

Dickinson County Board of Adjustment
December 27, 2016
7:00 P.M.

The Dickinson County Board of Adjustment met Tuesday December 27, 2016 at 7:00 P.M. in the Community room of the Dickinson County Courthouse.

Members present were Tim Hemphill, Jeff Ashland, and Delmer Lee. Absent was Roxie Reekers and Neil Guess.

Also in attendance was David Kohlhaase, Dickinson County Zoning Administrator.

Jeff Ashland, Chairman, called the meeting to order at 7:15 p.m.

First on the agenda was roll call.

Second on the agenda was new business.

1st Item of new business was Upland Prairie, Conditional Use, for 2 temporary Metrological towers located on Dennis & Pauline Getting's property SW ¼, SE ¼, Section 18, Westport Township, and on Cindy Fliss's property in the SE ¼, SW ¼, Section 34, Westport Township, Ashland read the conditional use request.

Holly McCoy-Nelson and Brenna Gunderson introduced themselves to the Board of Adjustment and explained that they were from Apex Clean Energy representing the Upland Prairie wind project. McCoy-Nelson passed out a packet of information to the board members

McCoy-Nelson stated that they are here tonight to seek approval for two metrological towers to measure wind data in Dickinson County. The sites have been staked however they were not staked in the manner that they requested them to be, so they apologize for the lack of streamers and the cardboard signs.

McCoy-Nelson gave some background about Apex Clean Energy, they are a private company owned out of Charlottesville, Virginia. They have a number of wind projects under development throughout the United States, most of the operating assets are in Oklahoma, Texas and Illinois. They are now looking at Iowa, and the focus of these two met towers is to collect data to help them identify sites.

Hemphill asked how the staking was not what they requested.

McCoy-Nelson said that instead of following the staking instructions with the flagging and the identification signs, no streamers were present, and they used cardboard signs that were hard to identify.

Ashland asked if the towers were staked in the correct areas.

McCoy-Nelson said that the towers in the fields were in the correct positions.

Ashland asked how the met towers will be marked.

McCoy-Nelson said that he towers are a tension only structures about 198 feet in height, with guy wires that are staked in the ground. There will not be any concrete used to anchor the towers. The picture on file is a tower that they have in Clay county, and it will be marked similar to that one, including the spherical balls mounted on the guy wires.

Ashland asked how long they are proposing the met towers to be in use.

McCoy-Nelson said they are looking at collecting data from anywhere for 2- 5 years or until they have enough data for the wind project.

Ashland asked Kohlhaase if there are time frames for conditional uses.

Kohlhaase said that a conditional use once approved can go on forever, unless the Board put a time frame on the use. Kohlhaase asked if the towers would be taken down if the project were to occur.

McCoy-Nelson said that is correct.

Lee asked that if the Board decided against the wind farm would the met towers come down.

McCoy-Nelson said that is correct. They cost money to maintain, and to gather data from, so from an economic point of view, they would not want to leave them up.

Gunderson said that once the data collection is complete, typically they move the tower to a different project site.

Lee stated that it seemed that the tower site at the Fliss location is close to the house, he asked if it is at the required setback of 1200 feet.

Kohlhaase said that it is up to the Board whether or not that point is applicable for the met tower, it is required for the wind turbine.

Lee said that is not necessarily a location of a wind turbine then.

McCoy-Nelson said that the wind tower will be subject to the required 1200 feet setback from an occupied residence. Since the met tower is shorter in stature than 200' feet, they have stayed 500' feet or more from the property lines and dwellings.

Hemphill asked how many towers are in the project.

McCoy-Nelson said that there are probably 120 towers but only approximately 20-30 will be sited within Dickinson County depending on the participation from land owners and the wind data.

No written correspondence. Ashland opened the meeting to the public.

David Lorch asked what company McCoy-Nelson and Gunderson were with.

McCoy-Nelson said that they are with Apex Clean Energy, a company based out of Virginia, but they do have a local office in Everly, IA.

Lorch wanted to know why the towers needed to be built the middle of a farmer's field.

McCoy- Nelson stated that there are ordinances in place which they have to follow when citing a Met or WECS tower. There are minimum distances that need to be maintained from unoccupied and occupied buildings, roads and property lines. They also do not like to put a turbine right on the property line, due to property disputes.

Kohlhaase said that these towers are located in the A-1 Agricultural district. That district allows WECS Wind Energy Conversion Systems and met towers as a conditional use. There are setbacks that they have to follow, as well as the engineering that goes into play, so the towers are cited where they are most productive.

McCoy-Nelson said that they request all information to site the towers and turbines responsibly.

Ashland asked what a reasonable time frame would be for the proposed met towers.

McCoy-Nelson said 5 years would be a reasonable time frame.

Hemphill motioned to vote on the application with the 5-year stipulation for the conditional use. Lee seconded the motion. All were in favor.

Vote was recorded 3-0 approval, Lee approve, Ashland approve, Hemphill approve.

Third on the agenda was old business. There was none.

Fourth on the agenda was approval of the minutes from October 24, 2016. Lee motioned to approve the minutes as written, Hemphill seconded the motion, all were in favor.

Fifth on the agenda was communications. Kohlhaase said that there is a conditional use application on the agenda for the next meeting in January.

Sixth on the agenda was report of officers and committees. There was none.

Seventh on the agenda was unknown business. There was none.

Eight on the agenda was adjournment. Hemphill motioned to adjourn, Lee seconded the motion. All were in favor.

(For more information see BOA 12 27 16)