MCLEOD COUNTY PLANNING ADVISORY COMMISSION MEETING

Wednesday, June 23, 2021 @ 9:30 A.M.

Environmental Services, Large Conference Room
1065 5th Avenue, Hutchinson, MN 55350 (320) 484-4300
>Road Tour Departure at 8:15 A.M.<

AGENDA

A. CALL TO ORDER BY CHAIRMAN, LARRY PHILLIPS

B. REVIEW/APPROVAL OF MINUTES

1. 5/19/2021
2. 5/26/2021

C. UNFINISHED BUSINESS

1-LOT FINAL PLAT 21-05, BERGEN TOWNSHIP

Harlan Mathews, representative for the Bergen Township Board, requests approval of a 1-lot final plat to be known as "BERGEN ESTATES" located in the NW ¼ SW ¼ of Section 11 Bergen Township.

Notified	Notified	Comments Received:
Township & City Clerks	6/3/2021	
County Attorney	6/8/2021	Title Opinion and Survey
County Recorder	6/8/2021	See response at Environmental Services Office
Bergen Township	6/9/2021	6/9: Harlan Mathews – Representative for Bergen Township - Approved
Env. Services		See Staff Report @ Environmental Services Office

D. PUBLIC HEARINGS

1. CONDITIONAL USE PERMIT 21-08, Alan & Judith Hecksel, Helen Township

Alan and Judith Hecksel request approval for the placement of an accessory structure (36' X 50') in the front yard area of a road servicing a subdivision on 2.36 acres tract in Section 28 of Helen Township.

Notified	Notified	Comments Received:
Township & City Clerks	6/3/2021	
Property Owners	6/9/2021	
Helen Township	6/10/2021	Notified by Applicants
Env. Services		See Staff Report @ Environmental Services Office

2. **PRELIMINARY / FINAL PLAT, David & Kimberly Dickerson, Rich Valley Township**

David & Kimberly Dickerson request approval of a preliminary / final plat in order to combine a two (2) lot plat currently known as "Madsens South View" Lots 1 & 2, into a 1-Lot plat to be known as "DICKERSON'S ADDITION" located in Section 8 of Rich Valley Township.

Notified	Notified	Comments Received:
Township & City Clerks	6/3/2021	
County Highway Engineer	6/4/2021	6/7: No major concerns. Changes in access will require a permit.
County Recorder	6/4/2021	
Property Owners	6/9/2021	
Rich Valley Township	6/8/2021	Notified by Applicants – approval was granted
Env. Services		See Staff Report @ Environmental Services Office

3. **McLEOD COUNTY ZONING ORDINANCE AMENDMENT – Section 5 & Section 18**

McLeod County does hereby hold a Public Hearing for proposed amendments to the McLeod County Zoning Ordinance, Section 5 – Definitions, and Section 18 – Essential Service Regulations, (including Solar Array Systems) on more than three (3) acres shall only be allowed on land that is considered hard to farm. To view the complete proposed amendments in detail, a copy is available at the County Auditor's Office located at 520 Chandler Avenue North, Glencoe, Minnesota and at the County Environmental Services Office located at 1065 5th Avenue, SE, Hutchinson, MN.

E. OTHER BUSINESS

- July 28, 2021 Meeting Update

F. MOTION TO RECESS:

1. Motion to recess to reconvene at 9:30 a.m. on July 28, 2021.

McLEOD COUNTY PLANNING ADVISORY COMMITTEE SPECIAL MEETING
Environmental Services Facility, Large Conference Room
1065 5th Avenue SE, Hutchinson, MN 55350
May 19, 2021 9:00 a.m.

MINUTES

CALL TO ORDER:

Chairman Larry Phillips called the McLeod County Planning Advisory special meeting to order at 9:30 a.m. in the McLeod County Environmental Services Facility, Large Conference Room, located at 1065 5th Avenue SE, Hutchinson, Minnesota.

Members present: Chairman Larry Phillips, Charles Hausladen, Paul Merkins, Commissioner Daryl Luthens and David Hoernemann.

Staff present: Marc Telecky, Environmental Services Director, Sandra Posusta, Administrative Assistant.

Others Present: Dean Engelmann, Tangletown Gardens, David Bergh, Sunshare Community Solar LLC, Roger Engelmann, Donald Engelmann and John Mueller, McLeod County Chronicle.

ACTION ON MINUTES: April 28, 2021

David Hoernemann made a motion to approve the April 28, 2021 meeting minutes.

Charles Hausladen questioned the March 24, 2021 minute correction date to ensure it was indeed the date of the necessary correction. It was confirmed it was correct.

Paul Merkins seconded the motion, which carried unanimously.

UNFINISHED BUSINESS:

1) CONDITIONAL USE PERMIT 21-02: SunShare Community Solar LLC, Helen Township
Director Telecky opened the hearing sharing that the County Board heard this request at their May 4, 2021 regular meeting at which time it was sent back to the Planning Commission because of an addendum that SunShare had submitted, along with Tangletown Gardens, at the County Board meeting.

As a recap, SunShare Community Solar LLC, Denver, Colorado, requests approval of a one-megawatt solar garden. This property is 86.81 acres and is owned by Donald Engelmann. It's located in Section one (1) of Helen Township. This project is would be known as "BuffaloSun LLC" and located within eight (8) acres of a twenty (20) acre lease agreement. Per the project submittal, the life time of this solar garden is estimated at thirty-five (35) plus years, if approved.

The physical characteristic is gently rolling tillable acreage with soils described as prime farm land per the McLeod County Soil Survey. Mr. Telecky explained the soil characteristics and Crop Productivity Index (CPI).

Mr. David Bergh, SunShare Community Solar representative, is requesting a conditional use permit to construct a one-megawatt solar garden for the purpose of distribution. The wetland impacts are identified.

Mr. Telecky read aloud possible conditions from the Staff Report, including a surety in the amount of $125,000 based on 3,100 panels for the duration of the project or until the land is reclaimed.

The Helen Township Board recommended approval at the February 11, 2021 regular meeting.

Mr. David Bergh handed out copies of the new addendum to each of the Board members and the public.

Mr. Bergh noted the understanding the County concerns about agriculture preservation and want to adhere to it. Mr. Bergh spoke with Mr. Dean Engelmann with Tangletown Gardens to use this site for Agriculture. In this new plan, the fence line would be used for planting climbing vegetation and use the space between the arrays to plant. In doing so, Mr. Bergh feels they have aligned with the Ag preservation goal of the County. The panels create some shade to also cool down and protect the plants. The panels do operate best at cool temperatures, such as Fall days with clear blue skies. There is a pollinator crisis so working together is a neat opportunity to do this.

Board member Hausladen asked what type of panels are used. The panels are a single axis tracking system.

Commissioner Luthens asked if these panels are spaced further apart more so than regular solar gardens. David Bergh said everyone has something a bit different. SunShare will have a fifteen (15) foot gap in between the two. Fixed panels are spaced differently.

Board member Hoernemann questioned how much ground surface area could be used. There is six (6) feet between each array, so 1.3 acres of ground can be used. There's more ground between can be used, too. If not crops, pollinator friendly will be used.

Board member Hausladen questioned the height of the posts that will be installed. They will be from five (5) to seven (7) feet in height.

Board member Hoernemann asked if there would be chickens.

Mr. Bergh introduced Dean Engelmann, owner of Tangletown Gardens, a garden center and restaurant in Minneapolis and gardens in Plato. Mr. Engelmann has looked at these solar gardens and sees all the room / space available to plant vegetables. There is a real opportunity for dual use. Energy can be produced. A benefit of the solar panels provides necessary shade for chickens. Shade is a challenge for their chickens. They go through nearly 6,000 broiler chicken per year. The solar panels offer shelter, shade, protection and there are lots of different opportunities. The fence will eventually be covered with greenery which will screen the project from the public. This is a "prototype" so to say. Keep money here, not in California.

Mr. Bergh commented that Dean Engelmann also has a real potential and a unique opportunity as this would be the first one in Minnesota.

Board member Hausladen commented that this sounds rather labor intensive.

Dean Engelmann explained that this one (1) array is 5,120 labor hours per year with the potential of producing over $100,000 worth of product on that small of a place. We're keeping dollars and jobs local.

Chairman Phillips asked about liability issues while working in and around the array system.

David Bergh said they have discussed liability concerns. The systems are very safe. There are many

precautions put in place to protect people. The components that could be of danger are under ground and locked up. If one runs into a panel, it will trip the panel immediately.

Dean Engelmann said they wouldn't be pushing in big equipment. He prefers the smallest equipment to do the job. "From a design standpoint, for someone else looking to replicate this idea, I would design most of it in a way that uses small equipment," said Mr. Engelmann.

Commissioner Luthens asked if this would add value to Tangletown Gardens' product. Dean Engelmann feels it will be on the front page of the New York Times. "Once this takes off, others will want to do this too. It will be huge. We will be able to grow spinach, arugula, greens and it would be very good. We will plant every day and harvest every day. There will be high intensity rotation. We may have as many as four (4) different rounds of crops on the same piece of ground in one year. That has the potential to produce sixty-four million calories per acre."

Mr. Engelmann commented there will be a need for water. For this area, we can just drive in or drip line can go in. We are able to be efficient with water. Minnesota weather also provides moisture.

Board member Merkins said it's more labor intensive. Mr. Engelmann said the disadvantage would be getting product in and out while walking to pick fruit. We'll just skip some hard spaces.

Commissioner Luthens asked if the liability is between the three (3) of us. County, SunShare and Tangletown Gardens. Mr. Telecky said it is between SunShare and Tangletown Gardens.

Mr. Telecky said to Dean Engelmann that he has a sustainable business that is not dying and asked how many years he's been doing this business. It's been twenty (20) years.

Mr. Bergh said if this project is approved, it would be tough to construct this year, but next summer for sure. Mr. Engelmann said the soil will be determined. There will be a roll of black plastic (bale) bunkers. Its bio-degradable, made with cornstarch.

This site is on high ground therefore tiling is not necessary, said Dean Engelmann.

Roger Engelmann said he is all for this but is concerned with stray voltage and testing be performed.

A brief discussion of the solar garden in Wabasha was discussed and the cycle of testing. All agreed it was a good plan. And, this permit, if approved, can be conditioned with this testing plan.

Mr. Telecky said no solar farms have had issues to date in McLeod County.

Board member Telecky confirmed the minutes from the last meeting, do reflect what Roger Engelmann stated. He wasn't opposed. If approved he just wanted that component of stray voltage.

Mr. Phillips asked if there was any other discussion.

Director Telecky discussed the bond/surety component and the reclamation piece. We don't know what inflation is going to be, either.

Director Telecky explained that the Board is in place to protect the public interest so placing a bond on the project is doing just that, protecting. The County Board also has the right to call them back in if they are not meeting the conditions on the permit.

Commissioner Luthens asked if this agreement is three (3) ways. Mr. Telecky said the lease agreement is between SunShare and the lease applicant. The Boards' relationship is strictly with the applicant, SunShare Community Solar, LLC. SunShare has their own lease with the property owner.

A discussion briefly took place concerning tile lines and the possibility of any use that could disrupt tile lines. Mr. Bergh commented that he has hired local companies, Rickert Excavating, as they know what they're doing.

Board member Hausladen questioned screening. The Board has the right to mitigate for appearance. Each site is different.

David Bergh mentioned trees may be more conducive verses an ag fence with what they're trying to do.

Mr. Telecky explained how the tree process of screening came into place including that each site is unique. A brief discussing ensued about the possibility of reporting back in a year.

A short discussion regarding the Zoning Ordinance Amendment that will be brought before County Board in July, ensued. Commissioner Luthens felt this permit should possibly be put on hold until then.

Director Telecky said the ordinance amendment prepared for next month, doesn't necessarily change this. It just defines that hard to farm ground is a potential for projects such as this.

Board member Merkins feels this concept is good.

Mr. Telecky said each one of these requests are unique and the Board shall look at them independently.

With no further business to discuss, Board member Hoernemann motioned to close the public hearing. Board member Hausladen seconded the motion. The motion carried.

Board member Hoernemann requested a stray voltage plan be submitted and questioned if that a surety bond of $125,000 could possibly be lowered in five (5) years from now, could the applicant return before the Board and request it to be lowered? Mr. Telecky said they could.

Possible conditions were discussed including removing the buffer, the type of fencing that is more conducive for planting purposes and a stray voltage testing plan.

Board member Hausladen made a motion to approve with fencing to meet standards, tree screening to be elimination and the bond to be set and reviewed on an annual basis set forth by the Environmental Services Director as well as a stray voltage plan. Board member Hausladen seconded the motion.

Director Telecky read aloud the possible conditions to be approved, for the record. They are as follows:

1) **A surety in the amount of $125,000 (based on 3,100 panels) for the duration of the project or until the land is reclaimed to original state shall be provided to McLeod County Environmental Services Office prior to any permits being issued.**
2) **Applicant shall restore the site to its original and natural state once the solar facility is no longer in use.**

3) **Contractor's Proof of Insurance, shall be submitted to McLeod County Environmental Services, during the construction of the facility.**
4) **Contact person and phone number for weed control and site concerns will be filed with the McLeod County Environmental Services Office and a placard shall be posted at the entrance visible from County Road 3 naming a contact person with a current phone number.**
5) **An approved landscape buffer plan and vegetative management plan shall be provided to the McLeod County Environmental Services Office. This buffer shall be planted and maintained to remain healthy and live. The land inside the perimeter of the project area will be used for agriculture production.**
6) **A vertical ten (10) foot fence with 24" kick plate shall be installed for site security and safety around the perimeter of the project area.**
7) **Applicant shall meet all NPDES Permit requirements if required.**
8) **Applicant shall preserve the existing drainage tile and repair if any tile is broken. Repairs shall be performed by a drainage contractor.**
9) **Applicant shall obtain a change of use permit for the access off of County Road 3 from the McLeod County Highway Department.**
10) **Applicant shall test for stray voltage prior to electrification, three (3) months after electrification, once per year for three (3) years and once every five (5) years thereafter.**

Chairman Phillips called for all in favor. Conditional Use Permit 21-02 was approved with a 4-1 vote.

OTHER BUSINESS:

Mr. Telecky shared one application to date for the May 26, 2021 meeting.

MOTION TO RECESS:

With no further business to be brought before the Planning Commission, Board member Merkins made a motion to recess until May 26, 2021. Board member Hoernemann seconded the motion. The motion carried.

Larry Phillips, Chairman

Sandra Posusta, Secretary

McLEOD COUNTY PLANNING ADVISORY COMMITTEE
Environmental Services Facility, Large Conference Room
1065 5th Avenue SE, Hutchinson, MN 55350
May 26, 2021 9:30 a.m.

MINUTES

CALL TO ORDER:

Following an 8:15 a.m. road tour, Chairman Larry Phillips called the meeting to order at 9:33 a.m. in the McLeod County Environmental Services Facility, Large Conference Room, located at 1065 5th Avenue SE, Hutchinson, Minnesota.

Members present: Chairman Larry Phillips, Charles Hausladen, Paul Merkins, Commissioner Daryl Luthens and David Hoernemann,

Staff present: Marc Telecky, Environmental Services Director, Sandra Posusta, Administrative Assistant.

Others Present: Darren Dummer, Eileen Dummer, Mandi Kutschara, Lee Hoof and Linda Hoof.

NEW BUSINESS

1) 2-LOT FINAL PLAT 21-06, Lee & Linda Hoof, Rich Valley Township

Lee and Linda Hoof request approval of a 2-lot final plat for the purpose of splitting an 11-acre lot, riparian to Silver Lake, into two (2) buildable lots. This property is located in the Northeast Quarter of the Northwest Quarter of Section 4 in Rich Valley Township. This government lot currently has one (1) non-farm dwelling thus requiring this platting request. Zoning Staff does not have concerns with this request.

Lot-001 will be 5.7 acres in size. Lot-002 will be 5.41 acres in size. The existing zoning is "A" Agriculture. Access for the north lots would be by the existing driveway to the lake. The south lot would share access with the existing driveway for lot-001 via easement of thirty-three (33) feet to the north.

The Rich Valley Township Board recommended approval of this request at their May 11, 2021 meeting.

The McLeod County Attorney and Country Recorder have reviewed the Title of Opinion and survey and recommended approval.

Board member Merkins questioned if this is the final plat prior to recording.

Chairman Phillips noted that the drainage discussion was determined at the Preliminary Plat public hearing.

Board member Merkins made a motion to approve Final Plat 21-06. Board member Hoernemann seconded the motion, which carried unanimously.

This item will be placed on the June 1, 2021 County Board Consent Agenda.

2) SKETCH PLAN 21-02: Jon & Mandi Kutschara, Acoma Township

Director Telecky explained the applicants request for the approval of a 1-lot conceptual sketch plat in order to create one additional buildable lot on this non-tillable acreage. This property is located in the northwest quarter of the northwest quarter of Section 24 in Acoma Township. This quarter-quarter section currently has one (1) non-farm dwelling thus requiring this request.

Lot-1 will be approximately 5.05 acres. The current zoning is "A" Agriculture. The soils per the McLeod County Soil Survey support a site and an alternate site for a septic system. The National Wetland Inventor (NSW) map does not indicate the presence of wetlands. It will be serviced by an individual well and septic. Transportation will come off of the township road, 220th Street.

Staff does not have concerns. Preliminary review does show there is adequate area for a building site.

Kutchara's attended the Acoma Township Board meeting on May 10, 2021. A favorable recommendation was approved.

Board Member Hausladen motioned to approve of Sketch Plan 21-02. Commissioner Luthens seconded the motion. The motion carried.

This item will be placed on the June 1, 2021 County Board Consent Agenda.

PUBLIC HEARING

1. CONDITIONAL USE PERMIT 21-07: Darren & Eileen Dummer, Hale Township

Mr. & Mrs. Dummer request approval of a conditional use permit to allow an accessory building to be constructed on a parcel without a primary structure, in an "R-1" zoned area for the purpose of establishing a home occupation of a business that Eileen Dummer currently operates. This lot does not have a dwelling. The applicant's own two (2) contiguous platted lots. Their home is on the adjacent platted lot. The lot size is 1.25 acres and is located in Lot-001 Block-001 Lakeite Acres of Section 30 in Hale Township.

Transportation will come off of 200th Street (CR 79). John Brunkhorst, McLeod County Highway Engineer, reviewed this request noting no concerns. If a new access is needed, the applicants shall apply for a permit with the County Highway Department.

If approved, Staff recommends the following conditions:

1) Accessory dwelling shall be 2,000 square feet or smaller. (This is the limit of what is allowed in an "R-1" zoned district per lot.)
2) The home occupation only be allowed one (1) non-resident employee.
3) A hard surface parking area be established for clientele.

The Hale Township Board heard this request at their May 13, 2021 meeting in which they recommended approval.

Chairman Phillips noted that the site was reviewed upon road tour prior to the meeting.

Board member Hausladen inquired on the amount of proposed traffic. Mr. Dummer responded there are usually two (2) to three (3) people. She sees up to ten (10) people but their mostly virtual.

Chairman Phillips questioned the material for the hard surface. Director Telecky said it needs to be something sustainable such as concrete, asphalt, or just gravel so people do not lose their footing or sink into.

There will not be heavy traffic. Maybe one person per hour

With no public available to comment, Board member Hoernemann motioned to close the public hearing. Board member Hausladen seconded the motion. Motion carried.

Board member Merkins asked Mr. & Mrs. Dummer if they understood the proposed conditions and if they had any issues with them. The Dummer's understand and do not have any concerns.

Chairman Phillips asked for a motion to approve as presented.

Board member Merkins moved for approval. Board member Hoernemann seconded the motion. The motion carried with the following conditions:

1) **Accessory dwelling shall be 2,000 square feet or smaller.**
2) **The home occupation only be allowed one (1) non-resident employee.**
3) **A hard surface parking area be established for clientele.**

This item will be placed on the June 1, 2021 County Board Consent Agenda.

OTHER BUSINESS:

1) Mr. Telecky updated the Commission regarding the Zoning Amendment proposal. This amendment will be heard at the June 23, 2021 Planning Commission meeting and placed on the July 6, 2021 County Board meeting agenda providing there are no issues. Discussion ensued briefly about the improved efficiency and technology of solar array panels.

2) There is one item to date on the June 23, 2021 meeting agenda.

MOTION TO RECESS:

With no further business to be brought before the Planning Commission, Board member Hoernemann made a motion to recess until June 23, 2021. Commissioner Luthens seconded the motion. The motion carried.

Larry Phillips, Chairman

Sandra Posusta, Secretary

[Type text]

McLeod County Planning Commission

To: McLeod County Planning Commission

Prepared By: **Marc Telecky**

Application: **Final Plat** 21-01

Date: June 11, 2021 – **Meeting Date: June 23, 2021**

GENERAL INFORMATION

Brief Description: Bergen Township is requesting approval for a 1 lot final plat located in the NW ¼ SW ¼ of Section 11 Bergen Township. This ¼ ¼ Section currently has 1 non-farm dwellings thus requiring this request.

Applicant/Owner: Bergen Township
17293 Eagle Ave.
Lester Prairie, MN 55354
P.I.D# 02.011.0685

Requested Action: Motion to approve a 1-lot final plat to be known as Bergen Estates

Lot Size: 255.62' x 340.82' = 1.61 acres

Existing Zoning: "A" Agriculture

Location: **NW ¼ SW ¼ Section 11 Bergen Twp.**

Existing Land Use: grass covered

Adjacent Land Use And Zoning: "A" Agricultural

Zoning History: NA

Applicable Ordinance McLeod County Zoning Ordinance Section 7, Subd 6.
McLeod County SSTS & Subdivision Ordinance

SPECIAL INFORMATION

Public Utilities: McLeod Cooperative Power

Public Services: SSTS, individual well

Transportation: Babcock Ave.

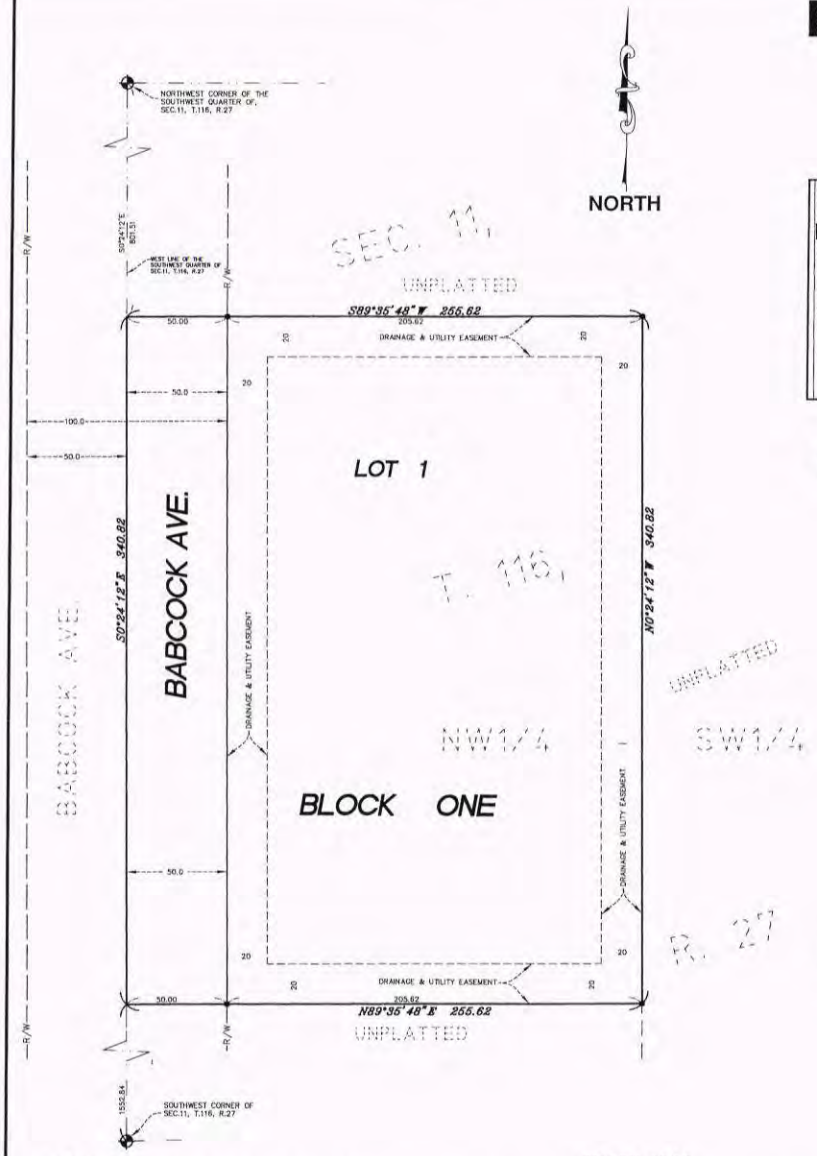
Physical Characteristics: **The applicants are proposing to obtain a building eligibility on a 1.61-acre lot they currently own. Soil borings indicate that a site and an alternate site are present for a standard sanitary sewage system. The National Wetland Inventory (NWI) Map indicates the there are no wetlands present on this proposed lot.**

Analysis: The title commitment and final plat have been sent to the McLeod County Recorder and McLeod County Attorney for review. The recorder's office has responded and has no concerns with the plat.

Recommendations: Staff does not have concerns with this request.

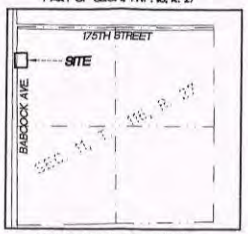
Cc: Bergen Township – applicant

BERGEN ESTATES



VICINITY MAP

PART OF SEC. 1, TWP. 116, R. 27



MCLEOD COUNTY, MINNESOTA

ORIENTATION OF THIS BEARING SYSTEM, IS BASED ON THE MCLEOD COUNTY COORDINATE SYSTEM NAD 83 (96 ADJ.).

LEGEND

- ● DENOTES IRON MONUMENT FOUND AS LABELED
- ○ DENOTES IRON MONUMENT SET, MARKED # 45356
- ◆ DENOTES MCLEOD COUNTY SECTION MONUMENT

GRAPHIC SCALE

30 0 15 30 60 120

1 INCH = 30 FEET

E. G. RUD & SONS, INC.
EST. 1977
Professional Land Surveyors

DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS: That Bergen Township, a Minnesota Political Subdivision, owner of the following described property situated in the County of McLeod, State of Minnesota, to-wit:

Part of the Northwest Quarter of the Southwest Quarter of Section 11, Township 116, Range 27, McLeod County, Minnesota, described as follows: Commencing at the northwest corner of said Southwest Quarter of Section 11; thence on an assumed bearing of the South 00 degrees 24 minutes 12 seconds East along the West line of said Southwest Quarter 801.51 feet to the point of beginning of the tract to be described; thence continuing South 00 degrees 24 minutes 12 seconds East along said West line 340.82 feet; thence North 89 degrees 35 minutes 48 seconds East 255.62 feet; thence North 00 degrees 24 minutes 12 seconds West 340.82 feet; thence South 89 degrees 35 minutes 48 seconds West 255.62 feet to the point of beginning..

Have caused the same to be surveyed and platted as BERGEN ESTATES, and do hereby donate and dedicate to the public for public use the public way as created by this plat.

In witness whereof said Bergen Township, a Minnesota Political Subdivision has hereunto set their hand this_____day of_____, 2021.

_____
Township Clerk

STATE OF MINNESOTA

COUNTY OF MCLEOD

The foregoing instrument was acknowledged before me this _____ day of _____, 2021, by _____.

_____
Notary Public, _____ County, Minnesota
My Commission Expires _____

SURVEYORS CERTIFICATE AND ACKNOWLEDGEMENT

I Kurt D. Nelson do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 2021.

_____
Kurt D. Nelson, Licensed Land Surveyor
Minnesota License No. 45356

STATE OF MINNESOTA

COUNTY OF_____

The foregoing Surveyor's Certificate was acknowledged before me this _____ day of _____, 2021, by Kurt D. Nelson, Licensed Land Surveyor, Minnesota License No. 45356.

_____
Notary Public, _____ County, Minnesota
My Commission Expires _____

TOWNSHIP BOARD

This plat was approved by the Board of Supervisors of the Township of Bergen, McLeod County, Minnesota, at a meeting thereof, on the _____day of _____, 2021.

_____, Chair.

COUNTY BOARD

We do hereby certify that on the _____day of _____, 2021. the Board of Commissioners of McLeod County, Minnesota, approved this plat and further certify that this plat was submitted to the County Highway Engineer in accordance with MS 505.03, Subd. 3 on the _____day of _____, 2021.

_____, Chair. Attest: _____, County Administrator.

_____, McLeod County Engineer. Date _____.

DELINQUENT TAXES

I hereby certify there are no delinquent taxes, and that transfer was entered this _____ day of _____, 2021.

_____ McLeod County Recorder
_____ Deputy

RECORDER

I hereby certify taxes payable in the year _____, on lands herein described are paid in full.

_____ McLeod County Recorder
_____ Deputy

RECORDER

I hereby certify that this instrument was filed in the Office of the County Recorder for record on this _____ day of _____, 2021, at _____ o'clock _____ M., and was duly recorded as Document No. _____.

_____ McLeod County Recorder
_____ Deputy

McLeod County Attorney's Office

Michael Junge, County Attorney

FAX: (320) 864-1455
TDD: (320) 864-6493
Hutchinson: (320) 484-4399
Stewart: (320) 328-4413
Winsted: (320) 395-2568

830 East 11th Street, Suite 112
Glencoe, MN 55336
(320) 864-1265

EQUAL OPPORTUNITY EMPLOYER

***Amy E. Olson** (320) 864-1243*
***Anna Gusaas** (320) 864-1525*
***Zachary Lyngaas** (320) 864-1249*
***Lauren Johnson** (320) 864-1524*
Assistant County Attorneys

June 16, 2021

Marc Telecky
McLeod County Environmental Services Director

RE: Bergen Estates

Dear Marc:

I have had a chance to review the proposed Final Plat for Bergen Estates and the title insurance commitment issued by McLeod County Abstract. Based upon my review, the Plat is acceptable for recording once current year taxes are paid.

If you have any questions or wish to discuss this, please feel free to contact me.

Sincerely,

Michael Junge
McLeod County Attorney

MJ:ks

stewart

ALTA COMMITMENT FOR TITLE INSURANCE

ISSUED BY
STEWART TITLE GUARANTY COMPANY

NOTICE

IMPORTANT - READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, STEWART TITLE GUARANTY COMPANY, a Texas corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I - Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Countersigned by:

Authorized Countersignature

McLeod County Abstract & Title Services, LLC
235 Hassan Street SE
Hutchinson, MN 55350
(320) 587-6239

STEWART TITLE GUARANTY COMPANY INCORPORATED 1908 TEXAS

Frederick H. Eppinger
President and CEO

David Hisey
Secretary

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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AMERICAN LAND TITLE ASSOCIATION

McLeod County Planning Commission

To: McLeod County Planning Commission

Prepared By: **Marc Telecky**

Application: **CUP 21-08**

Date: June 14, 2021 – **Meeting Date: June 23, 2021**

GENERAL INFORMATION

Brief Description:	The applicant is requesting to construct an accessory building (36' x 50') in a front yard of an "R-1" Rural Residential zoned parcel.
Owner/Applicant:	**Alan & Judith Hecksel** 4577 86th Ct. Glencoe, MN 55336 **P.I.D# 07.057.0040**
Requested Action:	Consider approval to allow an accessory building to be constructed in a front yard in an "R-1" zoned area.
Lot Size:	200' x 513' = 2.36 acres
Existing Zoning:	"R-1" Rural Residential
Location:	**Tract CC RLS#9**
Existing Land Use:	rural residential building site
Adjacent Land Use And Zoning:	**wooded/tillable acres, rural residential building sites**
Zoning History:	NA
Applicable Ordinance	McLeod County Zoning Ordinance Section 8, 16 & 17

SPECIAL INFORMATION

Public Utilities:	McLeod Coop Power
Public Services:	SSTS & Well
Transportation:	86th Cir.

Physical Characteristics: **Rural Residential lot with not much elevation change north to south. Wooded on the south part of the lot.**

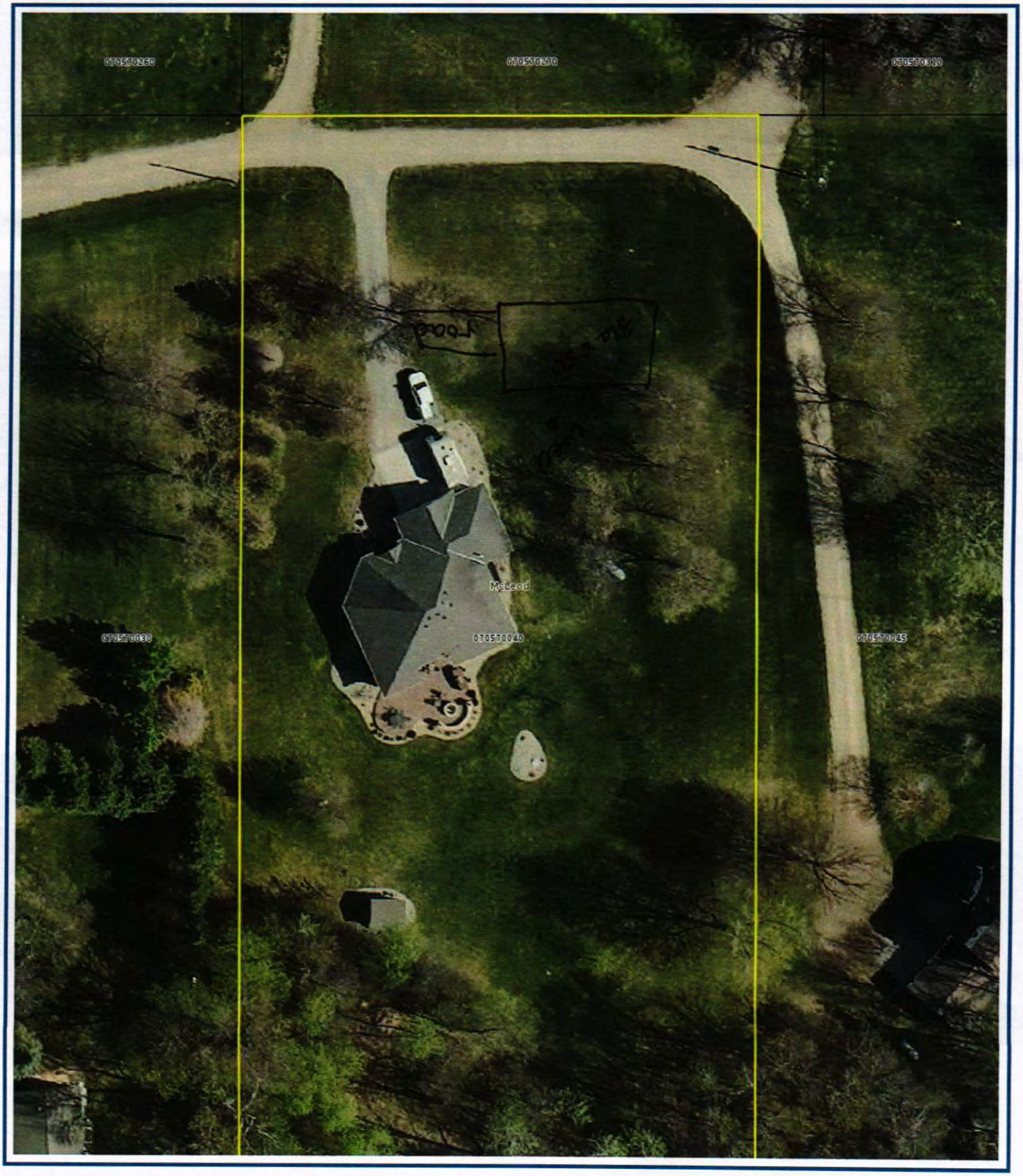
Analysis: The applicants would like to construct an accessory building for storage in an area on the lot by utilizing the existing driveway.

Recommendations: If approved, staff recommends the following conditions:

1) Accessory dwelling shall be 2,000 square feet or smaller.

Cc: Allan & Judith Hecksel– applicant

Map



Disclaimer: McLeod County does not warrant or guarantee the accuracy of the data.
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McLeod County Planning Commission

To: McLeod County Planning Commission

Prepared By: **Marc Telecky**

Application: **Preliminary Plat 21-04/Final Plat 21-07**

Date: June 11, 2021 – **Meeting Date: June 23, 2021**

GENERAL INFORMATION

Brief Description: David & Kim Dickerson are requesting approval for a 1-lot preliminary/final plat located in NW ¼ NW ¼ Section 8 Rich Valley Township.

Applicant/Owner: David & Kim Dickerson
17898 Kale Ave.
Hutchinson, MN 55350
P.I.D# 11.071.0010/0020

Requested Action: Motion to approve a 1-lot preliminary/final plat to be known as Dickerson's Addition

Lot Size: Lot 1 Block 1 = 4.15 acres (see survey included)

Existing Zoning: "A" Agriculture

Location: **NW ¼ NW ¼ Section 8 Rich Valley Twp.**

Existing Land Use: 2 platted lots (Madsen's South View) to be platted into 1 lot

Adjacent Land Use And Zoning: "A" Agricultural

Zoning History: NA

Applicable Ordinance McLeod County Zoning Ordinance Section 7, Subd 6.
McLeod County SSTS & Subdivision Ordinance

SPECIAL INFORMATION

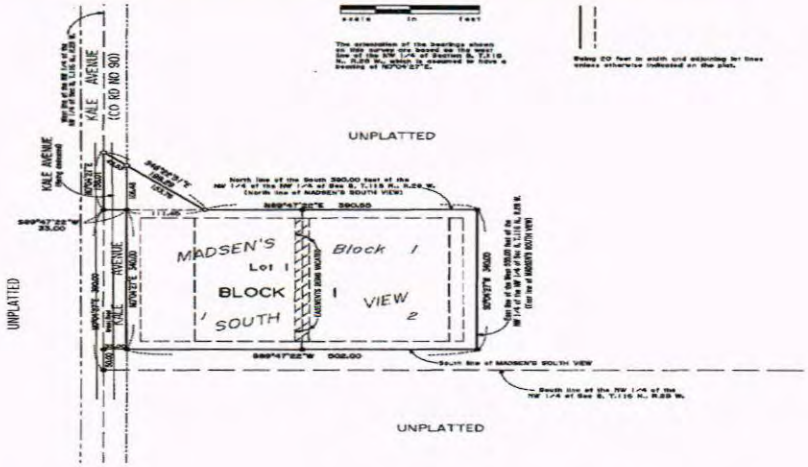
Public Utilities: McLeod COOP power

Public Services: SSTS, individual well

Transportation: Kale Ave.

Physical Characteristics: **This request is to combine 2 platted lots into 1 larger lot.**

Analysis: The applicant is requesting to increase the size of the current platted lot for the purpose of resale. Soil borings have been submitted by Duane Radtke which indicate that a standard septic system can be constructed on the lot. The National Wetland Inventory (NWI) map does not indicate the presence of wetland. The platted boundary does have a small amount of 100-year floodplain which is on the south side of the platted area.

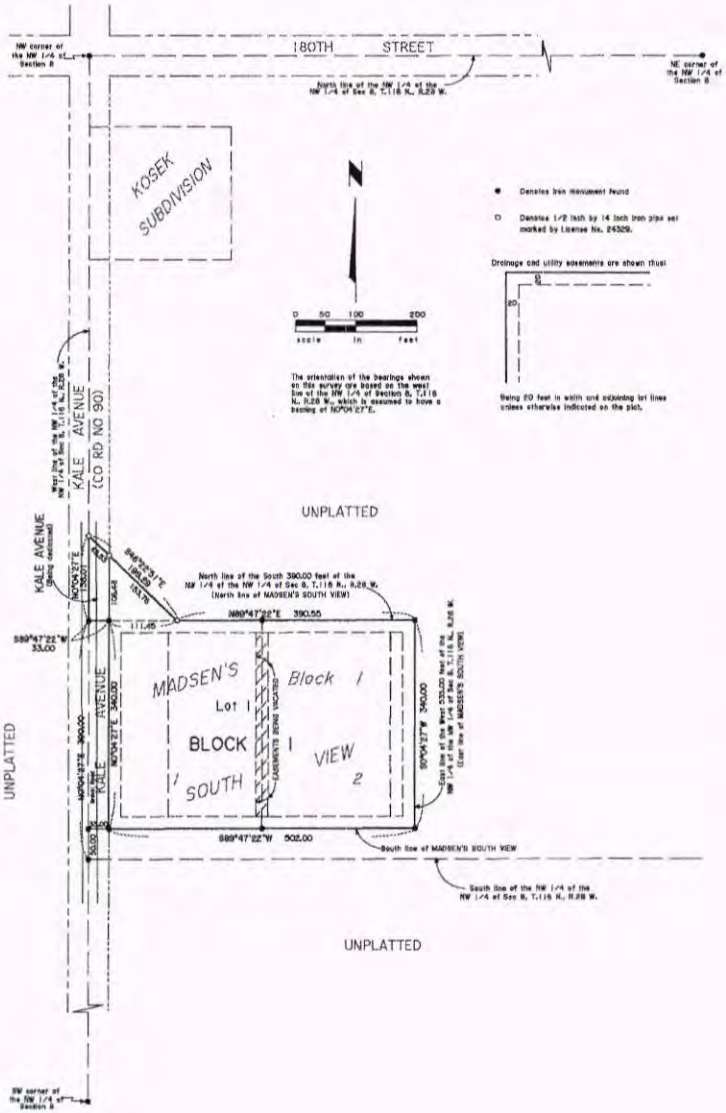


Recommendations: Staff does not have any concerns with this request.

Cc: David & Kim Dickerson – applicant

DICKERSON'S ADDITION

PRLIMINARY PLAT



DESCRIPTION

Lot 1 and Lot 2, Block 1, MADSEN'S SOUTH VIEW, according to the recorded plat thereof, McLeod County, Minnesota.
AND
That part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 116 North, Range 28 West, McLeod County, Minnesota, described as follows:
Beginning at the northwest corner of the South 390.00 feet of said Northwest Quarter of the Northwest Quarter; thence North 00 degrees 04 minutes 27 seconds East, assumed bearing, along the west line of said Northwest Quarter of the Northwest Quarter 138.01 feet; thence South 46 degrees 22 minutes 51 seconds East 199.29 feet to a point on the north line of said South 390.00 feet; thence South 89 degrees 47 minutes 22 seconds West, along said north line of the South 390.00 feet a distance of 144.45 feet to the point of beginning.

TOTAL AREA=4.15 Acres
Area of Lot 1=4.05 Acres

OWNER: David and Kimberly Dickerson
17898 Kale Avenue
Hutchinson, MN 55350

SURVEYOR: Jeff Rausch
Pellinen Land Surveying, Inc
18486 202nd Circle, PO Box 35
Hutchinson, MN 55350

MCLEOD COUNTY SUBDIVISION STANDARDS

MINIMUM LOT REQUIREMENTS	MINIMUM BUILDING SETBACKS
Minimum Lot Area - 1.25 Acres	Front - 130 feet from centerline of Kale Avenue
Minimum Lot Width - 150 feet	Sides - 20 feet
Minimum Lot Depth - 250 feet	Rear - 40 feet

DESCRIPTIONS FOR EASEMENTS TO BE VACATED

Lot 1, Block 1, MADSEN'S SOUTH VIEW

Vacate that part of the 10.00 foot wide drainage and utility easement lying westerly of and adjoining the east line of Lot 1, Block 1, MADSEN'S SOUTH VIEW, according to the recorded plat thereof, McLeod County, Minnesota, lying north of the South 20.00 feet of said Lot 1 and lying south of the North 20.00 feet of said Lot 1.

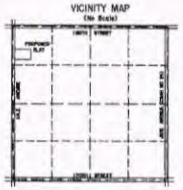
Lot 2, Block 1, MADSEN'S SOUTH VIEW

Vacate that part of the 10.00 foot wide drainage and utility easement lying easterly of and adjoining the west line of Lot 2, Block 1, MADSEN'S SOUTH VIEW, according to the recorded plat thereof, McLeod County, Minnesota, lying north of the South 20.00 feet of said Lot 2 and lying south of the North 20.00 feet of said Lot 2.

Note: No elevations were required for this Preliminary Plat.

Denotes minimum building setback line

VICINITY MAP
(No Scale)



SECTION 8, T.116 N., R.28 W.

I hereby certify that this Survey, Plan or Report was prepared by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota.

Jeffrey R. Rausch
Jeffrey R. Rausch

Date: May 26, 2021 Lic. No. 24329

PELLINEN LAND SURVEYING, INC
P O Box 35
Hutchinson, Minnesota 55350
Phone (320) 587-4788
Fax (320) 587-3752

JOB NO 21110 BK P-425 Pg 53

Sandy Posusta

From: John Brunkhorst
Sent: Monday, June 7, 2021 10:25 AM
To: Sandy Posusta; Deb Jensen
Subject: RE: Request Review - Preliminary / Final Plat (replat)

Thanks, no major concerns on my part. Any changes in access will require a permit from our office.

John

John Brunkhorst, PE
County Engineer/Public Works Director

McLeod County Public Works
1400 Adams Street SE
Hutchinson, MN 55350
PH: 320.484.4321
FX: 320.234.6971
www.co.mcleod.mn.us

Find us on Facebook & Twitter

From: Sandy Posusta
Sent: Friday, June 4, 2021 2:23 PM
To: John Brunkhorst <John.Brunkhorst@co.mcleod.mn.us>; Deb Jensen <deb.jensen@co.mcleod.mn.us>
Subject: Request Review - Preliminary / Final Plat (replat)

Good afternoon:

David and Kim Dickerson have applied for a Preliminary/Final Plat for the purpose of combining a previous 2-Lot plat currently known as "Madsens South View", Lots 1 & 2, into a 1-Lot plat to be known as "DICKERSON'S ADDITION" located in Section 8 of Rich Valley Township. The Dickerson's are moving and therefore selling. The potential buyer wants the two lots combined into one lot, from what I understand. This request will be heard at our June 23, 2021 Planning Advisory Committee meeting.

We would like to ask for your review of the two parcel numbers, **11.071.0010 & 0020**. Please provide comment at your earliest convenience.

Thank you.

Sandy Posusta
Secretary
x4344

Sandy Posusta

From: Deb Jensen
Sent: Tuesday, June 8, 2021 1:16 PM
To: John Brunkhorst; Sandy Posusta
Subject: RE: Request Review - Preliminary / Final Plat (replat)

It appears taxes on all three parcels affected have been paid for the year so we are good to go there.

There is one open mortgage with Citizens Bank & Trust Co., Hutchinson, Minn. Which we will need to have either a partial release, consent, or have the mortgage company join in signing the plat.

I had responded in a separate email to Jeff Rausch on 5/28/2021 so he is aware of the open mortgage.

Deborah Jensen, Chief Deputy Recorder/Registrar of Titles
McLeod County Government Center
Attn: McLeod County Recorder / Registrar of Titles
520 Chandler Ave N
Glencoe MN 55336
www.co.mcleod.mn.us/government/recorder
www.co.mcleod.mn.us

From: John Brunkhorst
Sent: Monday, June 7, 2021 10:25 AM
To: Sandy Posusta <Sandra.Posusta@co.mcleod.mn.us>; Deb Jensen <deb.jensen@co.mcleod.mn.us>
Subject: RE: Request Review - Preliminary / Final Plat (replat)

Thanks, no major concerns on my part. Any changes in access will require a permit from our office.

John

John Brunkhorst, PE
County Engineer/Public Works Director

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1400 Adams Street SE
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Find us on Facebook & Twitter

From: Sandy Posusta
Sent: Friday, June 4, 2021 2:23 PM

Dickerson 1-Lot

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ORIDINANCE AMENDMENT
SECTIONS 5 & 18
JULY 2021

Section 5 – Definitions and Rules of Language Construction

Subdivision 2: Definitions

Solar Energy System. A solar energy system whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.

SECTION 18 - ESSENTIAL SERVICES REGULATIONS

Subdivision 5: Provisions for Major Essential Service Construction

B. Major Essential Service structures (including Solar Array Systems) on more than three (3) acres shall only be allowed on land that is considered hard to farm per the following criteria:

- **Small size or irregular shape**
- **Physical isolation from other farm fields by roads, steep hills, ditches or similar features.**
- **Wooded, as defined herein.**
- **Containing steep slopes, wetlands, or other environmentally sensitive features.**