

Environmental Services Department

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STEARNS COUNTY PLANNING COMMISSION MEETING
Stearns County Service Center – Room 121(BCD)
3301 County Road 138, Waite Park, MN
Thursday, October 17, 2019
7:00 p.m.

AGENDA

Pledge of Allegiance

Public Hearings

1. To consider a **Conditional Use Permit** submitted by **Allium Community Solar Garden, LLC**, Edina MN **on behalf of Duininck Inc.**, Prinsburg MN according to Sections 4.8, 6.52 and 9.3.5V of Stearns County Land Use and Zoning Ordinance #439 to construct a 1MW solar garden in the Agricultural 40 (A-40) zoning district. The property under consideration is located in part of the E½ SE¼, lying west of 293rd Avenue in Section 5, Paynesville Township (122/32). The property address is 19251 293rd Avenue, Paynesville MN.
ACTION TAKEN: The Planning Commission voted unanimously to recommend approval with the following condition(s):
 - 1) A qualified engineer shall certify that the foundation and design of the solar panels is within accepted professional standards prior to issuing a construction site permit.
 - 2) A financial guarantee in the form of a cash escrow or letter of credit meeting the County letter of credit requirements in the amount \$25,000 shall be submitted prior to issuing a construction site permit to ensure proper decommissioning of the solar garden.
 - 3) The applicant shall install and establish ground cover meeting the beneficial habitat standards consistent with Minnesota Statutes, section 216B.1642 and guidance as set by the Minnesota Board of Water and Soil Resources. The Solar Site Pollinator Habitat Assessment Form shall be completed to show that the beneficial habitat standard is met and submitted, along with the planting plan, with the construction site permit application.
 - a) A cash escrow or letter of credit meeting the County letter of credit requirements in the amount of 125% of the cost to vegetate the project area is required. A work and material list shall be submitted to determine the guarantee amount. The guarantee shall be kept for a minimum of three years or may be held longer if vegetation is not sufficiently established after three years. The Solar Site Pollinator Habitat Assessment Form for Established Plantings shall be completed prior to release.

- b) The ground cover shall be maintained for the life of the project and continue meeting Habitat Friendly Solar Standards, which includes filling out the established project assessment form every 3 years.
- 4) Environmental Services shall be notified of any changes to project ownership, including new contact information.

- 2. To consider an **Interim Use Permit** submitted by **James and Joan Klaphake**, Albany MN according to Sections 4.18, 6.56.2 and 9.3.6E of Stearns County Land Use and Zoning Ordinance #439 to keep a secondary single family residential dwelling unit accessory to an agricultural operation in the Agricultural 40 zoning district. The property under consideration is located in the E½ SE¼ in Section 28 and the NE¼ NE¼ in Section 33, lying south of Universal Road, Krain Township (126/31). Property address is 22755 Universal Road, Albany MN.

ACTION TAKEN: The Planning Commission voted unanimously to recommend approval with the following condition(s):

- 1) The Interim Use Permit shall expire on December 31, 2039.
 - 2) When the occupant(s) of the primary home or the secondary home are no longer farm help or family members, the property shall be subdivided so there is only one home per parcel of land or one home shall be removed.
 - 3) Due to two homes being on the property, a Certificate of Transfer of Development Rights shall be recorded, to restrict an equivalent land area of 40 acres from having a residential dwelling. This shall be recorded by December 31, 2019.
- 3. To consider a **Conditional Use Permit** submitted by **John and Dorothy Funk, LLC**, Melrose MN according to the requirements of Section 4.4, 4.6, 4.8, 4.14, 6.7 and 9.2 of Stearns County Land Use and Zoning Ordinance #439 for an animal unit increase from 765 animal units (AUs) consisting of mature dairy cattle over 1,000 pounds, beef slaughter steers and beef calves to 999 AUs consisting of mature dairy cattle over 1,000 pounds, mature dairy cattle under 1,000 pounds, dairy heifers, dairy calves, beef slaughter steers, beef feeder cattle and beef calves. Also, to consider to amend Conditional Use Permit 99-29 to not require a crust be maintained on the manure pit at all times, except during agitation and emptying of the manure pit. The property under consideration is located in the SW ¼ SE ¼ in Section 26, Grove Township (125/33). The property address is 32952 330th Street, Melrose MN.

ACTION TAKEN: The Planning Commission voted unanimously recommend approval of CUP P-014086 with the following condition(s):

- 1) The owner shall maintain facilities that are in compliance with Land Use and Zoning Ordinance #439.

ACTION TAKEN: The Planning Commission voted unanimously recommend approval to Amend CUP #99-22 by removing condition number 3.

- 4. To consider a **Conditional Use Permit** submitted by **Middendorf Family Farm, LLC**, Freeport MN according to the requirements of Sections 4.4, 4.6, 4.8, 4.14, 6.7 and 9.2 of Stearns County Land Use and Zoning Ordinance #439 for an animal unit increase

from 698.6 animal units (AUs) consisting of mature dairy cattle over 1,000 pounds to 978.6 AUs consisting of mature dairy cattle over 1,000 pounds, to construct a 124'x148' total confinement barn, a 100'x120' total confinement barn and a 12'x203' breezeway and modifying an open lot to 3,338 square feet. The property under consideration is located in the SW¼ SW¼ in Section 24, Millwood Township (126/32). The property address is 40169 County Road 166, Freeport MN.

ACTION TAKEN: The Planning Commission voted unanimously recommend approval with the following condition(s):

- 1) The owner shall construct all proposed improvements according to plans, specifications, and guidelines submitted with the application, unless otherwise approved by the Environmental Services Department.
- 2) The applicant shall contact the Environmental Services Department within three days of construction completion so a post-construction inspection may be completed.
- 3) The owner shall not further encroach to a property line with proposed construction than what currently exists. If survey stakes are necessary to confirm this, the owner shall provide that for Environmental Services Department staff prior to the start of construction.

5. To consider a **Rezoning** request submitted by **David A. Walz Revocable Trust**, St. Joseph MN according to Section 4.10 of Stearns County Land Use and Zoning Ordinance #439 to rezone approximately 20 acres from the Agricultural 40 (A-40) zoning district to the Residential 10 (R-10). The property is the W½ SW¼ NW¼ in Section 23, lying east of 95th Avenue and north of County Road 4, St. Wendel Township (125/29).

ACTION TAKEN: The Planning Commission voted 4-2 to recommend denial. Jason Kron and Richard Blenkush voted against the motion.

6. Minutes of September 23, 2019 meeting.

ACTION TAKEN: The Planning Commission unanimously approved the minutes.

7. Adjourn

Barrier Free Status: This meeting will be accessible to the handicapped. Attempts will be made to accommodate any other individual need for special services. Please call (320) 656-3613 early so arrangements can be made.