



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

Members present: Tom Adler Mike Mach Richard Hansen Bob Spartz Tom Pillatzki Nancy Johnson Mark Leddy Todd Kays Krista Atyeo-Gortmaker

Members absent:

Others present: Don Weber Jeff McCulloch Payton Schafers Lorrie Hardy Dave Lau Jason Ver Steeg Travis Holscher Bill Tostenson Scott Jansen

Agenda for the meeting of Grant County Board of Adjustment/Planning Commission.

Meeting Date: Monday, June 8, 2020 **Meeting Time:** 4:00 P.M. **Teleconference**

Based on current circumstances surrounding Covid-19, this meeting was held virtually over a zoom teleconference platform. All persons interested were allowed to participate by either by calling 1-253-215-8782 or 1-301-715-8592 or by joining the meeting via "Zoom" platform at:

<https://us02web.zoom.us/j/87469654774?pwd=dXdjaGUzVHFmc2oyOFNiREIxMXE4QT09>

1. Call Meeting of the Planning Commission to Order at 4:03 PM by Leddy.
2. Items to be added to agenda by Board Members or Staff- none
3. Invitation for citizens to schedule time on the Planning Commission Agenda for an item not listed. (5 minutes maximum time) No one reporting
4. Approval of Agenda Motion by Adler second by Spartz carries 7-0.
5. Approval of Minutes: May 11, 2020 Motion by Hansen second by Johnson carries 7-0.
6. Plat-
 - a. David Schneck Real Estate Limited Partnership, owners, request the plat of Lot 1 of T & E Holscher Addition of the SE1/4 except Lot 1 Schneck Addition Section 23, Township 120 North Range 50 West of the 5th P.M., Grant County, South Dakota.

An error in the circle on the packet should have been in Section 23 and inadvertently placed on section 16 which is the township number on the included parcel form.

Pillatzki recuses himself from this plat as he will be bidding for the house project. This plat was approved by motion of Hansen and second by Johnson which carried 6-0.

- b. Gerald Bury Revocable Living Trust and Nichole Bury Revocable Living Trust, owners of NE1/4, except parcel of land described as beginning at a point which lies 33 ft S and 33 ft W of the NE corner of section 10, then running due W along the S boundary line of public road ROW on the N side of section 10 for a distance of 163.4 ft more or less, then along a circular arc of 34 degrees 49 minutes curve bearing to the S and E for a distance of 275.2 ft more or less to a point on the W boundary line of the public road ROW on the E side of Section 10, then running due N along said boundary line for a distance of 163.4 ft more or less to the point of beginning and Lynn S Hardy and Lorrie J. Hardy, owners of the N1/2SE1/4, including Lot 2 J Gesswein Addition but excluding Lot 1 J Gesswein Addition all in Section 10 Township 120 North Range 48 West of the 5th P.M., Grant County, South Dakota.

These owners request the plat of Lots 1 & 2 of Bury and Hardy Addition located in the NE1/4 and the N1/2SE1/4 of Section 10, Township 120 North, Range 48 West of the 5th P.M., Grant County, South Dakota. Motion by Pillatzki second by Spartz carries 7-0.

7. Open address to Planning Commission-no one reporting
The Planning Commission was recessed by Leddy to attend to the Board of Adjustment matters at 4:21 pm and Leddy reported the Commission back in session at 4:57 pm.
8. Matters for Board Discussion/Staff Report
 - a. Solar ordinance- **ORDINANCE #2020-01A AN ORDINANCE AMENDING GRANT COUNTY ORDINANCE #2004-1, AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR GRANT COUNTY, SOUTH DAKOTA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTERS 11-2, 1967 SDCL, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL RESOLUTIONS AND ORDINANCES IN CONFLICT THEREWITH**

Kays read the staff report for the Solar ordinance. At 5:03 PM Leddy opened the public hearing and called for anyone wishing to give testimony. Scott Jansen of Apex Clean Energy began by stating the solar ordinance is good and fair and his interest is for his company. He has a few items for discussion that came from himself and their legal team. Suggestions were made and the board agreed and asked Kays to attend to these items. Leddy called three times for others to report with no one requesting time, so Leddy closed the public portion of the hearing.

A motion was made by Hansen to approve the solar energy ordinance for recommendation to the County Commissioners and a second by Johnson which opened board discussion. Board discussion focused on permit expiration, front yard setbacks and decommissioning. After discussion, substitute motion to approve as amended made by Johnson, seconded by Pillatki. Hansen stated he agrees with the substitute motion for his original motion to include the amendments. Motion carried 7-0 by roll call vote.

Amendments to include:

1. Section 12.17.03.3.e – Clarification on front yard setbacks to be consistent with 12.17.03.6.f.
2. Section 12.17.06.3 – refine paragraph a to include “or” statement regarding satisfaction of decommissioning account and combine paragraphs a and b.
3. Section 12.17.06.3.k – change may to shall in last sentence
4. Section 12.17.06.4 – strike last sentence
5. Section 12.17.06.5 – move to Section 12.17.06.3.
6. Section 12.17.06.3.g – refine language to include what happens in the event of foreclosure, lien, judgement, or bankruptcy

9. Next meetings:

Regular meeting: July 13, 2020

10. Executive Session (if necessary)-none

11. Adjourn as the Grant County Planning Commission by motion of Pillatzki and second by Adler.

Krista Atyeo-Gortmaker
Planning and Zoning Officer
Grant County