the recorded memorandum of the lease agreement has been provided in Appendix D. An ALTA Survey for the parcel has been provided in Appendix E. Lyra Community Solar Gardens, LLC is the CUP applicant.

Additional related Special Purpose Vehicle LLCs that will be part of the project are Lyra CSG1, LLC, Lyra CSG2, LLC, and Lyra CSG3, LLC. These are required for the Xcel Program and financing purposes. Enforcement will be through the parent LLC of Lyra Community Solar Gardens, LLC.

Lyra Community Solar Gardens, LLC is a wholly owned subsidiary of BHE Solar, LLC. Geronimo Energy is providing the development services as its authorized agent.

### **2.3 PROJECT CONSULTANTS**

Surveying/ Solar Array Design & Civil Engineering:

Westwood Professional Services

7699 Anagram Drive, Eden Prairie, MN 55344

Interconnection Design & Engineering:

Leidos Engineering, LLC

60 Plato Blvd., Ste 300, St. Paul, MN 55107

### **2.4 SOLAR PROJECT FACILITY**

The Project's facilities will include:

- Solar modules, inverters and racking;

- Fencing;
- Access roads as required;
- On-site underground electrical collection lines;
- Up to two weather stations (up to 20 feet tall);

The Project covers approximately 16 acres of one privately owned parcel. Lyra selected the specific development area based on County land use guidance, significant landowner interest, interconnection suitability, optimal solar resource, and minimal environmental impact.

Lyra provides a site plan of existing conditions and a site plan of proposed conditions for the solar gardens in Appendix B. This site plan denotes the general footprint and layout of the Project including proposed locations of facilities. The Project's final layout will optimize electrical generation and efficiency of the solar resource while avoiding and minimizing environmental, cultural, and economic impacts. The Project's facilities will be sited so as to comply with the county's setback requirements, where applicable, as well as other voluntarily-imposed setbacks. Further discussion on setback compliance of the solar facility can be found in Section 3.1 of this application. To the extent applicable, the Project will also comply with all other local, state, and federal regulatory standards.

The Project's proposed components include PV modules mounted on a fixed-tilt racking system and a centralized inverter(s). The modules will have approximate dimensions of 4 to 6.5 feet long by 2 to 3.5 feet wide, and 1 to 2 inches thick. The foundations of the racking system will likely be a driven steel pier and will not likely require concrete, although some concrete foundations may be required. Geotechnical soil testing will determine final installation process. Areas of bare ground at the facility will be re-vegetated with a low-growing seed mix. Lyra has provided typical equipment specifications for various manufactures in Appendix F.

The modules will be electrically strung together to meet at one of the central inverters. The inverters will convert the DC power from the modules to AC power. Additionally, a transformer will step up the voltage to meet the local interconnection voltage of Xcel's distribution grid. From the inverters, the cable will be buried underground to the Point of Interconnection. Here the system will interconnect to the existing distribution infrastructure. Lyra will secure all private easements for its facilities and will secure permits and other authorizations from the state, county and township governments as needed.

An interconnection agreement (IA) with Xcel Energy is provided as Appendix G. The IA process is built in with the Solar\*Rewards Community program. Pursuant this IA, the Project will use a Supervisory Control and Data Acquisition (SCADA) system, which allows remote control and monitoring of the status of The Project. The monitoring system provides status views of electrical and mechanical data, operation and fault status, meteorological data, and grid station data. For security The Project will be fenced and have site security cameras. Access to the Project area is through lockable gates.

## **2.5 ENVIRONMENTAL CONDITIONS**

Lyra has completed environmental due diligence on the project including field surveys for wetlands, archaeological resources, and natural communities. Lyra's design reflects avoidance

and minimization of impacts to resources identified in these surveys. Wetland boundaries are shown on the site plans. A wetland delineation and natural communities report is provided as Appendix H. As a practice, Lyra, does not provide archaeological resource results in public documents in order to avoid unwanted attention to these resources should they be present. Lyra's surveys did not identify any natural communities of high integrity that required avoidance.

## **2.6 CONSTRUCTION**

Construction of the solar gardens will begin starting as early as spring of 2016. The intended completion of the Project is the end of 2016.

Traffic during construction is estimated to be 25-35 trucks daily. Traffic will include pickup trucks, semi-trailers for delivery of equipment, and other machinery. Lyra does not anticipate overweight or oversize loads will be required during Project construction or operation.

## **2.7 STORMWATER**

The existing natural drainage patterns on this site are towards the north and east sides of the site. In this application, the design anticipates some site preparation work and grading activities but no alteration to the overall existing drainage patterns is expected. The site preparation work, including grading activities, may require a separate Conditional Use Permit. Lyra anticipates submitting a grading CUP application once final proposed grading amounts are determined.

The Project site is currently an agricultural use. With the proposed community solar garden there will be a small amount of additional impervious surface associated with a rock access road providing access to the site. Lyra's final design will not cover more than 50% of the lot with impervious surface and infiltration will be provided as needed under the State of Minnesota's General Construction Stormwater Permit. Drainage patterns will remain consistent with the existing natural conditions.

The project will require a Construction Stormwater Permit from the Minnesota Pollution Control Agency and will comply with the requirements of the MPCA's general permit. The project will maintain a Stormwater Pollution Prevention Plan (SWPPP) through construction and will maintain appropriate erosion controls through construction. Once construction is complete the vegetation at the site will appropriately mitigate any stormwater run-off. The plans provided in Appendix B show the proposed stormwater management efforts during construction.

### **2.7.1 Drainage Tile**

Lyra's review of the site has not identified any privately or publicly owned drain tile. Any drainage tile damaged during construction of The Project will be repaired at the cost of Lyra.

## **2.8 PROJECT COMPONENTS**

- Panel Type-
  - Photovoltaic panels
- Racking Type-
  - Fixed-tilt racking system
  - Utilizes galvanized steel for foundations and frame
- Panel Height-
  - Fixed-tilt: up to 15 feet
- Panel Material-



- Aluminum frame
- Silicon
- Weatherized plastic backing
- Central Inverter Skid and electrical cabinets
  - Enclosed central inverters and transformers
  - Overhead shade will be 10 to 12 feet tall and the equipment enclosure, if used, will be up to approximately 45 feet long by 10 feet wide by 10 feet tall.
- Metering and Switching Gear
  - Electrical equipment required to connect to Xcel's system
- Access roads
  - Gravel roads within the fenced area leading to the inverter skids for repair
- Rated Power & Performance-
  - 1000-1500 volt system that steps up to 12.47 kV local distribution
- Safety-
  - Tempered glass, security fence (6 foot woven wire, 1 foot barbed wire), security cameras, on-site cables buried underground.

## 2.9 AESTHETICS

To limit reflection, solar PV panels are constructed of dark, light-absorbing materials and covered with an anti-reflective coating. Today's panels reflect as little as two percent of the incoming sunlight depending on the angle of the sun and assuming use of anti-reflective coatings.

The solar array will occupy most of The Project site for the solar facilities. The electrical transformers and inverters, and access roads complete the solar project. Most of the facility, including the solar field, will be low-profile. Currently, the proposed generation tie line will be built underground to the edge of the parcel.

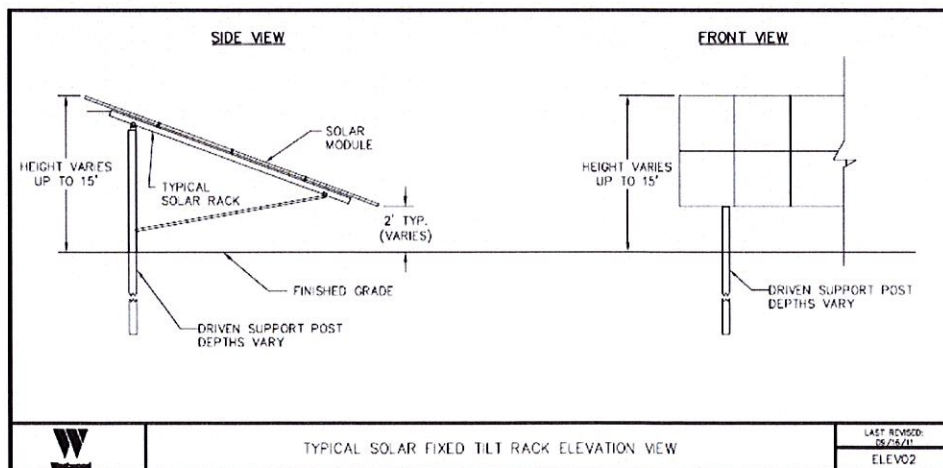
Lyra may have security lighting at the entrance that will be down lit and manually controlled. There may be lights at each inverter that will be down lit and switch controlled for repair purposes. Lighting will be designed and constructed to meet or exceed the Outdoor Lighting Standards in Section 19 Subdivision 8 of the Le Sueur County Zoning Ordinance. Any signage such will comply with the Le Sueur County Zoning Ordinance Section 19 Subdivision 7.

Images 1-6 below visually show the general racking equipment and dimensions of a fixed-tilt racking system, fencing specifications, and lighting specifications.

**Image 1- Fixed-Tilt System Racking**



**Image 2- Fixed-Tilt System Dimensions**

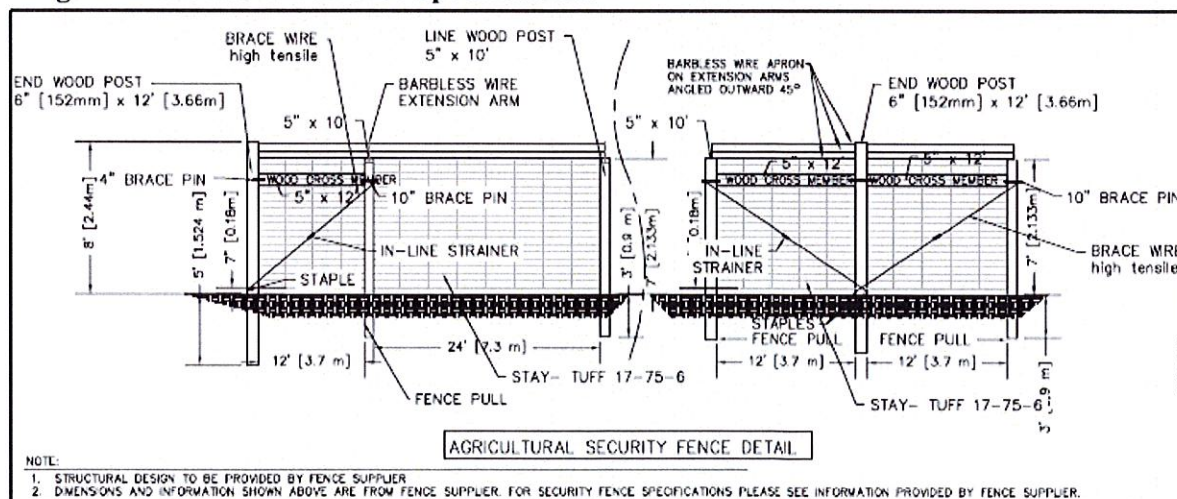




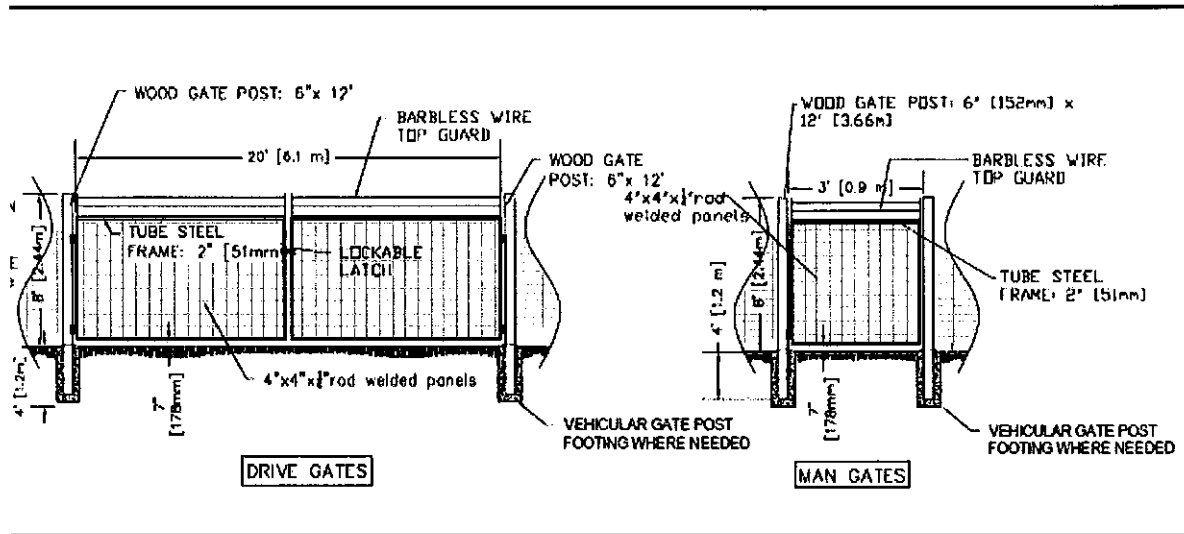
**Image 3 – Standard Steel Pier Foundations**



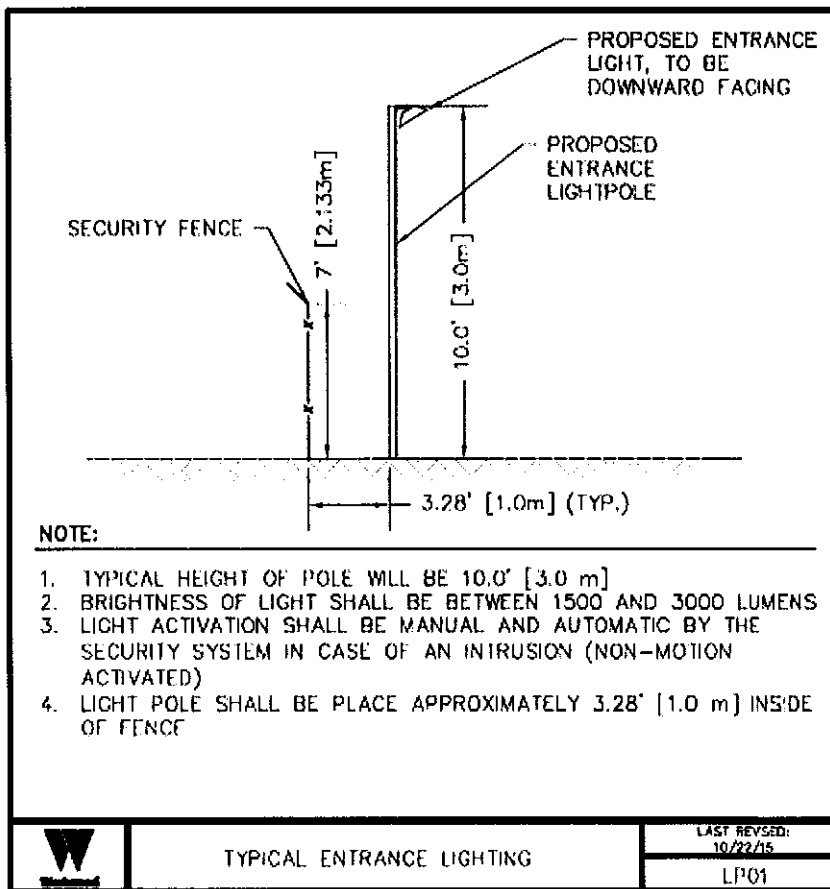
**Image 4 – Barbless Wire Fence Specifications**



**Image 4 – Fence Gate Specifications**



**Image 6 – Lighting Specifications**





## **2.10 OPERATIONS AND MAINTENANCE**

Lyra will be professionally maintained and operated. Primary tasks include scheduled monthly and quarterly inspection(s) of electrical equipment, vegetation management as well as snow removal on access drives.

### **2.10.1 Vegetation Maintenance and Management:**

Lyra will monitor and manage the vegetation for the first 3 years to ensure establishment of the seed mix and eradicate noxious weeds.

Vegetation maintenance during operation of the Project will include mowing the ground cover that is planted under the arrays at each facility on a bi-annual basis, or potentially more frequently if necessary. Vegetation will be managed such that it allows for safe and reliable operation of the facility while ensuring an aesthetically pleasing ground cover.

Major infestation areas identified during the first growing season will be treated primarily by mechanical methods. Should the facility require an herbicide treatment the facility or its subcontractors will obtain any necessary permits and/or certifications prior to application. Herbicides will be used in accordance with manufacturer's specifications and all applicable federal and state regulations. The contractor applying herbicide will keep proper documentation of location and timing of herbicide use and be prepared to provide such documentation to the County and Applicant upon request as required under federal law.

A sample seed mix has been provided in Appendix I. Final seed mix will be submitted prior to construction.

## **2.11 DECOMMISSIONING**

Lyra has provided a decommissioning plan in Appendix J to provide assurance that funds will be available for the necessary decommissioning of the solar facility at the end of its useful life.

## **2.12 ACCESS**

An access permit application with Mn/DOT has been submitted and an approved access permit is attached as Appendix K. The project has been designed to meet Section 8 Subdivision 7 of the County's Ordinance and is shown on the plans in Appendix B.

# **3 Compliance with Le Sueur County's Zoning Ordinance**

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Lyra has provided information in this application to make it complete under the requirements of the Le Sueur County Zoning Ordinance and demonstrate compliance of the requirements of the County's ordinance. Table 2 summarizes this compliance.

### 3.1 TABLE 1: COMPLIANCE WITH LE SUEUR COUNTY ORDINANCE

	<b>Requirements per Subdivision 2 of the Le Sueur County Ordinance for Conditional Use Applications</b>	<b>Lyra response in fulfilling ordinance requirements</b>
1.	Include the name and address of the applicant and/or landowner of the site and any architect, professional engineer and contractor employed by the applicant.	See Cover Page and Appendix A (Conditional Use Application Form)
2.	Shall be accompanied by such plans, elevations and site plans as prescribed by the Planning Commission and shall be filed at least twenty (20) days prior to the hearing.	See Site Plan in Appendix B
3.	Include any copies of any necessary State and Federal Permits.	To the extent applicable, the Project will comply with all other local, state, and federal regulatory standards and obtain any necessary permits.
4.	Setbacks	See Table 2 for a list of setbacks.
5.	Vegetation Management pursuant Sec. 13 Subd. 5.B.2	See Section 2.4.2 and Section 2.5 for discussion of vegetation management.
6.	A certificate of insurance, if applicable, shall be filed with the department prior to the issuance of the conditional use permit.	See Certificate of Insurance in Appendix L

### 3.2 COUNTY STRUCTURE SETBACKS

The County structure setback in the Shoreland and Special Protection District and our proposed setbacks are provided in Table 2. Final site plan setbacks will depend on final design; however,

they will not encroach on the Ordinance setback requirements. Final site plan setbacks will be submitted prior to construction.

**TABLE 2: SETBACK TABLE**

Yard Setback for Structures	County Setback Requirements (minimum)	Proposed Setbacks on Site Plan
Front Yard: State-Federal truck arterials (State Hwy 13)	85'	100.66'
Front Yard: Township or any other public right-of-way (County Rd. 166/480 <sup>th</sup> St.)	65'	131.28
Side Yard	50'	128.73' & 80.91'
Rear Yard	50'	N/A
Quiram's Slough Boundary	250'	250'

### 3.3 CONDITIONAL USE FINDINGS RESPONSES

Lyra is providing proposed responses to the Ordinance requirement of Conditional Use Findings found in Section 3-6, Subsection E.

- 1. 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 diminishes and impairs property values within the immediate vicinity.**

*Lyra will not be injurious to the neighboring properties as permitted. Lyra is low profile, does not create odors and virtually noiseless. Lyra is setback approximately 330 feet from the nearest resident, allowing substantial buffer to mitigate visual impacts. Additionally, the drainage of the property will be improved with the conversion of tillable acreage to a stable habitat.*

- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**

*Lyra does not impede the development and improvement of surrounding vacant property for uses predominant in the area.*

- 3. The adequate utilities, access roads, drainage and other facilities have been or are being provided.**

*The Project does not require water or other utilities. All electrical connections will be completed by the Project and Xcel Energy to the standards that are required to connect into the grid. Gravel access roads will be required to access inverters for repair. Best Management Practices (BMPs) and industry standard practices will be implemented for drainage and soil erosion control. Permits for construction, including NPDES, and SWPPP plans will be completed prior to construction.*

*Drainage will be improved on site and soil erosion control measures are outlined in the Plan set provided, which includes the use of silt fences and composite matting. Management of stormwater during operations will occur on site and will not require ponding.*

- 4. The adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.**

*Lyra will have a laydown area during construction that will provide off-street parking for employees on site and off-loading space for the delivery of equipment. During the operational phase of the project, parking is not needed outside of the fenced area due to the low traffic nature of the project. Vehicles servicing the area will be able to park inside the fence.*

- 5. The adequate measures have been or will be taken to prevent and 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.**

*During the operational phase of the project, Lyra will not produce odor, fumes, dust, vibration and virtually no noise. Inverters will produce sound and on average, inverter sound will be reduced to 50 dB(a) at approximately 100 feet. The inverters, as proposed, will be located away from any neighboring residents. Lyra may have security lighting at the entrance that will be down lit and manually controlled. There may be lights at each inverter that will be down lit and switch controlled for repair purposes. Lighting will be designed and constructed to meet or exceed the Outdoor Lighting Standards in Section 19 Subdivision 8 of the Le Sueur County Zoning Ordinance.*

## **4 Conclusion**

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The Project as designed and planned complies with Le Sueur County's CUP process and the Zoning Ordinance. Lyra is working in close coordination with the landowner of the Project site, and will continue to engage the surrounding neighbors and the community as the Project develops. Lyra Community Solar Gardens, LLC respectfully requests that the Board of Commissioners approve the Project's conditional use permit.



**Appendix A**  
**Conditional Use Permit Application Form**

May 16, 2016

Conditional Use Permit Application

Page 13 of 159

# Le Sueur County

## Conditional Use Permit Application

### I. Applicant:

Name Lyra Community Solar Gardens, LLC  
Mailing Address 7650 Edinborough Way, STE 725  
City Edina State MN Zip 55435  
Phone # 952-988-9000 Phone # \_\_\_\_\_

### II. Landowner:

Name Larry & Solveig Thejs  
Mailing Address 3412 Westbridge Drive  
City Shakopee State MN Zip 55379  
  
Property Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Phone # \_\_\_\_\_

### III. Parcel Information:

Parcel Number 14.010.7500 Parcel Acreage 39.45 (County records)  
37.6 (ALTA Survey)  
**Attach Full Legal Description (NOT abbreviated description from tax statement)**  
Township Waterville (T109N, R23W) Section 10  
Subdivision \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

### IV. Township Notification: Township must be notified of proposed use prior to application.

Waterville Township notified on 12/16/2015 (via phone); 12/18/2015 (Letter);  
(Township Name) (Date) 1/9/2016 (via phone)  
Board Member Judy Hering regarding the proposed use.  
(Name)

### V. Quantities and Submittal Formats:

- One (1)** reproducible 8.5" x 11" copy of the request and all other supporting documents.
- If any documentation is in color, an aerial photo, photographs, or larger than 8 ½ x 11, then **twenty three (23)** copies must be submitted.
- Electronic version of any supporting documents *if available*.
- Additional copies may be requested as deemed necessary by the Department.
- Application must be made **in person** by the applicant and/or landowner no later than 12 P.M. on the date of application deadline.
- Appointment is necessary.**
- Applications will not be accepted by mail.**

### VI. Fees: Must be paid at the time of application.

Conditional Use Permit \$ 750 After-The-Fact fee is **doubled**  
Filing Fee \$ 46  
**Additional Fees:**  
Special Meeting \$ 2,000 (**Additional fee**)  
After-The-Fact Penalty \$1500 OR 10% of the improvement whichever is greater.

**VII. Type of Request:**

- |   |  |
|---|--|
| <input type="checkbox"/> Self Service Storage                           | <input type="checkbox"/> Value Added Agriculture           |
| <input type="checkbox"/> School/Church/Cemetery                         | <input type="checkbox"/> Antique Sales/Service/Repair      |
| <input type="checkbox"/> Retail Nursery/Greenhouse                      | <input type="checkbox"/> Substation/Transmission Line etc. |
| <input checked="" type="checkbox"/> Other <u>Community Solar Garden</u> |  |

**VIII. Description of Request:**

- a. A full description of request with detailed information must be attached. See Attached
- b. Complete the following in relationship to the proposed Conditional Use Permit. See Attached
1. PROPOSED DAYS AND HOURS OF OPERATION: \_\_\_\_\_
  2. ESTIMATED NUMBER OF PERSONS TO ATTEND PLACE OF BUSINESS/LOCATION ON A DAILY OR WEEKLY BASIS: \_\_\_\_\_
  3. LIST OF PUBLIC HEALTH PLANS:
    - i. Water Supply: \_\_\_\_\_
    - ii. Toilet facilities: \_\_\_\_\_
    - iii. Solid Waste Collection: \_\_\_\_\_
  4. FIRE PREVENTION: \_\_\_\_\_
  5. SECURITY PLANS: \_\_\_\_\_
  6. RETAIL SALES: \_\_\_\_\_
  7. FOOD OR ALCOHOL SERVED OR FOR SALE: \_\_\_\_\_
  8. DESCRIBE IF THE APPLICANT REQUESTS THE COUNTY TO PROVIDE ANY SERVICES OR COUNTY PERSONNEL: (For example, pedestrian and/or vehicular traffic control.) \_\_\_\_\_
  9. SOUND AMPLIFICATION, PUBLIC ADDRESS SYSTEM, PLAYING OF MUSIC: \_\_\_\_\_
  10. EXTERIOR LIGHTING: \_\_\_\_\_
  11. PARKING AND LOADING: \_\_\_\_\_
  12. SIGNAGE: \_\_\_\_\_
  13. ROAD ACCESS: (Approved by the road authority) \_\_\_\_\_
  14. CERTIFICATE OF INSURANCE: \_\_\_\_\_
  15. MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS: (For example additional licensing and/or permitting) \_\_\_\_\_

**IX. Site Plan:** Shall include but not limited to the following:

- |                     |           |                       |                            |
|---------------------|-----------|-----------------------|----------------------------|
| • North point       | • Lake    | • Existing Structures | • Septic system            |
| • Setbacks          | • River   | • Proposed Structures | • Well                     |
| • Property Lines    | • Wetland | • Lot Dimensions      | • Access (size & location) |
| • Road Right-Of-Way | • Stream  | • Ponds               | • Easements                |
- Parking (Size & location-if applicable to application)
  - Landscape, screening and buffering (if applicable to application)
  - Location of significant trees to be removed (if applicable to application)



**X. Attachments: shall include but not limited to:**

- ☒ a. **Description of Request**-See Part VIII for full details and requirements.
- ☒ b. **Site Plan**-See Part IX for full details and requirements.
- ☒ c. **Full legal description**-Not abbreviated description from tax statement.
- ☒ d. **Access approval**-Attach approval in writing from proper road authority.
- ☒ e. **Township Notification**-See Part IV for details and requirements.
- ☐ f. **Septic System Compliance Inspection** *N/A*
- ☒ g. **Erosion control plan**-Attach completed and signed plan including map.
- ☐ h. **Floor plans and/or blue prints** *N/A*

**XI. Procedure:**

The Planning & Zoning Commission shall hold a public hearing on the proposed Conditional Use Permit at a scheduled Planning and Zoning Commission meeting.

The Planning and Zoning Commission is an advisory board to the County Board of Commissioners and will make a recommendation to the County Board.

The Department shall report the findings and the recommendations of the Planning Commission to the County Board for final decision.

Action by the County Board shall be a majority vote of its members.

The Department shall notify the applicant and/or landowner in writing of the County Board decision.

A certified copy of the Conditional Use Permit shall be filed with the Le Sueur County Recorder by the Department.

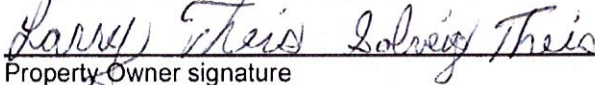
**XII. Signatures:**

*I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.*

  
Applicant signature

*1/9/16*  
Date

*I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.*

  
Property Owner signature

*1-7-16*  
Date

**OFFICE USE ONLY**

**Request:**

Pre-App Date _____	Lake Classification _____	Feedlot	500'	1000'	N
Meeting Date _____	Lake _____	Wetland Type	1-2	3-8	N
60 Day _____	FEMA Panel # 27079C0 _____	Water courses		Y	N
Zoning District _____	Flood Zone _____	Bluff		Y	N
<input type="checkbox"/> Request Description	<input type="checkbox"/> Access Approval	<input type="checkbox"/> Septic	<b>Comp Insp / Design</b>		
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Erosion Control Plan	<input type="checkbox"/> Meeting	<b>Reg / ATF / Spec</b>		
<input type="checkbox"/> Full Legal	<input type="checkbox"/> Blue Prints	<input type="checkbox"/> Fee	\$ _____		
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Other _____	<input type="checkbox"/> Penalty	\$ _____		

☐ Application Complete

\_\_\_\_\_  
Planning & Zoning Department Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Permit #

**LYRA COMMUNITY SOLAR GARDENS**

**DESCRIPTION OF PROPERTY**

**Tax Parcel Identification No.:** 14.010.7500

The SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 10, Township 109, Range 23, Le Sueur County, Minnesota.

**The Premises contains approximately 39.45 acres.**





December 18, 2015

Judy Hering, Clerk  
48144 151st Ave  
Waterville, MN 56096

**Re: Solar Project Development**

To Whom It May Concern:

We are writing to introduce ourselves and to inform you of a solar energy project called Lyra Community Solar Gardens, which we are developing in Waterville Township near the City of Waterville.

**About Geronimo Energy**

Geronimo Energy is a utility-scale renewable energy development firm operating primarily in the Midwest, with offices in North Dakota, Minnesota, Illinois and Michigan. We currently have projects in various stages of development, construction and operation in North Dakota, South Dakota, Minnesota, Michigan, Illinois and Nebraska. Our founder, Noel P. Rahn, grew up on a farm in southwest Minnesota, and many of our employees come from similar rural backgrounds. This rural and agricultural foundation drives us to partner with communities such as yours to help advance the community benefits of renewable energy.

**About Lyra Community Solar Gardens**

Lyra Community Solar Gardens (Lyra CSG or Project) is a proposed Community Solar Garden facility located in Waterville Township, Section 10 (see enclosed map). Similar to a newly constructed home or business, the solar facility is proposed to interconnect directly to the local distribution system and does not require transmission facilities. The Project is expected to be up to three individual one megawatt (MW) ground-mount solar gardens and encompass up to approximately 30 acres. Depending upon the Project's final size, it will generate enough energy to power up to 500 homes annually and decrease carbon dioxide emissions by 3,635 metric tons annually.

At this time, the solar array layout, access roads and electrical connections have not been finalized. The enclosed map identifies the proposed location of the solar facility, as well as the project boundary. For your reference, we have also included photographs of solar farms that utilize technology similar to what is being proposed for the Project.

In addition to the considerable environmental benefits Lyra CSG will provide, the project will also deliver significant economic benefits to Le Sueur County and Waterville community. These benefits include increased income to the county and township in the form of tax revenue, job creation and increased local spending during both construction and on-going operations.

**About the Permit Process for Lyra CSG**

Geronimo will soon begin the Conditional Use Permitting process for the Project. Permitting is expected to last up to three months. As such, we currently anticipate we will receive our permit for the Project sometime in March 2016. We plan to begin construction in the spring of 2016. Construction will likely

7650 EDINBOROUGH WAY, STE 725, EDINA, MN 55435 | P 952.988.9000 | F 952.988.9001  
[www.geronimoenergy.com](http://www.geronimoenergy.com)



require five to nine months for completion. Our goal is to start operations at Lyra CSG sometime in 2016.

As with all of our projects, Geronimo encourages and actively seeks public feedback. Geronimo is in the process of coordinating permitting with Le Sueur County for a Conditional Use Permit. Once our application has been submitted to the County, further information on a public hearing date for the Conditional Use Permit will be included in a notice letter as part of the CUP process. We would welcome your participation in this hearing. However, in the meantime, if you have any questions regarding Geronimo Energy or the Lyra Community Solar Gardens, please contact me using the information below.

We look forward to working with you and your community.

Sincerely,

A handwritten signature in black ink, appearing to read "Jordan Burmeister".

Jordan Burmeister  
Project Manager  
[jordan@geronimoenergy.com](mailto:jordan@geronimoenergy.com)  
952-641-4044



**Appendix B**

**Site Plan**





# Lyra Community Solar Garden

## 3 MW-AC Solar Array Project Le Sueur County, Minnesota Civil Permitting Plans

### Project Contact Information

Consultant	Company	Name	Phone No.
Developer	Geronimo Energy	Nathan Franzen	(952) 358-5683
Civil Engineer	Westwood	Jim Campbell	(480) 747-6558

### Data Set Information

Base File	File Name	Provider	Date
PV Array	0007452PVSITE.dwg	Westwood	01/19/2016
Topo	0007452DTM.dwg	MN Lidar	11/02/2015

### Legal Description

the Southwest 1/4 of the Southwest 1/4 of Section 10, Township 109 North, Range 23, Le Sueur County, Minnesota, EXCEPT all that part of the following described tract:

The Southwest Quarter of the Southwest Quarter of Section 10, Township 109 North, Range 23 West, which lies westerly of a line run parallel with and distant 75 feet easterly of the following described line: Beginning at a point on the south line of Section 16, Township 109 North, Range 23 West, distant 23.1 feet west of the southeast corner thereof; thence run northerly at an angle of 92 degrees 04' with said south section line (measured from west to north) for 1139.2 feet; thence deflect to the left at an angle of 3 degrees 41' for 2475.8 feet; thence deflect to the right at an angle of 4 degrees 30' for 1371.8 feet; thence deflect to the left on a 0 degrees 30' curve (delta angle 3 degrees 40') for 733.3 feet; thence on tangent to said curve for 1000 feet and there terminating.

(Description leaves a noncontiguous strip of land on west side of parcel.)

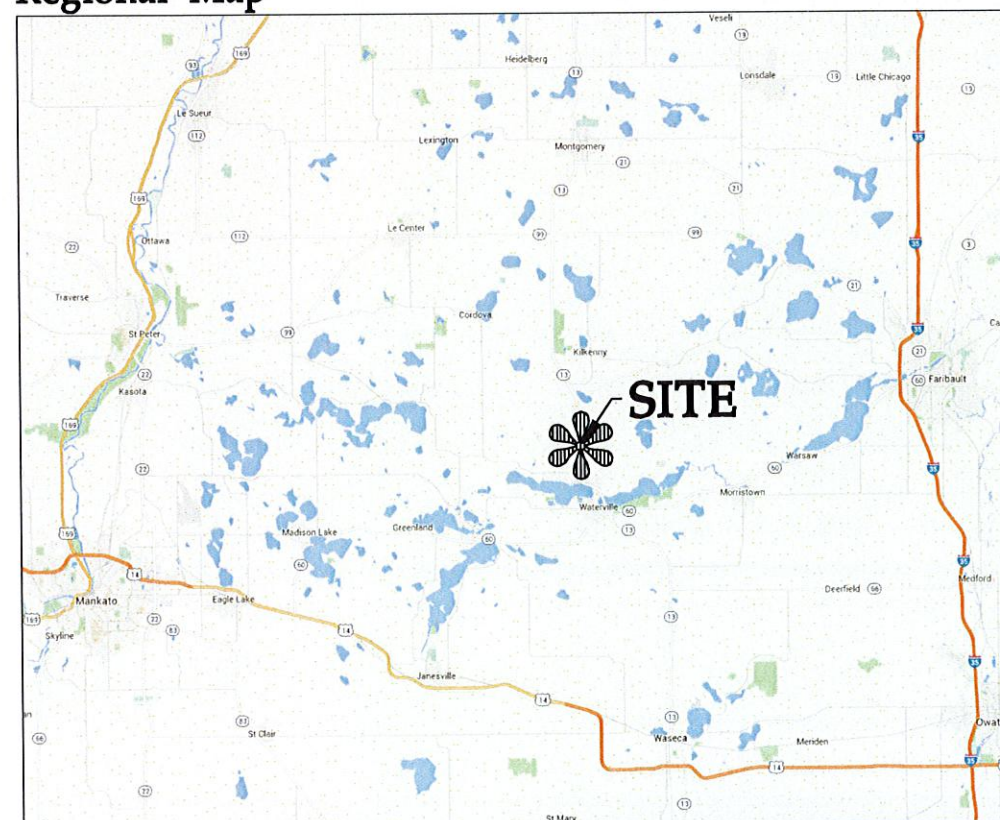
### Project Description

3 MW-AC Single Axis Tracker Solar Array Project

### Sheet Index

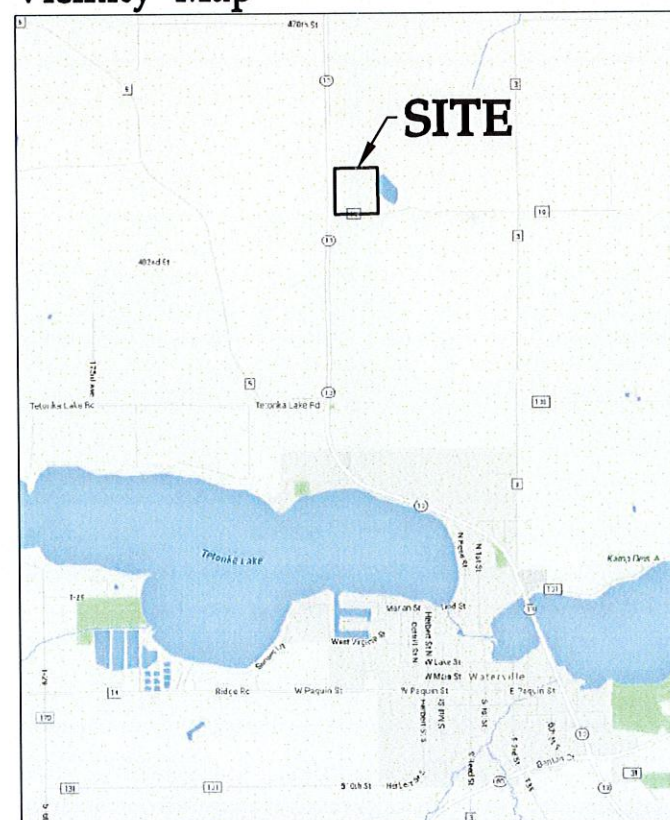
Dwg. No.	Sheet Title
T.100	Cover Sheet
C.100	Overall Site Plan
C.101	Existing Conditions
C.102	Civil Site Plan
C.103	Civil Site Plan
C.104	Drainage Plan
C.200	Construction Details
C.201	Construction Details

### Regional Map



SOURCE: MAP DATA ©2015 GOOGLE (NOT TO SCALE)

### Vicinity Map



SOURCE: MAP DATA ©2015 GOOGLE (NOT TO SCALE)

### Westwood

Phone (480) 747-6558 6906 East Greenway Parkway, Suite 250  
Fax (480) 376-8025 Scottsdale, AZ 85254  
westwoodps.com  
Westwood Professional Services, Inc.

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed PROFESSIONAL ENGINEER under the laws of the State of Minnesota.

Print Name August Dean Christensen

Signature

Date 04/11/2016

License No. 47173

Designed: WPS

Checked: WPS

Drawn: WPS

Record Drawing by/date:

Revisions: # DATE DESCRIPTION

Prepared for:



Geronimo Energy,  
7650 Edinborough Way, Suite 725  
Edina, MN 55435

## Lyra Community Solar Garden

Le Sueur County, Minnesota

### Cover Sheet

Project Address:  
47857 State Highway 13  
Waterville, MN 56096

Preliminary  
Not For Construction

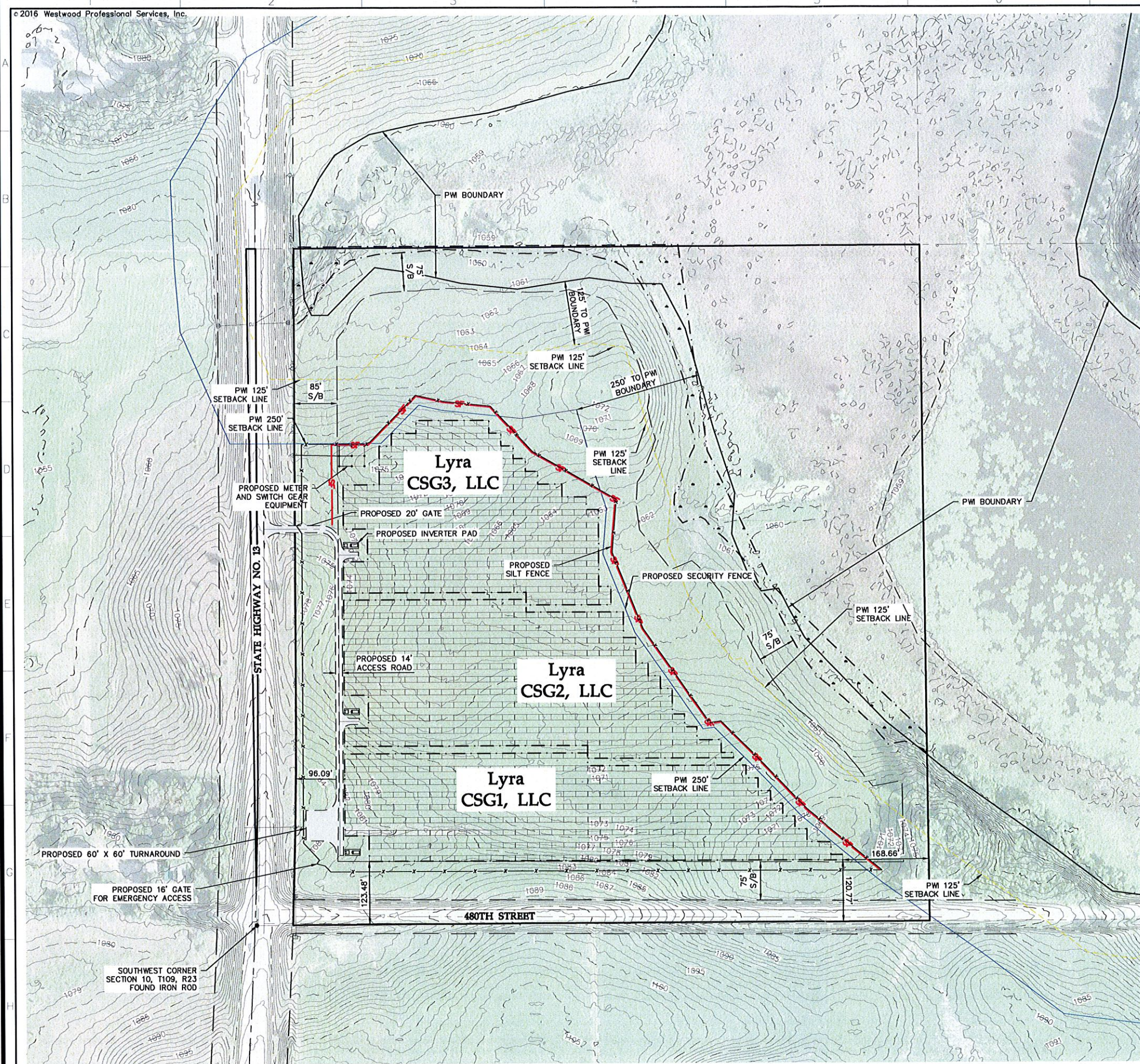
Date: 04/11/2016

Drawing No: T.100

0007452CVP01.dwg

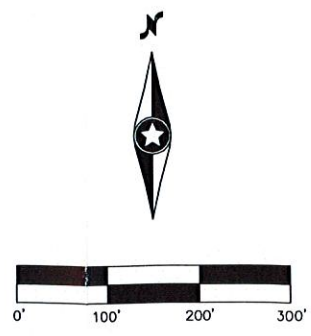






- LEGEND & ABBREVIATIONS**
- EX. PROJECT BOUNDARY LINE
  - EX. SECTION LINE
  - EX. EASEMENT LINE
  - EX. RIGHT-OF-WAY LINE
  - EX. OVERHEAD POWERLINE
  - EX. INDEX CONTOUR LINE
  - EX. INTERVAL CONTOUR LINE
  - EX. WETLAND
  - EX. PAVED ROAD
  - EX. GRAVEL ROAD
  - EX. STORM DRAIN PIPE
  - PROPOSED SECURITY FENCE LINE
  - PROPOSED SETBACK LINE
  - PROPOSED SILT FENCE LINE
  - PROPOSED INDEX CONTOUR LINE
  - PROPOSED INTERVAL CONTOUR LINE
  - PROPOSED ACCESS ROAD
  - FOUND MOUNDMENT
  - EX. POWER POLE
  - EXISTING
  - SETBACK

Building Setbacks	
North Wetlands Line	75'
West Property Boundary	85'
East Wetlands Line	75'
South Right-of-Way Line	75'



**Westwood**  
Phone (480) 747-6058 6909 East Greenway Parkway, Suite 250  
Fax (480) 378-6025 Scottsdale, AZ 85254  
westwoodps.com  
Westwood Professional Services, Inc.

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed PROFESSIONAL ENGINEER under the laws of the State of Minnesota.

Print Name: August Dean Christensen  
Signature:   
Date: 04/11/2016  
Plate No. 47173

Designed: WPS  
Checked: WPS  
Drawn: WPS

Record Drawing by/date:

Revisions:  
# DATE DESCRIPTION

Prepared for:  
  
Geronimo Energy,  
7650 Edinborough Way, Suite 725  
Edina, MN 55435

**Lyra Community Solar Garden**  
Le Sueur County, Minnesota

**Overall Site Plan**

Project Address:  
47857 State Highway 13  
Waterville, MN 56096

Preliminary  
Not For Construction

Date: 04/11/2016  
Drawing No: C100

0007452SP01.dwg









# LEGEND & ABBREVIATIONS

- EX. PROJECT BOUNDARY LINE
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- PROPOSED INTERVAL CONTOUR LINE
- PROPOSED ACCESS ROAD
- FOUND MOUNDMENT
- EX. POWER POLE
- EXISTING
- S/B
- SETBACK

Existing Land Use	
Agriculture	100%

## Westwood

Phone (480) 747-6558 6906 East Greenway Parkway, Suite 250  
 Fax (480) 376-8025 Scottsdale, AZ 85254  
 westwoodps.com

Westwood Professional Services, Inc.

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed PROFESSIONAL ENGINEER under the laws of the State of Minnesota.

Print Name: August Dean Christensen

Signature: *[Signature]*

Date: 04/11/2016

License No. 47173

Designed: WPS

Checked: WPS

Drawn: WPS

Record Drawing by/date:

Revision	DATE	DESCRIPTION

Prepared for:



Geronimo Energy,  
 7650 Edinborough Way, Suite 725  
 Edina, MN 55435

## Lyra Community Solar Garden

Le Sueur County, Minnesota

### Existing Conditions

Project Address:  
 47857 State Highway 13  
 Waterville, MN 56096

Preliminary  
 Not For Construction

Date: 04/11/2016

Drawing No: C.101

0007452EXP01.dwg





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Print Name August Dean Christensen

Signature 

Date 04/11/2016

License No. 47173

Designed: WPS

Checked: WPS

Drawn: WPS

Record Drawing by/date:




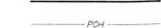
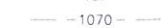

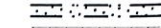


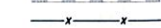


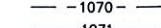
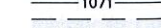



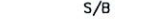


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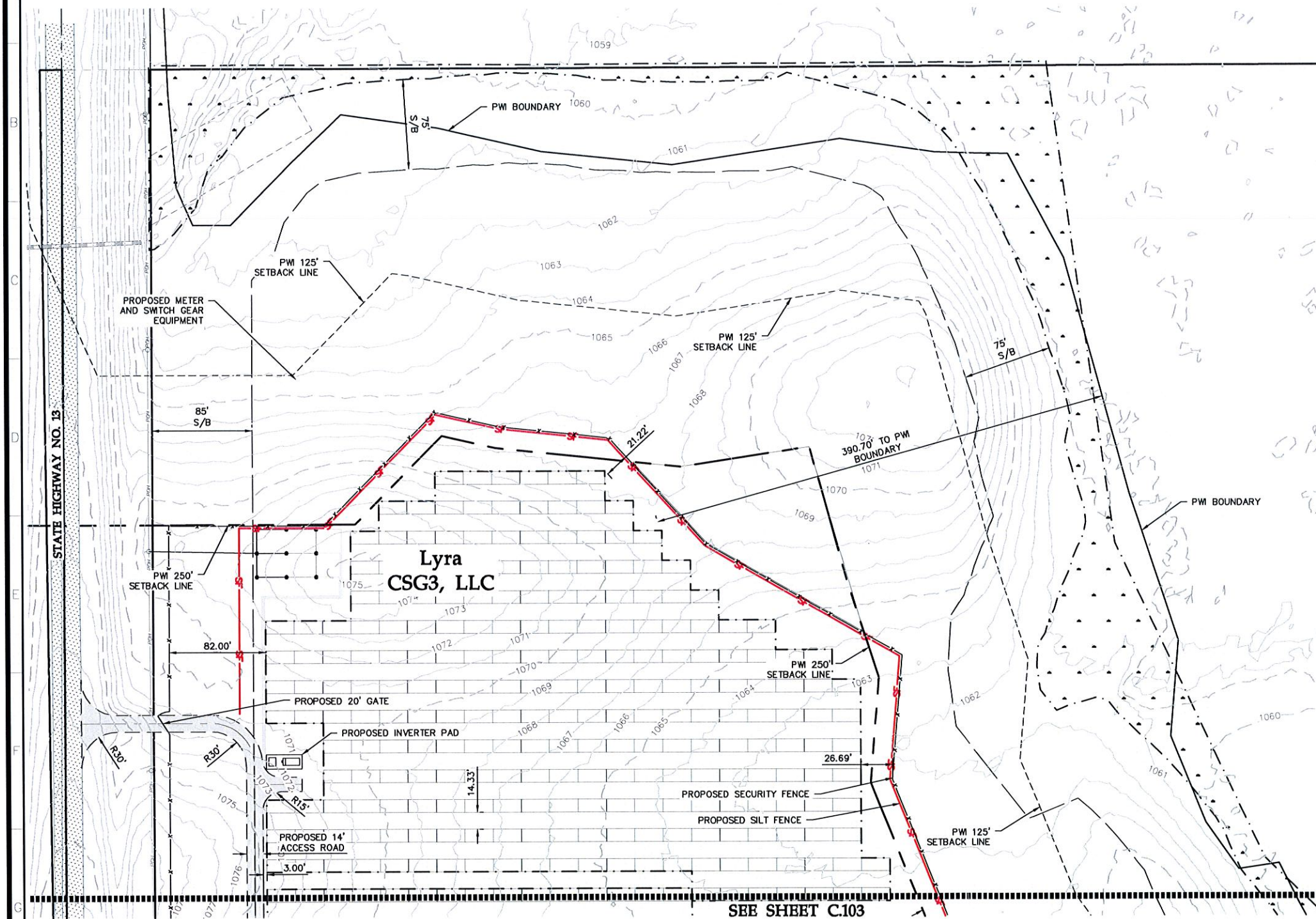
Geronimo Energy,  
7650 Edinborough Way, Suite 725  
Edina, MN 55435

**LEGEND & ABBREVIATIONS**

	EX. PROJECT BOUNDARY LINE
	EX. SECTION LINE
	EX. EASEMENT LINE
	EX. RIGHT-OF-WAY LINE
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	PROPOSED INDEX CONTOUR LINE
	PROPOSED INTERVAL CONTOUR LINE
	PROPOSED ACCESS ROAD
	FOUND MOUNDMENT
	EX. POWER POLE
	EX. SETBACK

**GENERAL NOTES:**

1. MINOR SURFACE SMOOTHING OUTSIDE OF THE WETLAND AREA MAY OCCUR FOR SOLAR PANEL INSTALLATION.
2. CONTRACTOR SHALL INSTALL ALL PERIMETER EROSION AND SEDIMENT CONTROL DEVICES PRIOR TO UPSLOPE DISTURBANCE ACTIVITIES.
3. SITE PREPARATION OUTSIDE OF WETLAND AREA INCLUDES BUT IS NOT LIMITED TO CLEARING/GRUBBING, MINOR GRADING, COMPACTION, MOWING OF VEGETATION, AND RESTABILIZATION OF DISTURBED AREA.
4. ALL TEMPORARILY DISTURBED WETLAND AREAS WILL BE RESTORED BACK TO PRE-CONSTRUCTION CONTOURS AND SEEDED WITH A WETLAND MIX.
5. INTERNAL ROADS WILL BE CONSTRUCTED TO MATCH THE SURROUNDING EXISTING GROUND ELEVATIONS TO ALLOW EXISTING DRAINAGE PATTERNS TO PERSIST.
6. OVERALL DRAINAGE PATTERNS WILL NOT BE ALTERED WITH SOLAR DEVELOPMENT.
7. A TEMPORARY STORAGE POND WILL BE REQUIRED DURING THE DURATION OF CONSTRUCTION IN ACCORDANCE TO PROJECT SWPPP.
8. THE GROUND BENEATH THE RAISED SOLAR PANELS ALLOWS RUNOFF TO INFILTRATE, THE AREA BENEATH THE PANELS IS NOT CONSIDERED IMPERVIOUS.



SEE SHEET C.103

**Lyra Community Solar Garden**

Le Sueur County, Minnesota

Civil Plan

Project Address:  
47857 State Highway 13  
Waterville, MN 56096

Preliminary  
Not For Construction

Date: 04/11/2016

Drawing No: C.102

0007452OPP01.dwg





I hereby certify that this plan was prepared by me or  
 under my direct supervision and that I am a duly  
 licensed PROFESSIONAL ENGINEER under the laws  
 of the State of Minnesota.

Print Name August Dean Christensen

 Signature 

Date 04/11/2016

License No. 47173

Designed: WPS

Checked: WPS

Drawn: WPS

Record Drawing by/date

Revisions: # DATE DESCRIPTION

Prepared for:


 Geronimo Energy,  
 7650 Edinborough Way, Suite 725  
 Edina, MN 55435

## Lyra Community Solar Garden

Le Sueur County, Minnesota

### Civil Plan

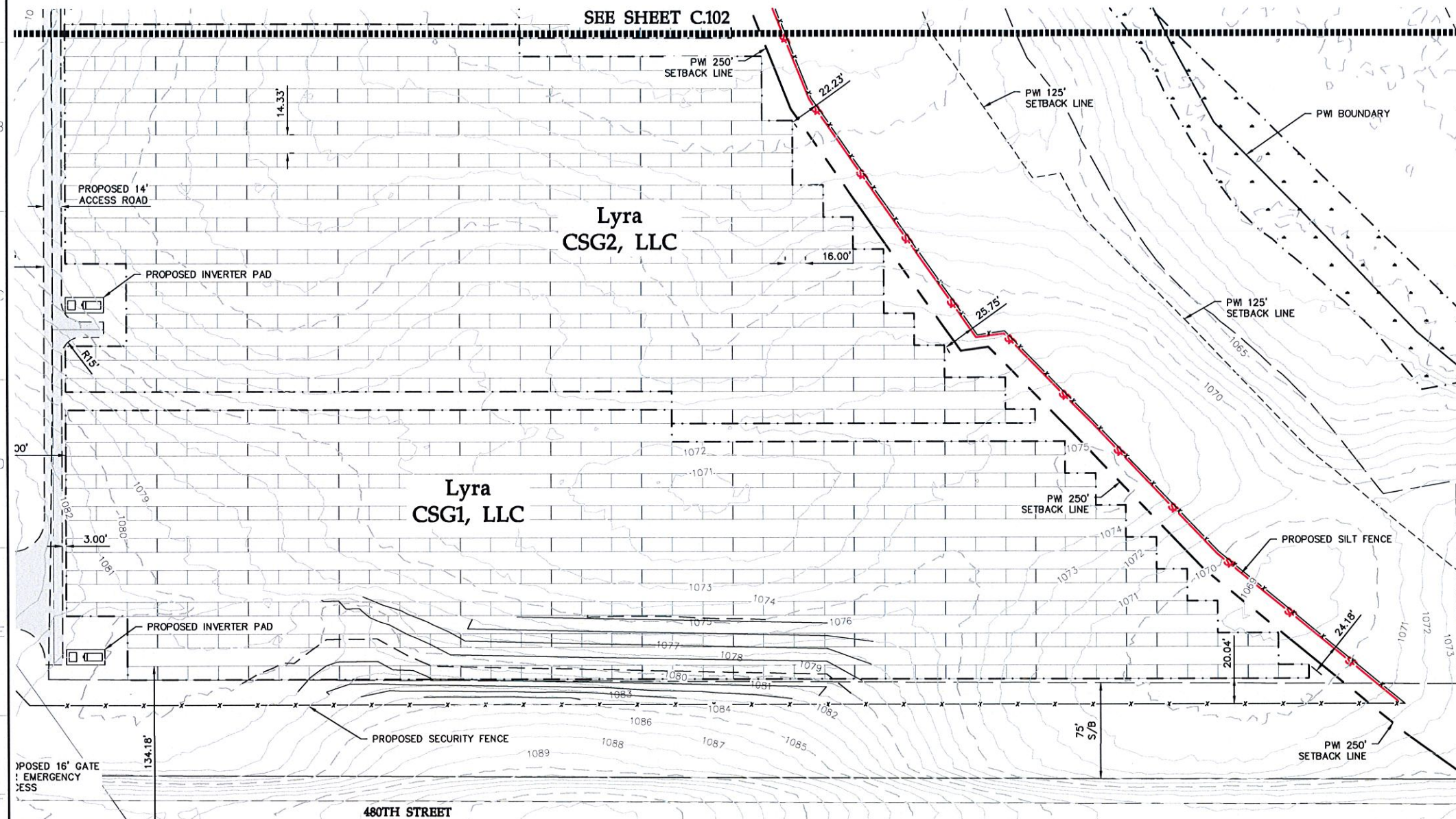
 Project Address:  
 47857 State Highway 13  
 Waterville, MN 56096

 Preliminary  
 Not For Construction

Date: 04/11/2016

Drawing No: C.103

0007452OPP01.dwg



### LEGEND & ABBREVIATIONS

	EX. PROJECT BOUNDARY LINE
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	PROPOSED INTERVAL CONTOUR LINE
	PROPOSED ACCESS ROAD
	FOUND MOUNDMENT
	EX. POWER POLE
	EXISTING
	S/B

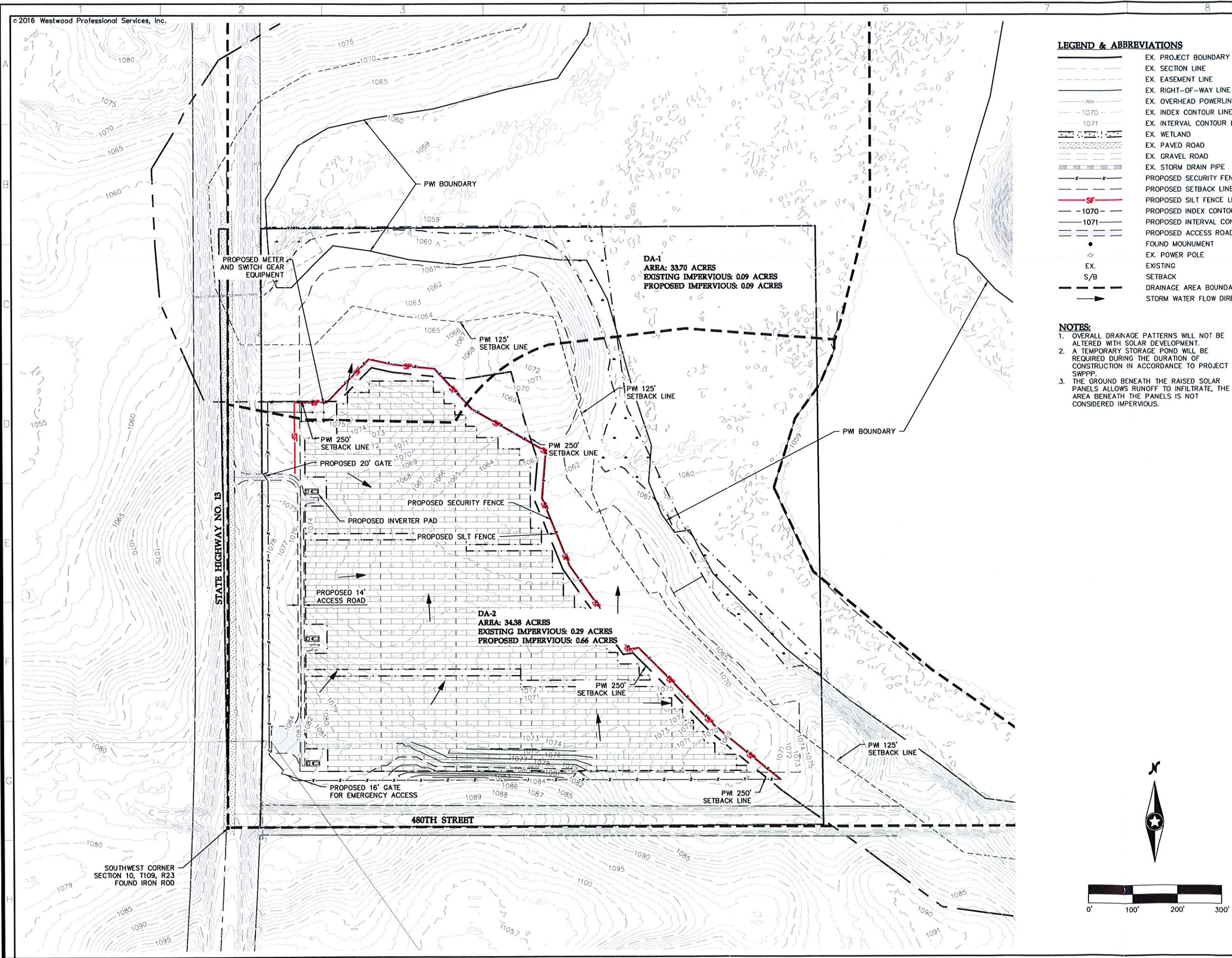
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- OVERALL DRAINAGE PATTERNS WILL NOT BE ALTERED WITH SOLAR DEVELOPMENT.
- A TEMPORARY STORAGE POND WILL BE REQUIRED DURING THE DURATION OF CONSTRUCTION IN ACCORDANCE TO PROJECT SWPPP.
- THE GROUND BENEATH THE RAISED SOLAR PANELS ALLOWS RUNOFF TO INFILTRATE, THE AREA BENEATH THE PANELS IS NOT CONSIDERED IMPERVIOUS.









**LEGEND & ABBREVIATIONS**

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---	PROPOSED INTERVAL CONTOUR LINE
---	PROPOSED ACCESS ROAD
•	FOUND MOUNDMENT
•	EX. POWER POLE
---	EXISTING
---	SETBACK
---	DRAINAGE AREA BOUNDARY
---	STORM WATER FLOW DIRECTION

- NOTES:**
- OVERALL DRAINAGE PATTERNS WILL NOT BE ALTERED WITH SOLAR DEVELOPMENT.
  - A TEMPORARY STORAGE POND WILL BE REQUIRED DURING THE DURATION OF CONSTRUCTION IN ACCORDANCE TO PROJECT SWPPP.
  - THE GROUND BENEATH THE RAISED SOLAR PANELS ALLOWS RUNOFF TO INFILTRATE, THE AREA BENEATH THE PANELS IS NOT CONSIDERED IMPERVIOUS.

**Westwood**

Phone (480) 747-6558 6909 East Greenway Parkway, Suite 250  
Fax (480) 376-0025 Scottsdale, AZ 85254  
westwoodps.com

Westwood Professional Services, Inc.

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed PROFESSIONAL ENGINEER under the laws of the State of Minnesota.

Print Name August Dean Christensen

Signature

Date 04/11/2016

License No. 47173

Designed:	WPS
Checked:	WPS
Drawn:	WPS

Record Drawing by/date

Revisions	DATE	DESCRIPTION

Prepared for:

**GERONIMO ENERGY**  
Geronimo Energy,  
7650 Edinborough Way, Suite 725  
Edina, MN 55435

**Lyra Community Solar Garden**

Le Sueur County, Minnesota

**Drainage Plan**

Project Address:  
47857 State Highway 13  
Waterville, MN 56096

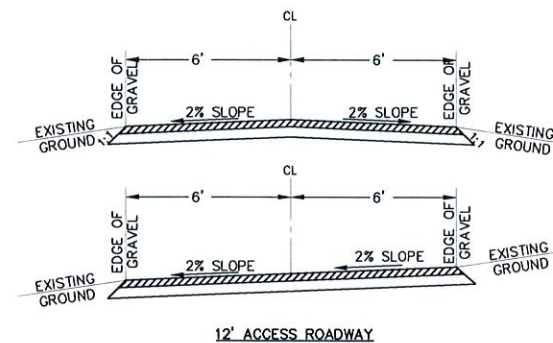
Preliminary  
Not For Construction

Date: 04/11/2016  
Drawing No: C.104

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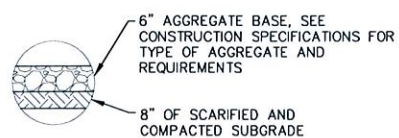


**NOTES:**

- CONTRACTOR SHALL CONSTRUCT CROSS-SLOPE ROAD SECTION WHERE ACCESS ROADS ARE CONSTRUCTED ON A SIDE SLOPE, AND WHERE OTHERWISE NOTED ON PLANS, TO ENSURE THAT ROADS AND SHOULDERS REMAIN WELL DRAINED AT ALL TIMES.

12' ACCESS ROADWAY

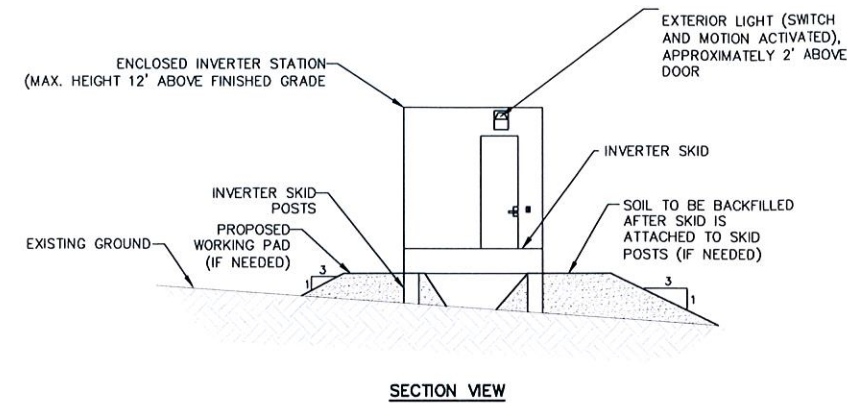
**W** TYPICAL SOLAR ACCESS ROAD LAST REVISED: 11/27/14 RD01



12' ACCESS ROAD CROSS SECTION

**NOTE:** STRUCTURAL SECTIONS SHOWN ARE THE MINIMUM THICKNESS REQUIREMENTS DURING NORMAL FIELD CONDITIONS. THE SECTIONS MAY NEED TO BE INCREASED BASED ON ACTUAL FIELD CONDITIONS AT THE TIME OF CONSTRUCTION. CONDITIONS INCLUDE BUT ARE NOT LIMITED TO CONSTRUCTION DURING UNUSUALLY WET PERIODS, OR IN LOW/WET AREAS.

**W** TYPICAL STRUCTURAL CROSS SECTIONS LAST REVISED: 11/27/14 RD02

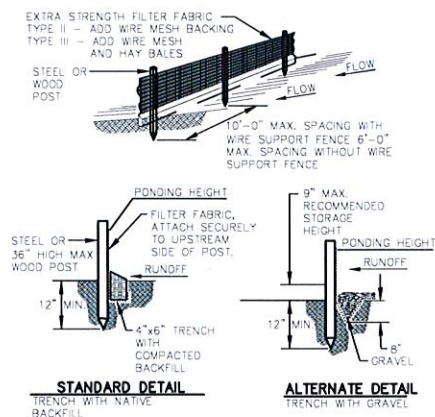


SECTION VIEW

**NOTE:**

- SOIL SHALL BE BACKFILLED AROUND INVERTER PAD IF A WORKING SURFACE IS NEEDED FOR ELECTRICAL EQUIPMENT

**W** TYPICAL SOLAR INVERTER ON DRIVEN PILES LAST REVISED: 08/20/13 INV01



STANDARD DETAIL

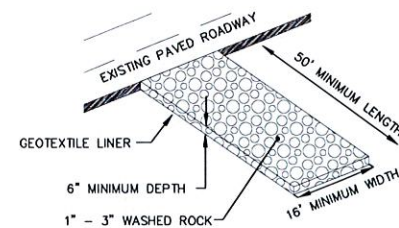
ALTERNATE DETAIL

**NOTE:**

- INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY.
- REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.
- SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.

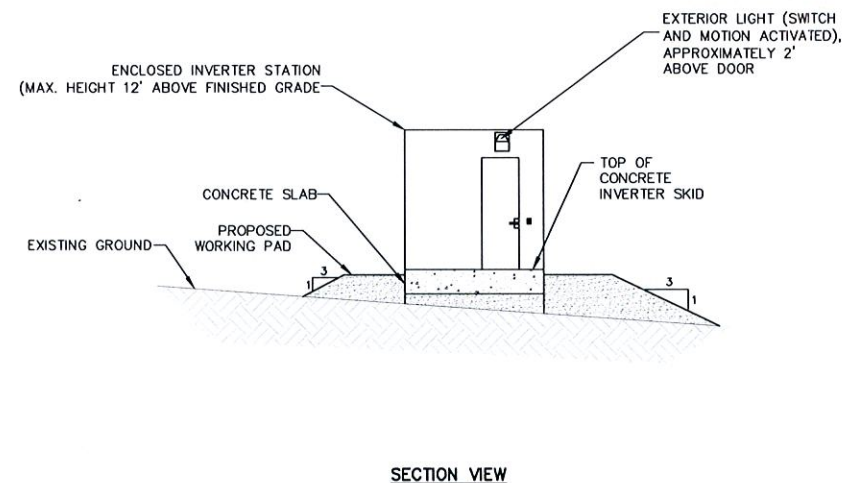
**W** SILT FENCE LAST REVISED: 03/23/09 GD02

\*\*USED IF NEEDED\*\*



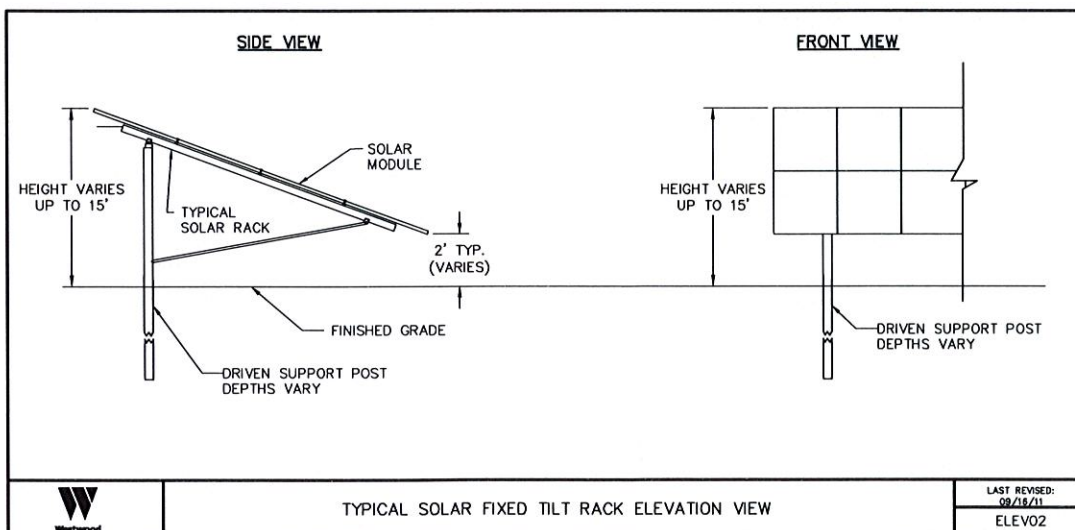
**NOTE:** ROCK CONSTRUCTION ENTRANCE SHOULD BE A MINIMUM THICKNESS OF 1.0' AND CONTAIN MAXIMUM SIDE SLOPES OF 4:1. ROCK ENTRANCE SHOULD BE INSPECTED AND MAINTAINED REGULARLY. ROCK ENTRANCE LENGTH MAY NEED TO BE EXTENDED IN CLAY SOILS.

**W** ROCK CONSTRUCTION ENTRANCE LAST REVISED: 01/29/13 GD05



SECTION VIEW

**W** TYPICAL SOLAR INVERTER ON CONCRETE SLAB LAST REVISED: 08/20/13 INV02

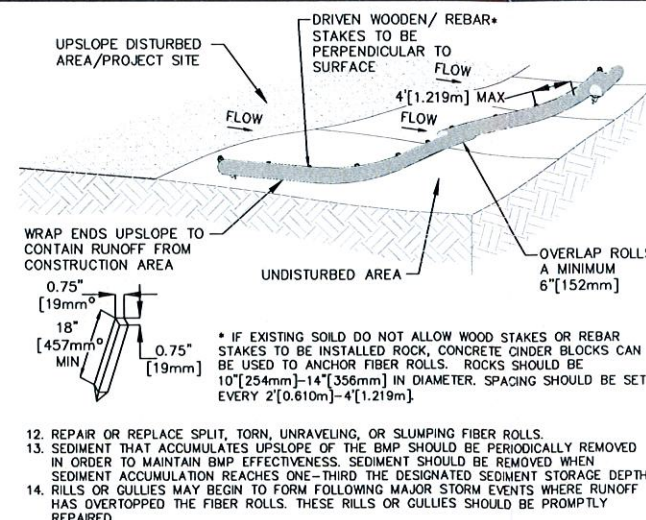


TYPICAL SOLAR FIXED TILT RACK ELEVATION VIEW

LAST REVISED: 02/18/11  
ELEV02

**NOTES:**

- FIBER ROLLS SHALL BE INSTALLED PRIOR TO UPSLOPE DISTURBANCE ACTIVITIES COMMENCE.
- FIBER ROLLS SHALL BE PREFABRICATED AND MADE FROM WEED FREE RICE STRAW, FLAX, OR A SIMILAR AGRICULTURAL MATERIAL BOUND INTO A TIGHT TUBULAR ROLL BY NETTING. USE A 6" [152mm] OR 12" [305mm] DIA. ROLL.
- TRENCHES SHALL BE CREATED ALONG THE SLOPE OF THE PERIMETER. THE TRENCH DEPTH SHOULD BE 1/4 TO 1/3 OF THE THICKNESS OF THE ROLL, AND THE WIDTH SHOULD EQUAL THE ROLL DIAMETER, IN ORDER TO PROVIDE AREA TO BACKFILL THE TRENCH.
- STAKE FIBER ROLLS INTO THE TRENCH. DRIVE STAKES AT THE END OF EACH FIBER ROLL AND SPACED 4 FEET [1.219m] MAXIMUM ON CENTER. USE WOOD STAKES WITH NOMINAL CLASSIFICATION OF 0.75 IN. [19mm] BY 0.75 IN. [19mm] AND A MINIMUM LENGTH OF 24 IN. [610mm].
- ROLLS SHALL BE INSTALLED PERPENDICULAR TO WATER MOVEMENT, AND PARALLEL TO THE SLOPE CONTOUR.
- TURN THE ENDS OF THE FIBER ROLLS UP SLOPE TO PREVENT RUNOFF FROM GOING AROUND THE ROLL. THE UPSLOPE POINT SHOULD BE A MINIMUM 6" HIGHER IN ELEVATION THAN THE LOW POINT.
- IF MORE THAN ONE FIBER ROLL IS PLACED IN A ROW, THE ROLLS SHOULD BE OVERLAPPED A MINIMUM OF 6 INCHES [152mm], NOT ABUTTED.
- FIBER ROLLS ENCASED WITH PLASTIC NETTING ARE USED FOR A TEMPORARY APPLICATION ONLY AND SHOULD BE REMOVED FOLLOWING STABILIZATION. FIBER ROLLS USED IN A PERMANENT APPLICATION SHALL BE ENCASED WITH A BIODEGRADABLE MATERIAL AND MAY BE LEFT IN.
- TEMPORARY INSTALLATIONS SHOULD ONLY BE REMOVED WHEN UP GRADIENT AREAS ARE STABILIZED PER GENERAL PERMIT REQUIREMENTS, AND/OR POLLUTANT SOURCES NO LONGER PRESENT A HAZARD. BUT, THEY SHOULD ALSO BE REMOVED BEFORE VEGETATION BECOMES TOO MATURE SO THAT THE REMOVAL PROCESS DOES NOT DISTURB MORE SOIL AND VEGETATION THAN IS NECESSARY.
- FIBER ROLLS MUST BE INSPECTED IN ACCORDANCE WITH GENERAL PERMIT REQUIREMENTS FOR THE ASSOCIATED PROJECT TYPE AND RISK LEVEL. IT IS RECOMMENDED THAT AT A MINIMUM, THE BMPs BE INSPECTED WEEKLY, PRIOR TO FORECASTED RAIN EVENTS, DAILY DURING EXTENDED RAIN EVENTS, AND AFTER THE CONCLUSION OF RAIN EVENTS.



TYPICAL FIBER ROLLS FOR PERIMETER CONTROL OF CONSTRUCTION AREA LIMIT

NOT TO SCALE

LAST REVISED: 02/29/13  
GD42

## Westwood

Phone (480) 747-6058 0909 East Greenway Parkway, Suite 250  
Fax (480) 376-8025 Scottsdale, AZ 85054  
westwoodps.com

Westwood Professional Services, Inc.

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed PROFESSIONAL ENGINEER under the laws of the State of Minnesota.

Print Name August Dean Christensen

Signature *August Dean Christensen*

Date 04/11/2016

License No. 47173

Designed: WPS  
Checked: WPS  
Drawn: WPS

Record Drawing by/date:

Revisions: # DATE DESCRIPTION

Prepared for:



Geronimo Energy,  
7650 Edinborough Way, Suite 725  
Edina, MN 55435

## Lyra Community Solar Garden

Le Sueur County, Minnesota

### Construction Details

Project Address:  
47857 State Highway 13  
Waterville, MN 56096

Preliminary  
Not For Construction

Date: 04/11/2016

Drawing No: C.200

000745201P01.dwg











400938

Document No. 400938

Office of County Recorder  
Le Sueur County, Minnesota

I hereby certify that the within instrument  
was filed in this office for record on  
October 15, 2015 3:20 PM  
Sharon J. Budin, Recorder

Pages 7 **AP**

Well Cert Received  
Well Cert Not Required

Drafted by and upon recording return to:  
Lyra Community Solar Gardens, LLC  
c/o Geronimo Energy, LLC  
7650 Edinborough Way, Suite  
Edina, MN 55435

### MEMORANDUM OF LAND LEASE AND SOLAR EASEMENT

THIS MEMORANDUM OF LAND LEASE AND SOLAR EASEMENT ("Memorandum of Lease") is entered into this 17<sup>th</sup> day of September, 2015 by and between Larry M. Theis, Trustee of the Larry M. Theis Revocable Trust Under Agreement Dated June 4, 1998 as Amended; Solveig D. Theis, as Trustee of the Solveig D. Theis Revocable Trust Under Agreement Dated June 4, 1998, as Amended ("Lessor") and Lyra Community Solar Gardens, LLC, a Minnesota limited liability company, and its successors and assigns ("Lessee").

#### RECITALS:

A. Lessor is the owner of certain property in the County of Le Sueur, State of Minnesota, and being more particularly described in Schedule A attached hereto and made a part hereof (the "Property").

B. Lessor and Lessee have entered into a certain Land Lease and Solar Easement dated September 17, 2015 (the "Lease Agreement"), whereby Lessor has agreed to lease to Lessee a portion of the Property (as identified in Schedule A-1 and more fully described in the Lease Agreement, the "Premises"), together with access easement rights and a Solar Easement across said Property.

C. The initial term of the Lease Agreement is for a period of 5 years, commencing on the Effective Date (the "Development Period"). The Lease Agreement shall automatically be extended for an Extended Term, as defined below, upon the date when construction of solar facilities on the Premises commences ("Construction Date"). The Extended Term of the Lease Agreement ("Extended Term") is 25 years from the Construction Date unless sooner terminated

in accordance with the terms of the Lease Agreement. Lessee has a right to renew the Extended Term for two additional periods of 10 years upon written notice to Lessor.

D. The parties wish to give notice of the existence of such Lease Agreement.

IN CONSIDERATION of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. Lessor and Lessee have entered into the Lease Agreement dated 9/17/15, 20\_ (the "Effective Date") to lease and demise the Premises for solar energy purposes and to grant access and solar easements. Pursuant to the Lease Agreement, Lessee has the exclusive right to use the Premises for commercial solar energy purposes, together with certain related solar, access and other easement rights and other rights related to the Premises, all as more fully described in the Lease Agreement. Commercial solar energy purposes means converting solar energy into electrical energy and collecting and transmitting the electrical energy so converted, together with any and all activities related thereto.

2. Lessor shall have no ownership and other interest in any solar facilities installed on the Premises by Lessee, except as provided in Section 4.3 of the Lease and Lessee may remove any or all solar facilities at any time.

3. Lessee and any successor or assign of Lessee has the right under the Lease, without need for Lessor's consent, to do any of the following, conditionally or unconditionally, with respect to all or any portion of the Premises for solar energy purposes: grant co-leases, separate leases, subleases, easements, licenses or similar rights (however denominated) to one or more third parties; or sell, convey, lease, assign, mortgage, encumber or transfer to one or more third parties or to any affiliate of Lessee's this Lease, or any right or interest in this Lease, or any or all right or interest of Lessee in the Premises or in any or all of the solar power facilities that Lessee or any other party may now or hereafter install on the Premises provided that (i) any such assignment, transfer or conveyance shall not be for a period beyond the term of the Lease; (ii) the assignee or transferee shall be subject to all of the obligations, covenants and conditions applicable to the Lessee; and (iii) Lessee shall not be relieved from liability for any of its obligations under the Lease by virtue of the assignment or conveyance unless Lessee assigns or conveys all of its interests under the Lease to the assignee or transferee, in which event Lessee shall have no continuing liability.

4. The Lease Agreement and the easement and rights granted Lessee therein shall burden the Property and shall run with the land. The Lease Agreement shall inure to the benefit of and be binding upon and Lessee and, to the extent provided in any assignment or other transfer under the Lease Agreement, any assignee or Lessee, and their respective heirs, transferees, successors and assigns, and all persons claiming under them.

5. This Memorandum of Lease has been executed and delivered by the parties for the purpose of recording and giving notice of the lease and easement rights in accordance with the terms, covenants and conditions of the Lease Agreement.

6. The terms and conditions of the Lease Agreement are incorporated by reference into this Memorandum of Lease as if set forth fully herein at length. In the event of any conflict between the terms and provisions of the Lease Agreement and this Memorandum of Lease, the Lease Agreement shall control.

**The remainder of this page is intentionally blank.**



## LESSEE SIGNATURE PAGE

## LESSEE

Lyra Community Solar Gardens, LLC

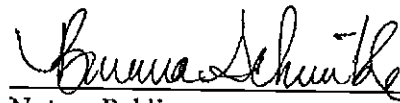
By: 

Blake E. Nixon, President

STATE OF MN )  
COUNTY OF Hennepin ) ss.

The foregoing instrument was acknowledged before me this 28 day of September, 2015 by Blake E. Nixon, the President of Lyra Community Solar Gardens, LLC, a Minnesota limited liability company, on behalf of the limited liability company.



  
Notary Public

LESSOR SIGNATURE PAGE

400938

LESSOR

Larry M. Theis Revocable Trust under  
Agreement Dated June 4, 1998, as Amended

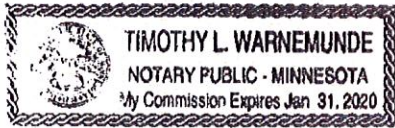
By: *Larry M. Theis*  
Larry M. Theis, Trustee

Solveig D. Theis Revocable Trust Under  
Agreement Dated June 4, 1998, as Amended

By: *Solveig D. Theis*  
Solveig D. Theis, Trustee

STATE OF minnesota )  
 ) ss.  
COUNTY OF Le Sueur )

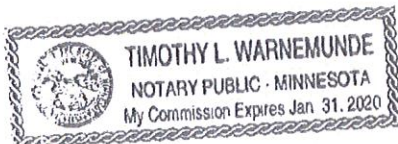
The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of September,  
2015, by Larry M. Theis, as Trustee of the Larry M. Theis Revocable Trust under Agreement  
Dated June 4, 1998, as Amended.



*Timothy L. Warnemunde*  
Notary Public

STATE OF minnesota )  
 ) ss.  
COUNTY OF Le Sueur )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of September,  
2015, by Solveig D. Theis, as Trustee of the Solveig D. Theis Revocable Trust under Agreement  
Dated June 4, 1998, as Amended.



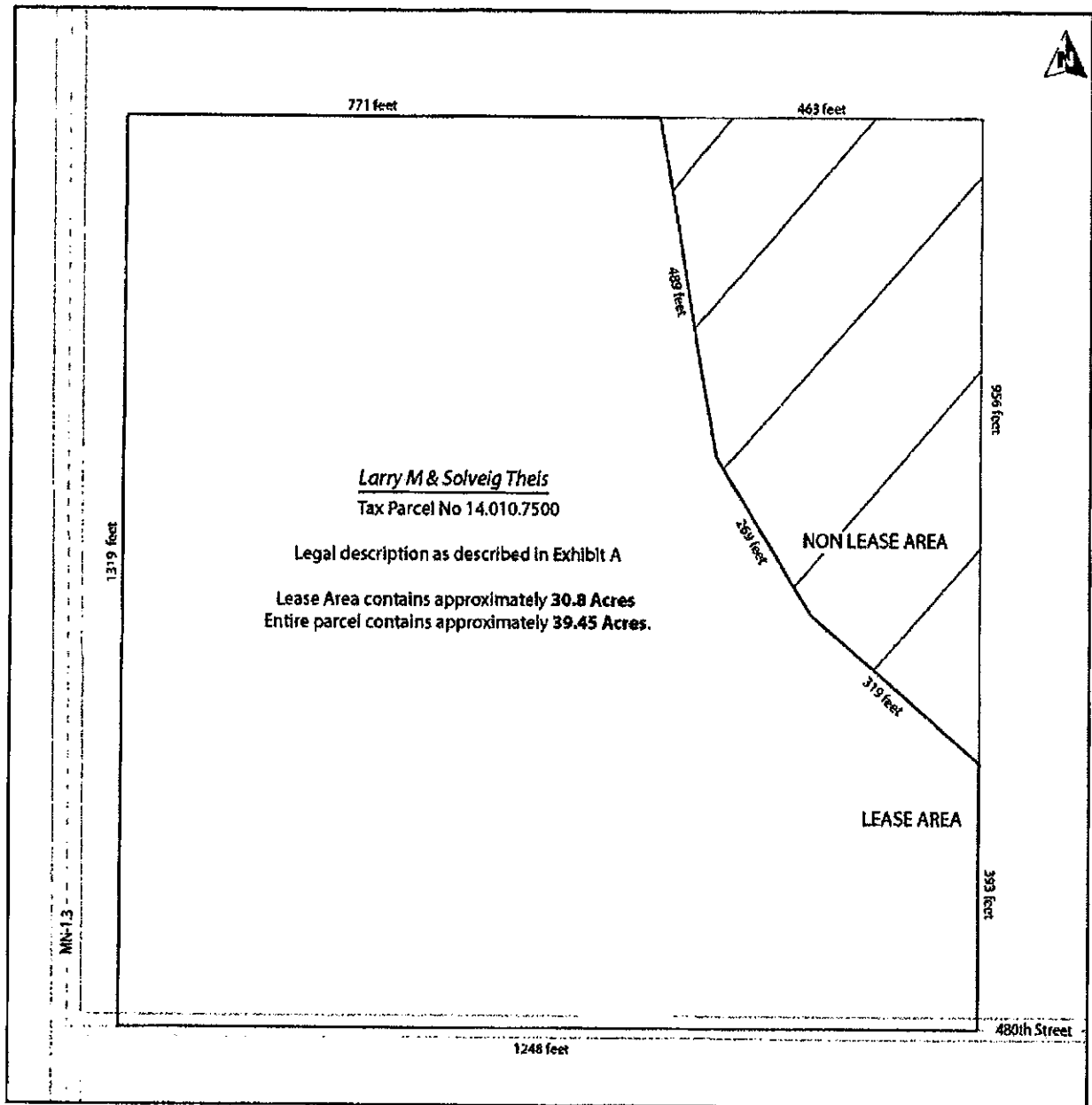
*Timothy L. Warnemunde*  
Notary Public

**SCHEDULE A-1  
TO MEMORANDUM**

**400938**

**SITE PLAN**

The Access Easement shall provide access from the Premises to Minnesota Trunk Highway 13 or 480th Street.



5320325\_10.doc



**SCHEDULE A  
TO MEMORANDUM**

**400938**

**DESCRIPTION OF PROPERTY**

**Tax Parcel Identification No.: 14.010.7500**

**The SW ¼ of the SW ¼ of Section 10, Township 109, Range 23, Le Sueur County, Minnesota.**

**The Premises contains approximately 39.45 acres.**



# Minnesota Wetland Conservation Act

## Notice of Decision



Local Government Unit (LGU) <b>Le Sueur SWCD</b>	Address <b>181 W. Minnesota Street Le Center, Mn 56057</b>
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### 1. PROJECT INFORMATION

Applicant Name <b>Lyra Community Solar Gardens, LLC</b>	Project Name <b>Lyra Community Solar Gardens</b>	Date of Application <b>5/26/2016</b>	Application Number <b>4-16</b>
<input checked="" type="checkbox"/> Attach site locator map.			

Type of Decision:

<input checked="" type="checkbox"/> Wetland Boundary or Type	<input type="checkbox"/> No-Loss	<input type="checkbox"/> Exemption	<input type="checkbox"/> Sequencing
<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Banking Plan		

Technical Evaluation Panel Findings and Recommendation (if any):

<input type="checkbox"/> Approve	<input type="checkbox"/> Approve with conditions	<input type="checkbox"/> Deny
Summary (or attach):		

### 2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: <b>5/26/2016</b>		
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Approved with conditions (include below)	<input type="checkbox"/> Denied

LGU Findings and Conclusions (attach additional sheets as necessary):

The application for Lyra Community Solar Gardens, LLC, Le Sueur County is approved.
---





For Replacement Plans using credits from the State Wetland Bank:


Bank Account #	Bank Service Area	County	Credits Approved for Withdrawal (sq. ft. or nearest .01 acre)
----------------	-------------------	--------	---

**Replacement Plan Approval Conditions.** In addition to any conditions specified by the LGU, the approval of a Wetland Replacement Plan is conditional upon the following:

- ☐ **Financial Assurance:** For project-specific replacement that is not in-advance, a financial assurance specified by the LGU must be submitted to the LGU in accordance with MN Rule 8420.0522, Subp. 9 (List amount and type in LGU Findings).
- ☐ **Deed Recording:** For project-specific replacement, evidence must be provided to the LGU that the BWSR "Declaration of Restrictions and Covenants" and "Consent to Replacement Wetland" forms have been filed with the county recorder's office in which the replacement wetland is located.
- ☐ **Credit Withdrawal:** For replacement consisting of wetland bank credits, confirmation that BWSR has withdrawn the credits from the state wetland bank as specified in the approved replacement plan.

**Wetlands may not be impacted until all applicable conditions have been met!**

LGU Authorized Signature:

Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 5 provides notice that a decision was made by the LGU under the Wetland Conservation Act as specified above. If additional details on the decision exist, they have been provided to the landowner and are available from the LGU upon request.		
Name <b>Michael Schultz</b>	Title <b>Le Sueur SWCD District Technician</b>	
Signature 	Date <b>5/26/16</b>	Phone Number and E-mail <b>507-357-4879 x3 mschultz@co.le-sueur.mn.us</b>

THIS DECISION ONLY APPLIES TO THE MINNESOTA WETLAND CONSERVATION ACT. Additional approvals or permits from local, state, and federal agencies may be required. Check with all appropriate authorities before commencing work in or near wetlands.

Applicants proceed at their own risk if work authorized by this decision is started before the time period for appeal (30 days) has expired. If this decision is reversed or revised under appeal, the applicant may be responsible for restoring or replacing all wetland impacts.

This decision is valid for three years from the date of decision unless a longer period is advised by the TEP and specified in this notice of decision.

### 3. APPEAL OF THIS DECISION

Pursuant to MN Rule 8420.0905, any appeal of this decision can only be commenced by mailing a petition for appeal, including applicable fee, within thirty (30) calendar days of the date of the mailing of this Notice to the following as indicated:

Check one:

<input type="checkbox"/> Appeal of an LGU staff decision. Send petition and \$_____ fee (if applicable) to:	<input type="checkbox"/> Appeal of LGU governing body decision. Send petition and \$500 filing fee to: Executive Director Minnesota Board of Water and Soil Resources 520 Lafayette Road North St. Paul, MN 55155
---	---





#### 4. LIST OF ADDRESSEES

- ☒ SWCD TEP member: **Josh Mankowski, Water Planner & TEP member**
  - ☒ BWSR TEP member: **Jeremy Maul**
  - ☐ LGU TEP member (if different than LGU Contact):
  - ☒ DNR TEP member: **Craig Soupir**
  - ☐ DNR Regional Office (if different than DNR TEP member)
  - ☐ WD or WMO (if applicable):
  - ☐ Applicant and Landowner (if different)
  - ☐ Members of the public who requested notice:
- 
- ☒ Corps of Engineers Project Manager
  - ☐ BWSR Wetland Bank Coordinator (wetland bank plan decisions only)

#### 5. MAILING INFORMATION

➤ For a list of BWSR TEP representatives: [www.bwsr.state.mn.us/aboutbwsr/workareas/WCA\\_areas.pdf](http://www.bwsr.state.mn.us/aboutbwsr/workareas/WCA_areas.pdf)

➤ For a list of DNR TEP representatives: [www.bwsr.state.mn.us/wetlands/wca/DNR\\_TEP\\_contacts.pdf](http://www.bwsr.state.mn.us/wetlands/wca/DNR_TEP_contacts.pdf)

➤ Department of Natural Resources Regional Offices:

NW Region:	NE Region:	Central Region:	Southern Region:
Reg. Env. Assess. Ecol. Div. Ecol. Resources 2115 Birchmont Beach Rd. NE Bemidji, MN 56601	Reg. Env. Assess. Ecol. Div. Ecol. Resources 1201 E. Hwy. 2 Grand Rapids, MN 55744	Reg. Env. Assess. Ecol. Div. Ecol. Resources 1200 Warner Road St. Paul, MN 55106	Reg. Env. Assess. Ecol. Div. Ecol. Resources 261 Hwy. 15 South New Ulm, MN 56073

For a map of DNR Administrative Regions, see: [http://files.dnr.state.mn.us/aboutdnr/dnr\\_regions.pdf](http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf)

➤ For a list of Corps of Project Managers: [www.mvp.usace.army.mil/regulatory/default.asp?pageid=687](http://www.mvp.usace.army.mil/regulatory/default.asp?pageid=687)  
or send to:

US Army Corps of Engineers  
St. Paul District, ATTN: OP-R  
180 Fifth St. East, Suite 700  
St. Paul, MN 55101-1678

➤ For Wetland Bank Plan applications, also send a copy of the application to:  
Minnesota Board of Water and Soil Resources  
Wetland Bank Coordinator  
520 Lafayette Road North  
St. Paul, MN 55155

#### 6. ATTACHMENTS

In addition to the site locator map, list any other attachments:

- ☒ App
- ☐
- ☐
- ☐
- ☐





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# **Le Sueur County, MN**

**Thursday, June 9, 2016**

**Regular session**

## **Item 1**

### **DRAFT APRIL 14, 2016 Meeting Minutes**

Staff Contact: Kathy Brockway or Michelle Mettler



**LE SUEUR COUNTY PLANNING AND ZONING COMMISSION**  
**88 SOUTH PARK AVE.**  
**LE CENTER, MINNESOTA 56057**  
**April 14, 2016**

**MEMBERS PRESENT:** Don Reak, Jeanne Doheny, Don Rynda, Shirley Katzenmeyer, Steve Olson, Doug Krenik, Al Gehrke, Betty Bruzek, Pam Tietz

**MEMBERS ABSENT:** Chuck Retka

**OTHERS PRESENT:** Kathy Brockway, Commissioners Connolly, and Rohlfing

The meeting was called to order at 7:00 P.M. by Chairperson, Jeanne Doheny.

**ITEM #1: LE SUN LLC, MINNEAPOLIS, MN (APPLICANT); PATRICK GREGOR, WATERVILLE MN, (OWNER):** Request that the County grant a Conditional Use Permit to allow the applicant grading, excavating and filling of approximately 49,227 cubic yards of material for the purposes of site preparation for a solar garden construction in an Agriculture "A" District. Property is located in the SE 1/4, Section 26, Waterville Township.

Kathy Brockway presented power point presentation. Will Cooksey, LeSun LLC, representative, Noah Waterhouse and Kathy Melody, EVS (Engineering Firm), were present for application.

**TOWNSHIP:** WatervilleTownship notified through the application process. **DNR:** N/A  
**LETTERS:** none

**PUBLIC COMMENT:** Fritz Cummins, property owner to the south, questioned amount of material movement without moving the terraces; concerned with rerouting the water to the wetland, wetland farmed in the late 80's, drain tiles to the west, tile intakes in the terraces, does not want more water directed to the wetland.

LeSun LLC, representative, stormwater calculated, worked with the MPCA in regards to their stormwater plans, approved by the MPCA, converting Ag land to grass will reduce the runoff, infiltration trenches installed, grasses established within 1 month

Shirley Katzenmeyer, questioned whether the applicants worked with the SWCD office. They have maps of drain tile for the landowners.

Staff- SWCD was notified and received packets, no comments received.

Jeanne Doheny- questioned whether they could run a model of where and how much water prior to construction and run another one after construction, time frame?

LeSun LLC, representative, stated it would take approximately 1 week, no guarantees, standard practice.

Pam Tietz, questioned Fritz Cummins on whether he receives additional water on his property at this time.

Fritz Cummins stated that the tiles are currently working, does not receive water from the upper terrace.

Doug Krenik, questioned the overflow from the wetland.

Dean Thrun, Cemetery Board, stated that there is tiles going thru the cemetery as well, older members remember the days of pumping water from the cemetery, concerned with tiles not working, portion of the cemetery continues to be farmed.

Jeanne Doheny, questioned the removal of existing tiles.

LeSun LLC, representative stated they are not removing the current tiles, just changing the slope to 10%. They indicated that they are rerouting the water, utilizing infiltration trenches, and they are relying on the landowner as to the location of the existing tiles. Stormwater Plan has been approved by the MPCA.

Jeanne Doheny, questioned the time frame for the project.

LeSun LLC, if plan approved sometime this summer.

Tom Mariska, member of Holy Trinity Church, questioned whether LeSun LLC, could plant 8' trees along the property line to screen the site from the cemetery and to work with the church during construction if a burial is in progress.

Jeanne Doheny, that is between the church board and the cemetery. PZ Commission is considering the grading and excavating, use of property has been established.

Don Reak, questioned number of burials per year.

Tom Mariska, last year 15-20.

Al Gehrke questioned the tree placement.

Cemetery Board could plant trees along their property lines.

Fritz Cummins, would like to see the project go through with a possible condition that a berm is constructed along the wetland.

LeSun LLC, indicated that they are willing to have a condition that they will not negatively impact the property and if so, the necessary corrective measures will be taken.

Al Gehrke indicated that landowners will be surprised at the outcome of the project once completed, drainage on the property could be somewhat compared to CRP ground.

Discussion was held regarding: promoting better drainage at the site, reduce amount of runoff, protect drain tile for future use, tile locations, reduce slopes for construction of racking system, compacted materials, planting of native grasses, root structure year around, MN DOT recommendations, time frame for grading and excavating project, 3-4 weeks from start to finish depending on weather, Order of operations, mass grading, building of subgrade, compaction, equipment pads, gravel roads, planting of native grasses, stabilized at 70% before installation of panels, erosion control measures in place until vegetation is established, explained the infiltration trenches, infiltration trenches are permanent, 2 existing terraces, intention is to leave in place, limited information on the tile system, field verification of tile system and will produce new map, 25 year lease with Xcel Energy, conditional use permit goes with the land.

Findings by majority roll call vote:

- 1. 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 diminishes and impairs property values within the immediate vicinity.**
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**
- 3. Adequate utilities, access roads, drainage and other facilities are being provided.**
- 4. Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use.**
- 5. Adequate measures will be taken to prevent and 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.**

Motion was made by Don Reak to approve the application with the following conditions:

- Obtain all necessary County, State and Federal Permits;
  - Continued use of the existing drain tiles within the terraces;
  - Run drainage models prior to construction and after construction;
  - Provide documentation to the County that the drainage will not negatively impact the adjacent properties and if this should occur, necessary corrective measures will be taken.
- Seconded by Al Gehrke. Motion approved. Motion carried.

**ITEM #2: CHUCK & MELISSA FOX, SHAKOPEE, MN, (APPLICANT\OWNER):** Request that the County grant a Conditional Use Permit to allow the applicant to construct stairs in the bluff to include grading, excavating, and filling of approximately 2 cubic yards in the bluff in a Recreational Residential "RR"

District, on a Recreational Development "RD" lake, Lake Jefferson. Property is located at Lot 3, Irish Subdivision No. 1, Section 6, Elysian Township.

Kathy Brockway presented power point presentation. Chuck Fox was present for application.

TOWNSHIP: Elysian Township notified through the application process. DNR: no comments  
LETTERS: none

PUBLIC COMMENT: none

Discussion was held regarding: replace the existing steps in order to provide a safer access to the lake, construct the landings first, erosion control methods, protect the area, aluminum steps, tan in color.

Findings by majority roll call vote:

- 1. 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 diminishes and impairs property values within the immediate vicinity.***
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.***
- 3. Adequate utilities, access roads, drainage and other facilities are being provided.***
- 4. Adequate measures will be taken to prevent and 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.***

Motion was made by Doug Krenik to approve the application as written. Seconded by Betty Bruzek. Motion approved. Motion carried.

Motion was made by Pam Tietz to approve the minutes from the March 10, 2016 meeting. Seconded by Don Rynda. Motion approved. Motion carried.

Motion to adjourn meeting by Don Reak. Seconded by Pam Tietz. Motion approved. Motion carried. Meeting Adjourned.

Respectfully submitted,  
Shirley Katzenmeyer  
By: Kathy Brockway

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



**LE SUEUR COUNTY PLANNING AND ZONING COMMISSION**  
**88 SOUTH PARK AVE.**  
**LE CENTER, MINNESOTA 56057**  
**May 19, 2016**

**MEMBERS PRESENT:** Don Reak, Jeanne Doheny, Don Rynda, Chuck Retka, Shirley Katzenmeyer, Steve Olson, Doug Krenik

**MEMBERS ABSENT:** Betty Bruzek, Pam Tietz, Al Gehrke

**OTHERS PRESENT:** Kathy Brockway, Commissioner Connolly.

The meeting was called to order at 7:00 PM by Chairperson, Jeanne Doheny.

**ITEM #1: JEFF BELZER NEW PRAGUE AUTO INC, NEW PRAGUE MN (APPLICANT), JJM PROPERTIES II, LLC, LAKEVILLE MN (OWNER)** Request that the County grant a Conditional Use Permit to allow the applicant to expand an existing automobile dealership in a Business "B" District. Property is located in the NE1/4 NE1/4, Section 2, Lanesburgh Township.

Kathy Brockway presented power point presentation. Mike Belzer, Jeff Belzer New Prague Auto, INC, was present for application.

TOWNSHIP: Notified through the application process. CITY OF NEW PRAGUE: Notified through the application process. DNR: N/A LETTERS: none

PUBLIC COMMENT: Tom Topka, adjoining landowner, has no objections to the proposal, in favor of the plan. No additional correspondence.

Discussion was held regarding: room to park vehicles, leave property as is, grassed area, impervious surface, address impervious surface is the future expansion of the area, this application is for additional parking only, screening, fencing, lighting, security, future expansion will be more comprehensive.

Findings by majority roll call vote:

1. *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 diminishes and impairs property values within the immediate vicinity. **Agreed***
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. **Agreed***
3. *Adequate utilities, access roads, drainage and other facilities have been provided. **Agreed***
4. *Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use. **Agreed***
5. *Adequate measures will be taken to prevent and 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. **Agreed***
6. *Is the Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance? **Agreed***
7. *Is the Conditional Use Permit consistent with the Comprehensive Land Use Plan? **Agreed***

Motion was made by Chuck Retka to approve the application as presented. Seconded by Doug Krenik. Motion approved. Motion carried.

Motion to adjourn the special meeting by Don Reak. Seconded by Steve Olson. Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,  
Shirley Katzenmeyer by  
Kathy Brockway

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

DRAFT

**LE SUEUR COUNTY PLANNING AND ZONING COMMISSION**  
**88 SOUTH PARK AVE.**  
**LE CENTER, MINNESOTA 56057**  
**May 26, 2016**

**MEMBERS PRESENT:** Don Reak, Jeanne Doheny, Don Rynda, Chuck Retka, Shirley Katzenmeyer, Steve Olson, Doug Krenik, Al Gehrke

**MEMBERS ABSENT:** Betty Bruzek, Pam Tietz

**OTHERS PRESENT:** Kathy Brockway, Commissioner Connolly

The meeting was called to order at 7:00 PM by Chairperson, Jeanne Doheny.

**ITEM #1: WATERVILLE SOLAR HOLDINGS, LLC, MINNEAPOLIS, MN, (APPLICANT); JAY & BETSY CHAMBERS, WATERVILLE, MN, (OWNER):** Request that the County grant a Conditional Use Permit to allow the applicant to construct a 5 MW Solar Garden in an Agriculture "A" District. Property is located in the SE 1/4 SE 1/4, Section 34, Waterville Township.

Kathy Brockway presented power point presentation. Evan Carlson, Innovative Power Systems (IPS), representing Waterville Solar Holdings, LLC, was present for application.

TOWNSHIP: Al Gehrke, Waterville Township DNR: N/A LETTERS: N/A

Discussion was held regarding: explained the 5-1 MW solar project, 5 separate meters, requirement of Excel Energy, no additional grading proposed, MN DOT recommendations for seeding and mix of native plantings, Solar Garden in Slayton MN, individual panels can be replaced, Waterville Holdings LLC, group of investors, life expectancy of project, have a 25 year lease with Excel with an additional 10 year extension option, erosion control, decommissioning plan, biodegradable piping, stray voltage, upgrade of existing poles, have an upgrade agreement with Excel, paid over \$700,000. for the infrastructure upgrade, Waterville Holdings LLC, owns the garden, IPS does the construction and maintenance of the site, screening, lighting, wetlands, height of fencing, chain link with barbed wire and possible plastic strips for screening, security, no additional grading, excavating and filling, if amount exceeded per the ordinance aware that a conditional use permit will be required, site rules, enforced by the company not the county, clarity of rules, fire safety.

**PUBLIC COMMENT:** Darrell Peterson, adjacent landowner, would like to see either panel strips along the fence or a live barrier planted along the site in order to screen the site from the adjacent property owners.

*IPS open to plantings or adding the panel strips to the fencing.*

Gary Mead, adjacent landowner, looked at different solar sites, concerns with glare off panels, water or air contamination, transformers, power pole upgrades to handle voltage, zoning of property, dust, spray from ag fields, property values and taxes, staffing, lighting, maintenance buildings, neighboring wood burning, storage of electricity on site ie, batteries, shading. If approved, would like to see conditions as to height and type of fencing, natural barrier planted around perimeter of project, road access off the black top road.

*IPS willing to look into planting a natural barrier around the perimeter of the site or add the panel strips, no toxic materials on site, environmental (green) project, slight humming noise from the transformer, cannot hear outside the fenced areas, power poles upgraded in order to meet the Excel guidelines, property remains agricultural, not requesting a change in zoning, utilize dust control during construction, and as needed in order to keep dust off panels, no problem with ag chemical spraying, property values and taxes, check with the County Assessor, not aware of any studies completed on the impact of property values, no additional lighting, no additional buildings to be constructed, no storage of batteries etc. on site.*

Jeff Johnson, Township Officer within Waseca County, due the shared township road, concerned with damages to the road during construction. Would like to see that the company is required to reimburse the townships for any road damage during construction.

*IPS agreed to reimburse the townships for any damages that are incurred by the contractors during construction of the project.*



The engineer for the company does routine checks of equipment 3 times per year. The site is monitored electronically 24/7.

Discussion on live screening- evergreens, dogwoods etc.

Findings by majority roll call vote:

1. *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 diminishes and impairs property values within the immediate vicinity. Agreed*
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. Agreed*
3. *Adequate utilities, access roads, drainage and other facilities have been provided. Agreed*
4. *Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use. Agreed*
5. *Adequate measures will be taken to prevent and 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. Agreed*
6. *Is the Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals, and objectives in the Ordinance? Agreed*
7. *Is the Conditional Use Permit consistent with the Comprehensive Land Use Plan? Agreed*

Motion was made by Al Gehrke to approve the application with the following conditions:

- *Reimburse the townships for any road damages that are incurred by the contractors during construction of the project.*
- *Natural plantings along the perimeter of the site if feasible, if not install panel strips fencing.*
- *Installation of 7' fence with 3 strands of barbed wire for a height of 8' for security.*
- *Decommissioning bond.*

Seconded by Doug Krenik. Motion approved. Motion carried.

Motion to adjourn meeting by Don Reak. Seconded by Chuck Retka. Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,  
Shirley Katzenmeyer,  
by Kathy Brockway

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