



STEELE COUNTY PLANNING COMMISSION MINUTES

Steele County Administration Center – 630 Florence - Owatonna, MN 55060

Monday, May 6th, 2024, at 7:00 p.m. – Steele County Boardroom

Call to Order:

The meeting was called to order by chair Esplan at 7 pm. Present were Lammers, Dinse, Spatenka, Queen, Commissioner Brady, and staff member Oolman.

Agenda:

Motion by Queen, second by Dinse to approve the agenda as submitted. Motion passed unanimously.

Minutes:

Motion by Lammers, second by Spatenka to approve the April 1st, 2024, minutes as submitted. Motion passed unanimously.

Building Permits:

The building permits for April were reviewed.

County Board Action

Oolman reported the County Board approved CUP #250 (Monterey Ballroom) and approved CUP #436 (Prime 45 LLC – Storage Buildings) as recommended by the Planning Commission

CUP #437 (Oeltjenbruns- Solar Sales and Equipment Repair)

This request is from Mark and Jessica Oeltjenbruns to operate a solar energy system sales and installation business along with an equipment repair business on property located in the SW ¼, SW ¼, SW ¼ Section 34 Havana Township.

Questions and comments of the commission.

Spatenka- Can we put a limit on how many vehicles can be located on the property?

Oolman- Yes

The public hearing was opened.

As there were no questions or comments, the public hearing was closed.

Motion by Spatenka, second by Lammers to recommend approval of CUP #437 with the following 4 conditions:

1. Building must meet all applicable building codes and accessibility codes.
2. Outside storage must be screened from neighboring residential uses.
3. Lighting shall be directed so that it does not shine directly onto public roads or neighboring residential property.
4. All waste products including but not limited to solvents, paints, oils, and fuels shall be disposed of in a manner approved by the State of Minnesota and Steele County.

Motion passed unanimously.

CUP# 438 (Terpstra- Marine and Powersport Repair)

This request is from Derek Terpstra to operate a marine and powersport vehicle repair business from property located in the SW ¼, SW, ¼, SE ¼, Section 26, Owatonna Township. The property address is 3673 Austin Road.

Questions and comments of the commission.

Spakenta- Has the county been out to the property to see if the building was compliant?

Oolman- Yes, the Building Official and I looked at the building.

The public hearing was opened.

Jerry Zatzung, of Owatonna Township- The Township has no issues.

As there were no further questions or comments, the public hearing was closed.

Motion by Dinse, second by Spakenta to recommend approval of CUP #438 with the following 4 conditions:

1. Building must meet all applicable building codes and accessibility codes.
2. Outside storage must be screened from neighboring residential uses.
3. Lighting shall be directed so that it does not shine directly onto public roads or neighboring residential property.
4. All waste products including but not limited to solvents, paints, oils, and fuels shall be disposed of in a manner approved by the State of Minnesota and Steele County.

Motion passed unanimously.

Renew of CUP# 214 (Medford Sand & Gravel North Pit)

This request is from Medford Sand and Gravel LLC to renew conditional use permit #214 allowing the mining of sand and gravel on properties located in the W ½ of the NW ¼, Section 4, and the E ½ of the NE ¼, Section 5, Medford Township.

Motion by Lammers, second by Dinse to remove CUP #214 from the table for discussion.

Oolman explained this item was tabled at the March meeting to give Medford Sand and Gravel time to complete restoration on part of the properties. That reclamation has been completed to the satisfaction of the owner.

The public hearing was opened.

Scott Svenby, neighbor – Commented that trucks are operating all hours of the night, who can I talk to about this issue?

Esplan- then they would be in violation of their current permit.

Oolman- Contact the Zoning Director

Don Redman explained those were trucks from an outside contractor and he was un-aware that it was occurring. He has sold the properties to IMS Contracting and they will be taking over the permit.

As there were no further questions or comments, the public hearing was closed.

Motion by Lammers, second by Queen to recommend to approve the renewal of CUP #214 with the following 14 conditions: (underlined is added, ~~strikethrough~~ is deleted)

1. Mining is limited to those areas identified on the submitted site map.
2. Mining is limited to a bottom elevation of 1015. ~~for those areas west of the Straight River.~~
3. ~~Mining is limited to a bottom elevation of 1060 for those areas east of the Straight River. If mining takes place into the water table on the east side of the river or this area is de-watered this permit will need to be amended.~~
- 3 ~~4~~ A 30 foot unexcavated buffer with 4:1 side slopes shall remain adjacent to all property and road right of way lines. Any erosion to neighboring properties as a result of this mine shall be corrected by the applicant. ~~The buffer between this property and adjacent properties east of the Straight River may be removed with agreement between both landowners.~~
- ~~5~~ A 100 foot undisturbed buffer shall be left adjacent to the Straight River.
- ~~6~~ No hazardous material may be stored in the floodplain areas. Stockpiles of aggregate material, recycled material, and any equipment in the floodplain shall not be placed in a manner that will impede water flow during a flood event.
- ~~7.~~ All accesses to the sites shall be gated. Access shall be restricted to seven locations identified on the site map. All other existing accesses shall be removed, fenced, or gated to aid in safety.
- 4 ~~8~~ Signage and other traffic warning devices shall be installed as directed by the Steele County Highway Engineer.
- 5 ~~9~~ If areas along CSAH 49 are mined below the water level, a six feet high berm shall be installed along the road right-of-way.
- 6 ~~10~~ Trucks shall not track material from the pit onto the public road.
- 7 ~~11~~ Trucks hauling material to and from this pit shall not use “jake brakes”
- 8 ~~12~~ Dust control shall be maintained in the pit at all times so that dust does not negatively affect nearby residences or the Union Cemetery. ~~Dust must be controlled on NW 19th Ave. any time there is truck traffic from this pit using that road.~~
- 9 ~~13~~ Mining, processing and hauling activities ~~excluding farming activities~~ are limited to the hours of 6:00 AM to 7:00 PM Monday thru Saturday.
- 10 ~~14~~ Storage of recyclable aggregate material shall not exceed 60,000 cu. yds.
- 11 ~~15~~ Final reclamation shall be completed in phases and shall include grading slopes to a 4:1 slope or flatter for a minimum distance of 10 feet into the water, replacing topsoil, and vegetating exposed areas not used for cropland or reclaimed to open water.
- 12 ~~16~~ Applicant is responsible to obtain and follow all other federal, state, and local permits and regulations including but not limited to NPDES permits and DNR Water Appropriation Permits.
- 13 ~~17~~ The operator shall report quarterly to the Steele County Auditor’s office the amount of aggregate removed as required by the Steele County Aggregate ordinance #31 and all taxes shall remain current.
- 14 ~~18~~ The operator is responsible to initiate renewal proceeding on or before January 1, ~~2024~~ 2029 or this permit becomes invalid.

Motion passed unanimously.

IUP 2024-01 (EESolar33-Busho Site)

This request is from EESolar33 LLC to construct and operate a 4 MW Community Solar Project on property located in the N 1/2 of the NE 1/4, Section 31 Clinton Falls township on property owned by the Buscho Trust.

Motion by Queen, second by Spakenta to remove IUP 2024-01 from the table for discussion.

Oolman explained this item was tabled at the March meeting at the request of the Airport because the submitted glare study showed the potential for glare to affect the airport. The position of the panels has been reconfigured, and the new glare study shows no potential to affect the airport. The airport is not opposed to the permit with an added condition concerning the panel position.

The public hearing was opened.

As there were no further questions or comments, the public hearing was closed.

Motion by Lammers, second by Dinse to recommend approval of IUP 2024-01 with the following 18 conditions:

1. This permit allows for the construction and operation of 4 MW Solar Array in the location identified on the submitted application. Any additional expansion of the project will require the permit to be amended.
2. This permit shall expire on December 31, 2061 and all solar components and accessory facilities removed by December 31, 2062.
3. If the project ceases to generate electricity before the permit expiration date, all solar components and accessory facilities shall be removed within one year of the discontinuation of use/operation.
4. The operator shall notify the Steele County planning and zoning office of any changes in management or ownership of the project.
5. Any private drainage tile servicing adjoining properties shall be protected during construction and maintained throughout the life of the project.
6. A wetland determination shall be completed and submitted to the Steele Soil and Water Conservation District. The applicant shall follow all procedures and requirements of the wetland conservation act.
7. The developer shall construct a security fence around the perimeter of the solar panels to deter unauthorized entrance. The fence shall utilize woven wire and be a maximum of 8 feet tall without barbed or razor wire.
8. Permanent vegetative shall be planted within the fenced project area.
9. All noxious weeds shall be controlled throughout the life of the project. If the weeds are not controlled the operator shall allow the county access to the site to implement weed control and the costs assessed back to the property.
10. If required by the township, an access permit shall be obtained from the township.
11. Prior to the start of construction, the developer shall document with the township the condition of the haul road(s) to be used during the construction of the project. Any haul road(s) degradation cause by construction traffic shall be remedied by the developer.
12. All construction crew vehicles must park on the site unless site conditions prohibit it. If vehicles must park on the road because of site conditions, vehicle parking shall be limited to a single side of the road.
13. The developer must obtain a 911 address and sign for the site.
14. The developer shall obtain building permit(s) from the Steele County Building Inspection office.
15. The developer and/or operator is responsible to acquire or maintain any federal, state, or local permits required in the construction, operation, and maintenance of the solar energy system.
16. A vegetative screen is required between this project and the neighboring property to the east. The screen shall consist of healthy, hardy plant materials that provides a minimum screen height of 8 feet and a minimum density of 75% at maturity. An alternate planting plan may be used if approved by the neighboring property owner. Screening planted as required by IUP 2023-02 will satisfy this condition.
17. Prior to the start of construction, the developer shall provide a letter of agreement from the land owner that states they understand they are liable for decommissioning if EESolar33 LLC or future

lessees abandon the site.

18. The operator shall program the panels as modeled in the glare analysis dated April 3, 2024, 1:45PM to produce zero glare affecting the airport. If glare becomes an issue for the airport the operator shall work with the airport to determine a solution.

Motion passed unanimously.

Adjournment:

Motion by Spatenka, second by Lammers to adjourn at 7:46pm.