

DICKINSON COUNTY BOARD OF ADJUSTMENT

Monday, August 23, 2010

7:00 P.M.

The Dickinson County Board of Adjustment met Monday, August 23, 2010 at 7:00 p.m. in the community room of the Dickinson County Courthouse.

Members present were Don Oleson, Bob Duncan, Dennis Jackson, Bill Sackett, and Jeff Ashland.

Don Oleson called the meeting to order at 7:00 p.m.

First on the agenda was roll call.

Second on the agenda was new business.

- 1st item of new business was Lost Lakes Wind Farm/ITC Midwest – a discussion of the stipulation of plantings on the north side of the substation.

Bruce Townsend of Horizon Wind said in May 2009, a conditional use was approved for the Lost Lakes Wind Farm and substation. The substation approval was with the stipulation of the planting of one row of deciduous trees and one row of deciduous shrubs. He said when the substation was planned, the underground cable was to come on the south side. When it was constructed, it was put on the north side. They are concerned with the cable being affected by tree roots. The cable requires moisture to stay cool, and the trees would take that away. Also if there would be an outage due to the trees, it could cost them a fine. The tree line could provide a screen for thieves to steal copper wire.

Oleson said the board has required something to be planted on nearly all substations to provide a green face and blend into the natural environment. He asked what it would take to re-route the cables to the south side instead.

Adam Stene, Operations Manager of ITC Midwest, said to do that they would have to shut down one-half of the park and the re-route would take at least a week.

Oleson said he wouldn't have voted for the substation approval if the plantings weren't to be done.

Sackett this substation was built on a client's property. His client has no objection, but no understanding of why the stipulation had to change. He feels if the cable was planned to come in on the south, it should have been placed there.

There was discussion of the height requirement of the plantings, and types of shrubbery to be used.

Stene explained security problems they have had in other locations with theft of braided copper wire.

Jim Spicer of ITC Midwest is concerned with the trees. The first 150 to 160 feet they don't want any trees at all.

Ashland suggested that it would be better to put the plantings on the south side rather than the north side. The south side is a blacktop road more travelled than the north gravel road. Also, plantings on the north side would cause excess snow dumping on the substation.

Adam Stene said right now all the excess dirt they took off the construction site is piled 20 to 25 feet away on the south side and 25 feet tall. He said another problem they have is the transmission line comes in on the south and out the north side. He showed the board members on a map where the cables and overhead line will go. Any plantings on the south side could only be up to the transmission line. They have to keep that line clear.

Oleson asked the height of the transmission line.

Jim Spicer said approximately 25 feet. Their policy is to trim all growth under a transmission line to ground level.

Townsend asked if it would be acceptable in the area available on the south side to plant some large trees and shrubbery out front.

Spicer said the trees would have to be placed about 50 feet over from the transmission line pole. He said they could come back with a survey to show the exact placement needed.

After discussion, the board members agreed on the following stipulation for the Lost Lakes Wind Farm substation:

To amend the stipulation attached to the Lost Lakes Wind Farm substation May 26, 2009 conditional use approval to:

The westerly portion on the south side to have one row of deciduous trees with a minimum planting height of 6 to 8 feet and to plant one row of shrubs along the entire south side with a minimum planting height of 2 to 3 feet. (see attached map) . These plantings are to be kept in a viable, healthy condition.

Ashland moved to approve this stipulation. Sackett seconded. All were in favor.

Jim Spicer said they will be in construction this fall and done by March. They prefer to do the planting in the spring.

The board members were in agreement.

A survey of the substation property will be furnished to the zoning office and presented to the Board of Adjustment at their next meeting.

- 2nd item of new business was discussion of the policy for staking and mapping WECS projects. The members reviewed the suggested policy wording.

Jackson said he would like to add to notify the office as soon as possible if there were any deletions of tower sites after they were staked so the board members wouldn't have to look at those sites.

Kohlhaase read suggested wording which the board approved. This will be added as number 6 in the policy.

There was discussion of being sure the map was large enough and roads marked.

Duncan moved to accept the clarification in the staking policy. Sackett seconded. All were in favor.

Third on the agenda was approval of the July 26, 2010 minutes. Ashland moved to accept the minutes as written. Duncan seconded. All were in favor.

Fourth on the agenda was communications. There were none.

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

Sixth on the agenda was old or unknown business. There was none.

Seventh on the agenda was other. There was none.

Eighth on the agenda was adjournment. Sackett moved to adjourn. Duncan seconded. All were in favor. The meeting adjourned at 7:50 p.m.