



GRANT COUNTY SOUTH DAKOTA
PLANNING AND ZONING OFFICE
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12/17/2018 Minutes for the meeting of Grant County Planning Commission

Members present: Tom Adler Tom Pillatzki Nancy Johnson Bob Spartz Mark Leddy Richard Hansen Mike Mach

Meeting Date: **December 17, 2018** Meeting Time: **4:00 P.M.** Court House Basement

1. Call Meeting of the Planning Commission to Order by Chairperson Johnson at approximately 8:10 pm – Chair notes that First District Staff will be participating in the meeting and will provide
2. Items to be added to agenda by Board Members or Staff- None
3. Invitation for citizens to schedule time on the Board of Adjustment Agenda for an item not listed. (5 minutes maximum time). None.
4. Approval of Agenda Motion by Adler second by Hansen- Motion approved unanimously
5. Approval of Minutes Motion by Mach second by Spartz, Motion approved unanimously
 - a. November 13, 2018
6. Plat – Scott and Jennifer Pinkert – Plat of Pinkert Addn SW ¼ Sectio 5-120-47 Grant County Gortmaker provided an overview of the Plat request – Plat comports with County’s regulations. Motion by Adler, Seconded by Spartz to approve plat. Motion unanimously approved.
7. Public Hearing Ordinance 2016-01C

Johnson called for a motion to approve Ordinance 2016-01C. Motion by Leddy second by Hansen to approve.

Johnson then opened the public hearing and further stated that all individuals providing testimony would be given 3 minutes to address the board.

Kays provided a brief overview of the work of the Planning Commission since March of 2018. 2 public forums, 4 work meetings, wind tour, and information on a website. Kays further provided the ground rules for the hearing. Kays, acting as Parliamentarian, read the names of all individuals that had signed into the meeting sign in sheet

Vince Meyer Revillo- Spoke in opposition to wind energy – wants 2 mile setback from property line with waiver

Chris Olson Canada– fully in support of the ordinance as written – submitted written testimony in November

Tim Lindgren South Shore– Spoke in opposition - Are signed up with Crowned Ridge 1 project – referenced book “Paradise Destroyed” - Regrets decision – supports $\frac{3}{4}$ mile setback from homes – believes board members are conflicted

Linda Lindgren South Shore– Spoke in opposition – Objects to board members with perceived conflicts of interest.

Kristi Mogen 15160 471st Ave Twin Brooks – Changes does nothing to protect the health safety and welfare of residents. Feels there is conflict of interest on Board. Property rights of non-participants have been taken. Ordinance does not address infrasound. Should use ANSI guidelines. Setbacks should be 2 miles with waiver

John Henslin Altamont– Feels zoning ordinance is minimum requirements. Hopes Planning Commission and BOA looks at everything to protect health, safety and welfare. Need to minimize size of the WES. Need to toss out fence and topsoil requirements.

Roger Angerhofer Milbank– Doesn't believe the Planning Commission has not considered Health and Safety of residents of Grant County.

Dustin Nelson Summit– Appreciates the work of the Board

Teresa Kaaz- 15610 459th Ave South Shore – Need to protect all citizens. Spoke against Wind. Use $\frac{3}{4}$ mile setback with waiver

Dan Kaaz- 15610 459th Ave South Shore – Believes WES is health hazard – Infrasound, Ice Throw, blade throw - Believes rules should at least reflect safety manual

Ruby Holburn Sioux Falls– Feels WES put industrial setting in the rural ag area. Spoke against Wind. Recommends 2 mile setback with waive.

Amy Raul Goodwin– Spoke to Infrasound. Recommends 1 to 2 mile setback from residences

Marvin Amdahl Ortley– Believes Wind is good – Should have rules that support wind.

Al Robish Strandburg– Feels Infrasound needs to be considered. Considered with ice throw – setbacks are too close. 1500 feet setback is too close.

Amber Christenson- 16217 466th Ave Strandburg – Feels the Board has not considered all information provided. Feels Noise dBa should be 40 as WHO. Ordinance is incomplete. Should add property guarantee.

Wayne Borgheiinck South Shore– Spoke in opposition. Supports 2 mile setback with a waiver

Kevin Owen-46845 SD Hwy 20 Stockholm spoke against the project. Further believes that some board members have conflicts of interest. Approves letter by Attorney AJ Swanson regarding conflicts. Threatens legal actions. Ordinance changes do not protect citizens.

George Holborn Sioux Falls- Believes there are impacts on people within an area of 4.25 MW turbines – specifically infrasound. 2 miles with waiver from property line

Gary Ehlebracht Goodwin- Need to listen what everyone is saying. Change for the good of the people.

Sylvia Ann Marchetti (Marvin) – We are responsible for 7 generations down the road.

Johnson closed the public hearing and brought the matter before the Planning Commission for discussion. Kays restated the motion. Kays further provided what happens after the Planning Commission vote – There will be a 1st reading by the County Commission, Followed by a 2nd Reading and Public Hearing – at the 2nd hearing the County Commissioners may approve or deny the recommendation as presented; make an amendment and send it back to the Planning Commission or make an amendment and hold a subsequent public hearing and action on the amendment before the County Commission.

Pillatzki stated that he is not against wind energy but is open to compromise. Further he read from PUC testimony regarding value of property adjacent to wind. Feels 40 dBa and 15 hours of flicker would be better – based on PUC decision – Thinks there should be a safety zone around turbine – Pillatzki moves to amend Section #14 where the current dBa is 50 dBa proposed amendments suggest 45 dBa Pillatzki would like to see that set to 40dBa for both dBa for participating and non-participating going forward; second by Spartz. After discussion; Motion failed 2-5, with Johnson, Adler, Leddy, Mach & Hansen voting no.

Pillatzki moves to set “9 maximum shadow flicker from 30 hours as prescribed to 15 hours for future projects, seconded by Spartz. After discussion; Motion failed 3-4, with Johnson, Leddy, Mach & Hansen voting no.

Pillatzki wishes to have a larger setback for future projects makes an amendment to increase setback to 3,000 feet for non-participants for future projects, Spartz seconds. After discussion; Motion failed 2-5, with Johnson, Adler, Leddy, Mach & Hansen voting no.

Leddy calls the question. Second by Hansen. Muller explains that a call for the question stops debate and a 2/3 vote is required. Yes vote is to cease debate and vote on the motion. Motion approved 5-2 with Spartz and Pillatzki voting no.

Johnson then stated that the motion before the Planning Commission is to recommend approval to the Grant County Commission as presented without amendments. Motion approved 5-2 with Spartz and Pillatzki voting no.

8. Open address to the Planning Commission-none
9. Matters for Commission discussion/ staff report- none
10. Next meeting: tentatively set for January 14, 2019, 4 p.m.
11. Executive Session (if necessary) none
12. Adjourn as the Grant County Planning Commission Motion by Adler second by Spartz
Motion passed unanimously

Krista Atyeo-Gortmaker, Planning and Zoning Officer, Grant County