

BROOKINGS COUNTY PLANNING & ZONING COMMISSION

BROOKINGS CITY & COUNTY GOVERNMENT CENTER
520 3rd St, 310 Chambers, Brookings, SD 57006

AGENDA

1. **Call to Order at 8:00 PM on October 4th, 2016**
2. **Approval of Minutes from September 6th, 2016 Meeting**
Documents:

[September 6th, 2016 Draft Minutes.pdf](#)
3. **Items to be Added to Agenda by Commission Members or Staff**
4. **Invitation for Citizens to Schedule Time on the Commission Agenda for an Item Not Listed**
(Time limited to 5-minutes per person to address the commission.)
5. **Approval of Agenda**
6. **Convene as Brookings County Board of Adjustment**
(The Board of Adjustment needs 2/3 approval of the full board to approve any agenda item.)
7. **2016var018**
Old Tree Farms, LLC by Frido Verpaalen has made an application 2016var018 to the Brookings County Board of Adjustment, for a variance. Article 22: Section 22.01: Concentrated Animal Feeding Operation Regulations: Concentrated Animal Feeding Operation Control Requirements: # 6) Required Setback and Separation Distance. The property is described as: "S1470' of W1481.36' Exc S295' of W1248' of SW1/4 of Sec. 34, T110N, R51W (Volga Township)" ~~ located at 46316 214th St, Volga, SD 57071.
Documents:

[2016var018-Staff Report.pdf](#)
8. **2016var020**
Patrick S. Huntimer has made an application, 2016var020, to the Brookings County Board of Adjustment for a variance. Article 13.00: Section 13.01: "LP" Lake-Park District: Density, Area and Yard Regulation (Lake Front). The property is described as: "Lot 6 of Ramlo Shores Subdivision located in Govt. Lots 3 & 4 in Section 21, T112N, R47W of the 5th P.M, Brookings County, South Dakota (Lake Hendricks Township)" ~~ located at 19960 Ramlo Shores Dr., Hendricks, MN 56136.
Documents:

[2016var020-Staff Report.pdf](#)

A. Comments received

Documents:

[Ron Smallfield 9-27-2016.pdf](#)

[Mike Breidenbach 9-29-2016.pdf](#)

9. 2016var019

Chad Stensrud has made an application, 2016var019, to the Brookings County Board of Adjustment for a variance. Article 13.00: Section 13.01: "LP" Lake-Park District: Density, Area and Yard Regulation (Non-Lake Front). The property is described as: "Lot Q in Wacek Beach in Sec. 3, T112N, R52W (Laketon Township)".

Documents:

[2016var019 Staff Report.pdf](#)

10. Convene as Brookings County Planning and Zoning Commission

11. 2016cu019

Chad Stensrud has made an application, 2016cu019, to the Brookings County Planning and Zoning Commission for a conditional use; Article 13.00: "LP" Lake-Park District: Section 13.01: Conditional Use Permit # 6: Accessory building with a side-wall greater than ten (10) feet or more than 1,000 square feet. The property is described as: "Lot Q in Wacek Beach in NW1/4 Sec. 3, T112N, R52W (Laketon Township)".

Documents:

[2016cu019 Staff Report.pdf](#)

12. 2016cu020

Lance Park has made an application, 2016cu020, to the Brookings County Planning and Zoning Commission for a conditional use; Article 13.00: "LP" Lake-Park District: Section 13.01: Conditional Use Permit # 6: Accessory building with a side-wall greater than ten (10) feet or more than 1,000 square feet. The property is described as: "Lot 3 of Glover Park Addition in Govt Lot 6 in the NE1/4 Section 28, T109N, R50W (Medary Township)".

Documents:

[2016cu020 - Staff Report.pdf](#)

13. 2016cu021

Avangrid Renewables, LLC by Mr. Jesse Bermel, for Coyote Ridge Wind Project, has made an application, 2016cu021, to the Brookings County Planning and Zoning Commission for a Conditional Use. Article 11, Section 11.01: "A" Agricultural District: Conditional Use # 25: Wind Energy Systems (WES); Article 23, Section 23.01: Wind Energy Systems (WES) Requirements. The property boundaries are described as: "Richland Township (T111N, R47W) Sections 19 & 30; Lake Hendricks Township (T112N, R47W) Sections 30 & 31 and (T111N, R47W) Sections 6,7 & 18; Sherman Township (T111N, R48W) Sections 1-4, 9-16, 24 & 25; Oak Lake Township (T112N, R48W) Sections 22-36; Argo Township (T112N, R49W) Section 25".

Documents:

[2016cu021 Staff Report.pdf](#)
[Comments received by the Zoning Office..pdf](#)

14. Consideration of Plats

A. 2016plat009

2016plat009: "Plat of Lot 4 Moss Addition in the N1/2 of Sec. 32, T109N, R47W of the 5th P.M., Brookings County, South Dakota."

Documents:

[2016plat009 Staff Report.pdf](#)

15. Discussion on the Administrative Section of the Zoning Ordinance.

16. Department Reports

17. Adjourn

18. Public Notices

Brookings County Zoning Office * Brookings City & County Government Center * 520 3rd Street, Suite 200 * (605) 696-8350 * www.brookingscountysd.gov

BROOKINGS COUNTY DEVELOPMENT DIRECTOR
BROOKINGS CITY & COUNTY GOVERNMENT CENTER
520 3rd Street, Suite 200
BROOKINGS, SOUTH DAKOTA 57006
(605)-696-8350
ROBERT W. HILL
TELEPHONE (605) 696-8350
FAX (605) 696-8355
E-MAIL: zoning@brookingscountysd.gov

September 6th, 2016 Minutes

Brookings County Planning & Zoning Commission
September 6th, 2016 – 8:00 PM
Brookings City & County Government Center
310 Chambers

Chair Robbins called the meeting to order at 8:03 PM. Commission members present were: Lee Ann Pierce, Robert Rochel, Kimberly Elenkiwich, Darrell Nelson, Darrel Kleinjan, Terrell Spence, Michael Vande Weerd, Randy Jensen, and alternate board members Tom Davis and Roger Erickson.

Chair Robbins read **agenda item # 2: Approval of minutes from August 2nd, 2016 meeting.** Terrell Spence moved to approve the minutes. Michael Vande Weerd second. Chair Robbins called for a voice vote. 9-ayes and 0-nays, motion carried.

Chair Robbins read **agenda item # 3: Items to be added to agenda by commission members or staff.** a) Robert Hill added “Administrative section discussion” following department reports.

Chair Robbins read **agenda item # 4: Invitation for citizen to schedule time on the commission agenda for an item not listed. Time limited to 5 minutes per person to address the board.** No one scheduled time to address the board.

Chair Robbins read **agenda item # 5: Approval of Agenda.** Darrell Nelson moved to approve the agenda. Robert Rochel second. Chair Robbins called for a voice vote. 9 -ayes and 0 -nays, motion carried.

Chair Robbins stated, “We are now acting as the Brookings County Board of Adjustment” read the opening statement and **agenda item # 6: 2016var017: Kleinjan Farms, Inc. has made an application, 2016var017, to the Brookings County Board of Adjustment for a variance. Article 11.00: Section 11.01 “A” Agricultural District: Area Regulation # 3: Side Yard: The minimum width of a side yard shall be twenty-five (25) feet. The property is described as: “N 179’ of Block 2 of the Plat of Block 1 & 2 of Man’s Addition in E1/2 of Section 21, T111N, R51W (Oakwood Township).”** Michael Vande Weerd moved to approve the variance request. Darrell Nelson second. Chair Robbins opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, “Tom

Kleinjan of Kleinjan Farm, Inc. has applied for a variance to build a grain bin approximately 10 to 15 feet from the side property line. The required setback distance is 25 feet. The land was platted in 1995 and Mr. Kleinjan purchased the property in 2004. The property currently has two existing grain bins and a machine shed. In 2006 and 2013 variances were granted to Mr. Kleinjan to build the two existing grain bins closer to the side property line. Hardships to consider are: 1) the shape and size of the lot, 2) location of electrical transformers and meter pole on the west end. Letters were sent to the adjoining landowners and the Oakwood Township Chairman and Clerk and no comments were received." Mr. Haugen then presented a visual presentation of the site. Chair Robbins asked Mr. Kleinjan to come forward and address the board. The applicant identified himself as Tom Kleinjan and stated, "I am part of Kleinjan Farms along with my brothers, James (not present) and Russell (present). Initially we started out with the first bin and wanted as much room on the north side as we could get for our turn around with the trucks, access into the machine shed, and also for future grain handling equipment. We have had two different landowners live near the bin site. I visited with them both and they had no objections to the site." Chair Robbins opened up for questions from the board, hearing none. Chair Robbins asked for further comments from the board, hearing none he opened up to the audience, seeing none. Chair Robbins asked for additional comments from the board, hearing none he asked Mr. Haugen to go over the findings of facts, with any additions, which are on file. Chair Robbins called for a roll-call vote: Rochel-aye, Elenkiwich-aye, Nelson-aye, Kleinjan-aye, Vande Weerd-aye, Spence-aye, Jensen-aye, Pierce-aye, Robbins-aye. 9- ayes, 0-nays, motion carried.

Chair Robbins stated, "We are now acting as the Brooking County Planning and Zoning Commission" read the opening statement and **agenda item # 7: 2016cu018: Kevin Rollag has made an application, 2016cu018, to the Brookings County Planning and Zoning Commission for a conditional use; Article 13.00: "LP" Lake-Park District: Section 13.01: Conditional Use Permit # 6: Accessory building with a side-wall greater than ten (10) feet or more than 1,000 square feet. The property is described as: "Lot 9 in Block 2 in Sunset Point Addn in Govt Lots 3 & 4 of Section 22, T112N, R47W (Lake Hendricks Township)".** Darrel Kleinjan moved to approve the conditional use request. Michael Vande Weerd second. Chair Robbins opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, "Mr. Rollag has applied for a conditional use to build a 30 feet x 40 feet x 10 feet side wall (1,200 square feet) detached garage (accessory building) on a non-lake front lot. The proposed building would be built across the road to the southeast of his residence. The property has an existing driveway with a row of evergreen trees along the east and south side of the property. The lot was platted in 2005 and contains 20,309 square feet. All the Lake Park non-lake front setback requirements will be met. Adjoining landowners and the Lake Hendricks Township Chairman and Clerk were mailed letters and no comments were received." Mr. Haugen then presented a visual presentation of the site. Chair Robbins asked Mr. Rollag to come forward and address the board. The applicant identified himself as Kevin Rollag and stated, "I am requesting to build a 1200 square feet building to store a boat, jet ski, and

other recreational vehicles, lawnmowers and such in. It fits a little better to go the 1200 square feet.” Chair Robbins opened up for questions from the board. Board member Nelson noted he had a question in regards to a shed that was visible in the presentation photos on other property. He stated, “Is that shed in the Ag district or the Lake Park district?” Mr. Haugen noted that building was in the Lake Park district and had been permitted to Mr. Zelinski in prior years. Chair Robbins asked for further comments from the board. Board member Spence asked for clarification of the numbering of the conditional use that appeared in the staff report. It was noted the correct ID is 2016cu018. Chair Robbins asked for further questions from the board, hearing none he opened up to the audience, hearing none. Chair Robbins asked for additional comments from the board, board member Rochel asked, “Have you visited with you neighbors?” Mr. Rollag stated, “I have visited with the neighbors and have not heard any objections.” Chair Robbins asked Mr. Haugen to go over the findings of facts, with any additions, which are on file. Chair Robbins called for a roll-call vote: Elenkiwich-aye, Nelson-aye, Kleinjan-aye, Vande Weerd-aye, Spence-aye, Jensen-aye, Pierce-aye, Rochel-aye, Robbins-aye. 9-ayes, 0-nays, motion carried.

Chair Robbins read **agenda item # 8: Consideration of Plats: a. 2016plat007: “Plat of Tract 3 and Tract 4 of Lass Addition in the NW1/4 of Section 14, T109N, R50W of the 5th P.M., Brookings County, South Dakota.”** Robert Rochel moved to approve the plat. Kimberly Elenkiwich second. Chair Robbins opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, “This area is south of town on the Sinai road and is owned by Constance Lass on the Lass Addition and also there is a parcel on the plat that is owned by Robert and Sharon Kasdorf. This is a plat for Tract 3 – 75.59 acres in the NW ¼ of Section 14, T1019N, R50W. Tract 3 has a 40 feet access easement to Tract 4 and a 50 feet easement on the east side of Tract 3 to access Tract 2A of Lass Addition, which lies directly south of Tract 3. The land is agricultural farm land and is currently being farmed. Tract 4 contains a 14.6 acre existing building site, and is owned by Robert and Sharon Kasdorf. The Kasdorf’s purchased the property from the Lass’s in October 2001 with a footage description. Tract 3 and Tract 4 correct the property pin locations that were originally placed when the property was sold to the Kasdorf’s and gives the property an accurate legal description. It is within the Joint Jurisdiction area and is located on the south side of W 44th Street (216th St) and on the east side of 470th Avenue. Mike Struck, the Brookings City Community Development Director, reviewed the plat and has no objections to the request.” Mr. Haugen used visuals to further describe the plat. Chair Robbins opened up for questions from the board, hearing none. Chair Robbins opened up for discussion from the audience, seeing none. Chair Robbins asked the board for questions or comments, hearing none he called for a roll-call vote: Nelson-aye, Kleinjan-aye, Vande Weerd-aye, Spence-aye, Jensen-aye, Pierce-aye, Rochel-aye, Elenkiwich-aye, Robbins-aye. 9-ayes, 0-nays, motion carried.

Chair Robbins read **agenda item b. 2016plat008: “Plat of Block 1, Danielsen’s Subdivision being located in the Northeast ¼ of the Northeast ¼ of Section 5, Township 111 North, Range 50 West of the 5th P.M., Brookings**

County, South Dakota.” Robert Rochel moved to approve the plat Kimberly Elenkiwich second. Chair Robbins opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, “The Danielsen’s are platting off an existing 4.84 acre building site from the rest of the their land. The building site is existing and the balance of the land is farm ground and grass.” Mr. Haugen used visuals to describe the plat. Chair Robbins opened up for questions from the board. Board member Pierce had a procedural question, “Under our zoning ordinance, then even though we have a 35 acre rule and some other rules as relates to homestead. You can plat off if you have an existing site, you can plat off any amount of acres that you want as this is less than 5 acres, this can be any number?” Mr. Haugen noted that was correct. Mr. Hill added that if the site does not have rural water, it has to be a minimum of one acre. Board member Pierce asked, “Is this set forth in the ordinances?” Mr. Hill stated, “That is set forth by administrative rules of the Department of Environment and Natural Resources.” Board member Pierce then asked, “There is no minimum lot size out in the county, do we say that or is there just nothing in our ordinance? Mr. Hill stated, “I believe we don’t have anything in the ordinance.” Chair Robbins asked for additional questions from the board, hearing none. Chair Robbins opened up for discussion from the audience, hearing none. Chair Robbins again asked the board for questions or comments, hearing none he called for a roll-call vote: Vande Weerd-aye, Spence-aye, Jensen-aye, Pierce-aye, Rochel-aye, Nelson-aye, Kleinjan-aye, Elenkiwich-aye, Robbins-aye. 9-ayes, 0-nays, motion carried.

Chair Robbins read **agenda item # 9: Department Reports.** Chair Robbins asked Mr. Hill for his Directors report. Mr. Hill announced: 1) September is National Preparedness Month - keep in mind farm safety and have an updated plan, also winter is coming and in South Dakota severe weather can occur in any month. 2) September 12th-15th, 2016 Richard Haugen and Robert Hill would be at an EM Conference in Aberdeen. 3) Mr. Hill noted he would also be out of the office September 20th-23rd, 2016. Mr. Haugen noted he had nothing to report.

Mr. Hill and Mr. Muller approached the podium for the Administrative Section discussion. Mr. Hill performed introductions: Robert Hill, County Development Director and Luke Muller, First District Association of County Governments. Mr. Hill stated, “We need to set guidelines for: review of and Ordinance updates.” Discussion was held regarding timeline of review (stating it as a defined number of days), posting and then collecting written public comments, a final document review in order to prepare for public hearings portion. **Note: This process and timeline is not a legal notice, not required.** Color coding of changes, updates and possible deletion of items in ordinance review was also discussed.

Chair Robbins asked for a motion to adjourn. Darrell Nelson made a motion to adjourn the meeting, Terrell Spence second. Chair Robbins called for a voice vote. 9-ayes, 0-nays. Chair Robbins adjourned the meeting at 9:15 PM.

Rae Lynn Maher
Brookings County
Development Department

September 6th, 2016
Meeting Minutes
Page 4 of 4

2016var018 – October 4th, 2016

Prepared by Richard Haugen

Applicant/Owner: Old Tree Farms LLC by Frido Verpaalen, 46316 214th St, Volga, SD 57071.

Legal Description: "S1470' of W1481.36' Exc S295' of E295' of W1248' of SW1/4 of Sec. 34, T110N, R51W (Volga Township)"

Article 22: Section 22.01: Concentrated Animal Feeding Operation Regulations: Concentrated Animal Feeding Operation Control Requirements: # 6) Required Setback and Separation Distance – adjoining landowners – 200 feet

2016var018: Frido Verpaalen has applied for a variance build a 60 feet wide x 200 feet long x 21 feet tall addition onto his hay shed 103 feet from the center of 463rd Ave, a variance of 97 feet. The dairy was permitted on April 7th, 1998 before the current Concentrated Animal Feeding Operation (CAFO) setback requirements. He was approved to expand the dairy from a Class B to a Class A (CAFO) on April 5th, 2011. He was granted variance 2012var021 on September 14, 2012 to build his current hay shed 103 feet from the center of 463rd Ave. 463rd Ave is considered a "No Maintenance Road" by Volga Township and is marked with a road sign accordingly.

The hardship to consider, dairy was approved before current setback requirements, size of lot and limited area to expand.

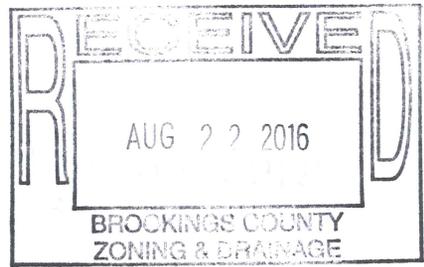
Public notices were published in the Brookings Register on September 20th and 27th, 2016 and Volga Tribune on September 22nd and 29th, 2016.

Letters were sent to the adjoining landowner's, Volga Township Chairman and Clerk.

Granting the variance request would allow the applicant have the same benefit as others in the area with similar hardships.

Denying the variance request would be maintaining the Agricultural Zoning CAFO Ordinance Setback requirements.

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS



Date of Application: 8.22.2016

Variance Number: 2016var018

To: Brookings County Board of Adjustment
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Board of Adjustment of Brookings County, South Dakota, to grant a Variance to the Brookings County Zoning Regulations for the purpose of:

Building of a hay wheel addition

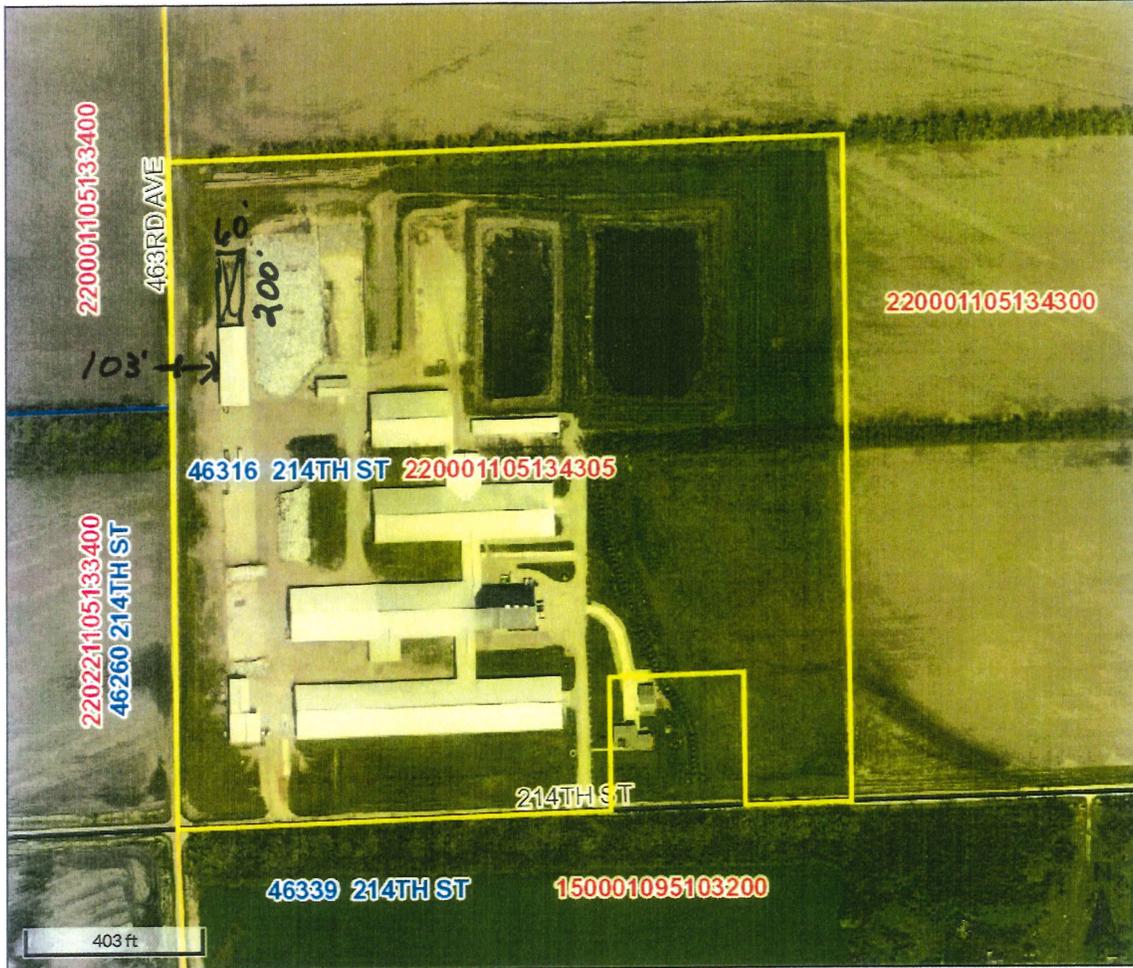
B.) Section(s) of Zoning Regulations to be exempted:

Article 22. Section 22.01 #6 Require Setback & Separation Distance

C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this regulation: that the special conditions and circumstances do not result from the actions of the applicant, and that granting the variance requested will not confer on the applicant, and privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

to fit in with the feed storage areas.
Want to set 200 feet to the north.

2016 var 018



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Parcels
- Roads

Parcel ID	220001105134305	Alternate ID	n/a	Owner Address	OLD TREE FARMS LLC
Sec/Twp/Rng	34-110-51	Class	AGA		46318 214TH ST
Property Address	46316 214TH ST	Acreage	48		VOLGA SD 57071
	VOLGA				
District	2205				
Brief Tax Description	S 1470' OF W 1481.36' EXC S 295' OF E 295' OF W 1248' OF SW 1/4 SEC 34-110-51 48 ACRES				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 8/22/2016
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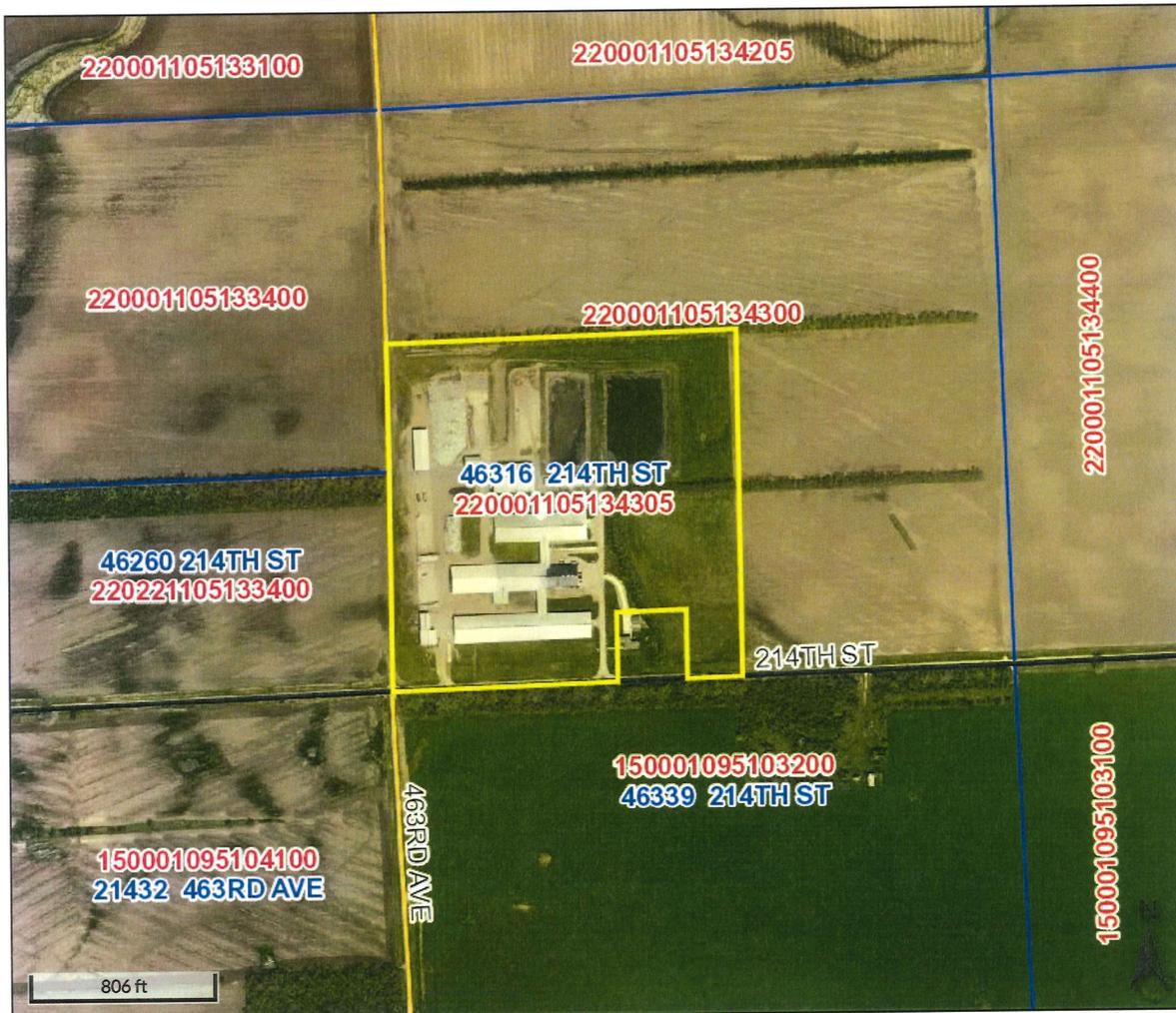
Developed by
The Schneider Corporation

200' North ~ Addition - length

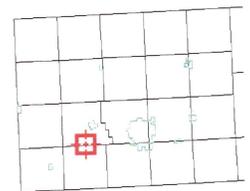
hay shed addition 60x200'

103' from center of 463rd Ave

2016 var 018



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Parcels
- Roads

Parcel ID	220001105134305	Alternate ID	n/a	Owner Address	OLD TREE FARMS LLC
Sec/Twp/Rng	34-110-51	Class	AGA		46318 214TH ST
Property Address	46316 214TH ST	Acreeage	48		VOLGASD 57071
	VOLGA				
District	2205				
Brief Tax Description	S 1470' OF W 1481.36' EXC S 295' OF E 295' OF W 1248' OF SW 1/4 SEC 34-110-51 48 ACRES				
	(Note: Not to be used on legal documents)				

Date created: 8/22/2016
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Looking north from existing hay shed.



Looking north from driveway, 483rd Ave



2016var018-Old Tree Farms LLC by Frido Verpaalen.

Looking south from driveway.



Looking north from 214th St and 463rd Ave(a no maintenance road)



2016var020 – October 4th, 2016

Prepared by Richard Haugen,

Applicant/Owner: Patrick S. Huntimer, 19960 Ramlo Shores Dr, Hendricks, MN 56136

Legal Description: : “Lot 6 of Ramlo Shores Subdivision located in Govt. Lots 3 & 4 in Section 21, T112N, R47W of the 5th P.M, Brookings County, South Dakota (Lake Hendricks Township)”

2016var020: Patrick Huntimer has applied for variance to build a 20 feet wide x 30 feet attached garage 21 feet from the road, a variance of 4 feet. The Lake Park Lake Front setbacks are: 25 feet front setback, 75 feet lakeside setback and 8 feet side setback. The proposed garage would be built on the south end of his residence. The garage door would be located on the north end of the proposed garage addition. The applicant will have to drive into their driveway and turn south to enter the garage, they would not enter the garage from the road (Ramlo Shores Dr). The house was built in 2004, by a previous owner, on the top of a hill or knoll. The lay of the drops off considerably from the south end of the residence to the north end, going back towards the lake. The septic system is located on the north side of the residence. The lot was platted in June 2001, is 100 feet wide x 196 feet deep (25,594 square feet) and is pie shaped.

The hardship to consider would be the lay of the land and location of septic system.

Public notices were published in the Brookings Register on September 20th and 27th, 2016 and Hendricks Pioneer on September 21st and 28th, 2016.

Letters were sent to the adjoining landowner's, Lake Hendricks Township Chairman and Clerk.

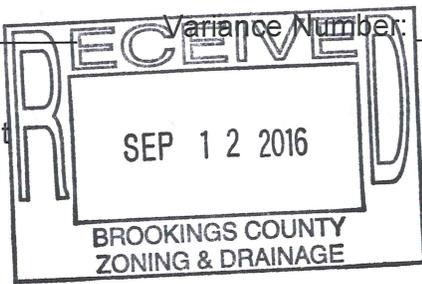
Granting the variance request would allow the applicant the same benefit granted to others in the area with similar hardships.

Denying the request would be maintaining the Lake Park Zoning Ordinance Lake Front setback requirements.

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

Date of Application: 9-12-16

Variance Number: 2016 Var 020



To: Brookings County Board of Adjustment
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Board of Adjustment of Brookings County, South Dakota, to grant a Variance to the Brookings County Zoning Regulations for the purpose of:

We are needing to build an attached garage on the property and need an additional four feet toward the road to accomodate a decent size garage that is aesthetically appealing.

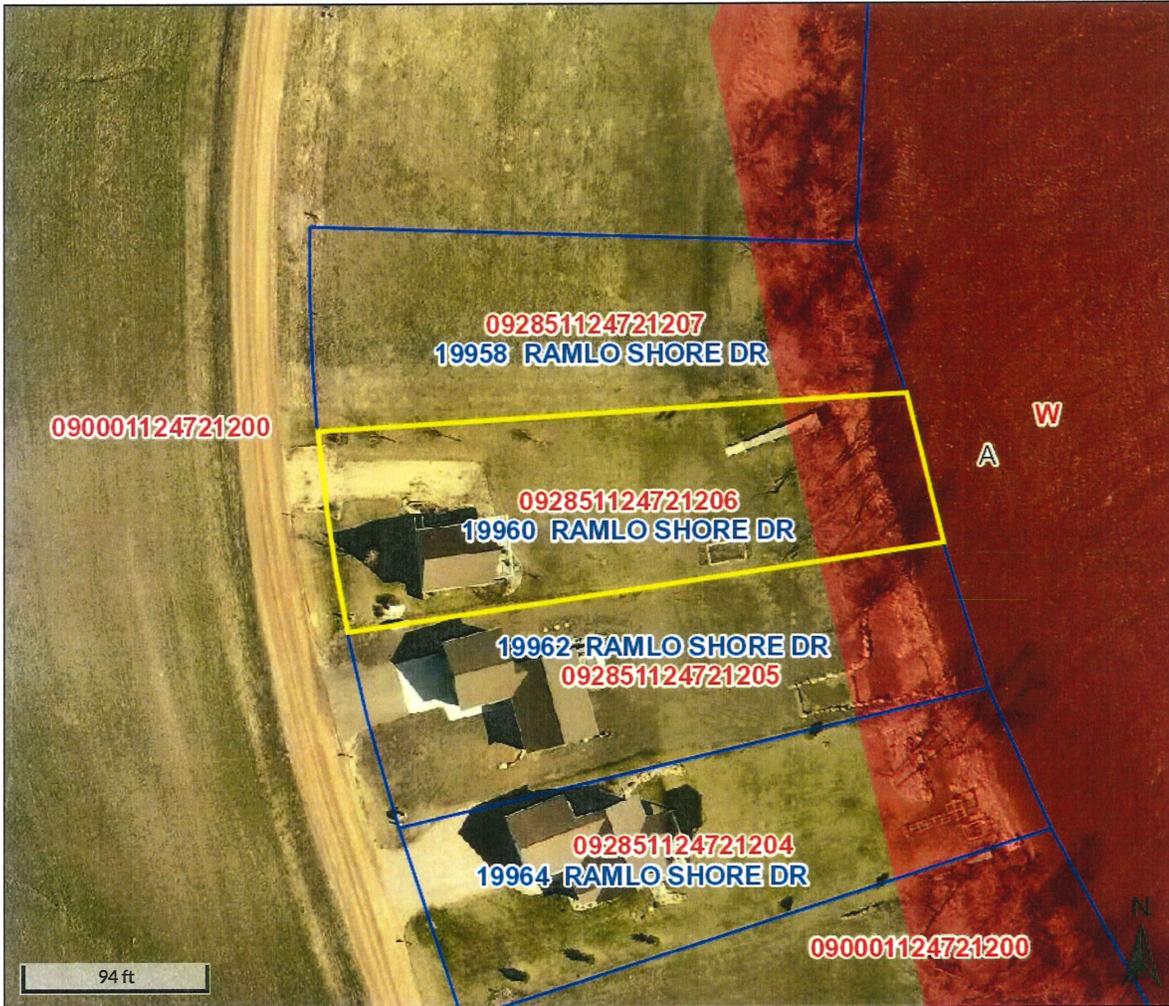
B.) Section(s) of Zoning Regulations to be exempted:

Article 13.00: Section 13.01: "LP" Lake Park District Density, Area and Yard Regulation (Lake Front)

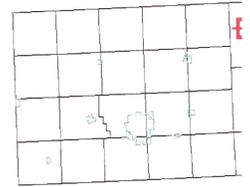
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this regulation: that the special conditions and circumstances do not result from the actions of the applicant, and that granting the variance requested will not confer on the applicant, and privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

The reason we cannot add the garage to the north side is because it slopes significantly toward the lake and would cost significantly more due to the dirt work and high concrete footings needed. Builders have indicated the cost would be more than twice.

2016 var 020



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Parcels
- Floodplain 2008**
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

Parcel ID	092851124721206	Alternate ID	n/a	Owner Address	HUNTIMER, PATRICK ET UX
Sec/Twp/Rng	21-112-47	Class	NACS		19960 RAMLO SHORE DR
Property Address	19960 RAMLO SHORE DR	Acreage	n/a		HENDRICKS MN 56136
	HENDRICKS				
District	091025				
Brief Tax Description	RAMLO SHORES SUBDIV, LOT 6 IN GOVT LOTS 3 & 4 IN SEC 21-112-47 25594.3 SQ FT				
	(Note: Not to be used on legal documents)				

Date created: 9/12/2016
Last Data Uploaded: 2/18/2014 4:02:57 AM

Looking south.



Wheel at 21' from front lot line.



2016var020 – Patrick Huntimer

Looking north.



Wheel at 25' from front lot line.



Rae Lynn Maher

From: ron smallfield <R48SMALLFIELD@msn.com>
Sent: Tuesday, September 27, 2016 9:17 AM
To: Richard Haugen
Subject: Variance at 19960 Ramlo Shores

Mr. Robert W. Hill, Brookings County Development Director,

I have no objections and actually encourage approving the variance for Patrick Huntimer to build a garage on his property closer to the road than normally allowed.

Ron Smallfield
19962 Ramlo Shores
Hendricks, Mn. 56136
Sent from [Outlook](#)

Sunday, September 25, 2014

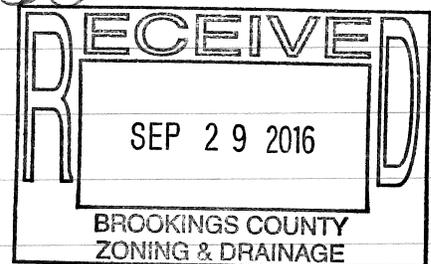
Brookings County Development
ATTN: Planning & Zoning
520 3rd Street
Suite 200
Brookings, SD
57006

To Whom it may concern:

My name is Mike Breidenbach. I have a Lake home located at 19964 Ramlo Shores, Hendricks, MN. We are on the South Dakota Side however. A neighbor of mine located at 19960 Ramlo Shores, Hendricks, MN has applied for a four foot variance towards the road. I would like to state that I do not have an issue with this. He is a great neighbor and will do some great things to that house.

Sincerely,
Mike Breidenbach

Mike Breidenbach



2016var019 – October 4th, 2016

Prepared by Richard Haugen,

Applicant/Owner: Chad Stensrud, 2701 W Oak Rd, Brandon, SD 57005

Site: 284 SE Lake Drive, Estelline, SD

Legal Description: ““Lot Q in Wacek Beach Addition in Govt Lot 4, in NW 1/4 Sec. 3, T112N, R52W (Laketon Township)”.

2016var019: Chad Stensrud has applied for variance to build a 36 feet(wide) x 40 feet(deep) x 12 feet side wall (1,440 square feet) detached garage (accessory building) on a non-lake front lot 25' feet from the rear lot line, a variance of 25 feet. The Lake Park Non-Lake Front setbacks are 50' feet front setback, 50' feet rear setback and 8 feet side setback. His residence is located at 284 SE Lake Dr, Estelline, SD, (east of the State Park). The proposed garage would be built across the road to the south of his residence on a non-lake front lot. The lot was platted 2001 and is 98'6" wide x 115' deep (11,339 square feet). He will meet the 50 feet front setback as he wants to be able to park in front of the garage. He will meet the 8 feet side setback. The back of his lot adjoins agricultural land that is currently being farmed.

The hardship to consider would be the shape and size of the lot.

Public notices were published in the Brooking Register on September 20th and 27th, 2016 and Arlington Sun on September 22nd and 29th, 2016.

Letters were sent to the adjoining landowner's, Laketon Township Chairman and Clerk.

Granting the variance request would allow the applicant the same benefit granted to others in the area with similar sized structures.

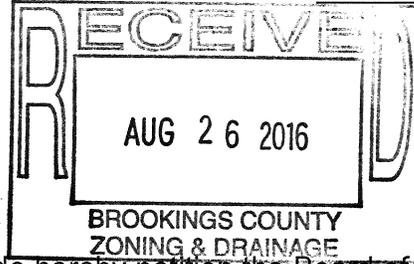
Denying the request would be maintaining the Lake Park Zoning Ordinance Non-lake front setback requirements.

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

Date of Application: 8-26-16

Variance Number: 2016VAR019

To: Brookings County Board of Adjustment
520 3rd St, Suite 200
Brookings, South Dakota 57006



A.) I/We, the undersigned property owner (s), do hereby petition the Board of Adjustment of Brookings County, South Dakota, to grant a Variance to the Brookings County Zoning Regulations for the purpose of:

Build 36x40 12 ft sidewalk
Storage building

B.) Section(s) of Zoning Regulations to be exempted:

Article 13.00; Section 13.01; "LP" Lake-Park District;
Density, Area and Yard Regulations (Non-Lakefronts)

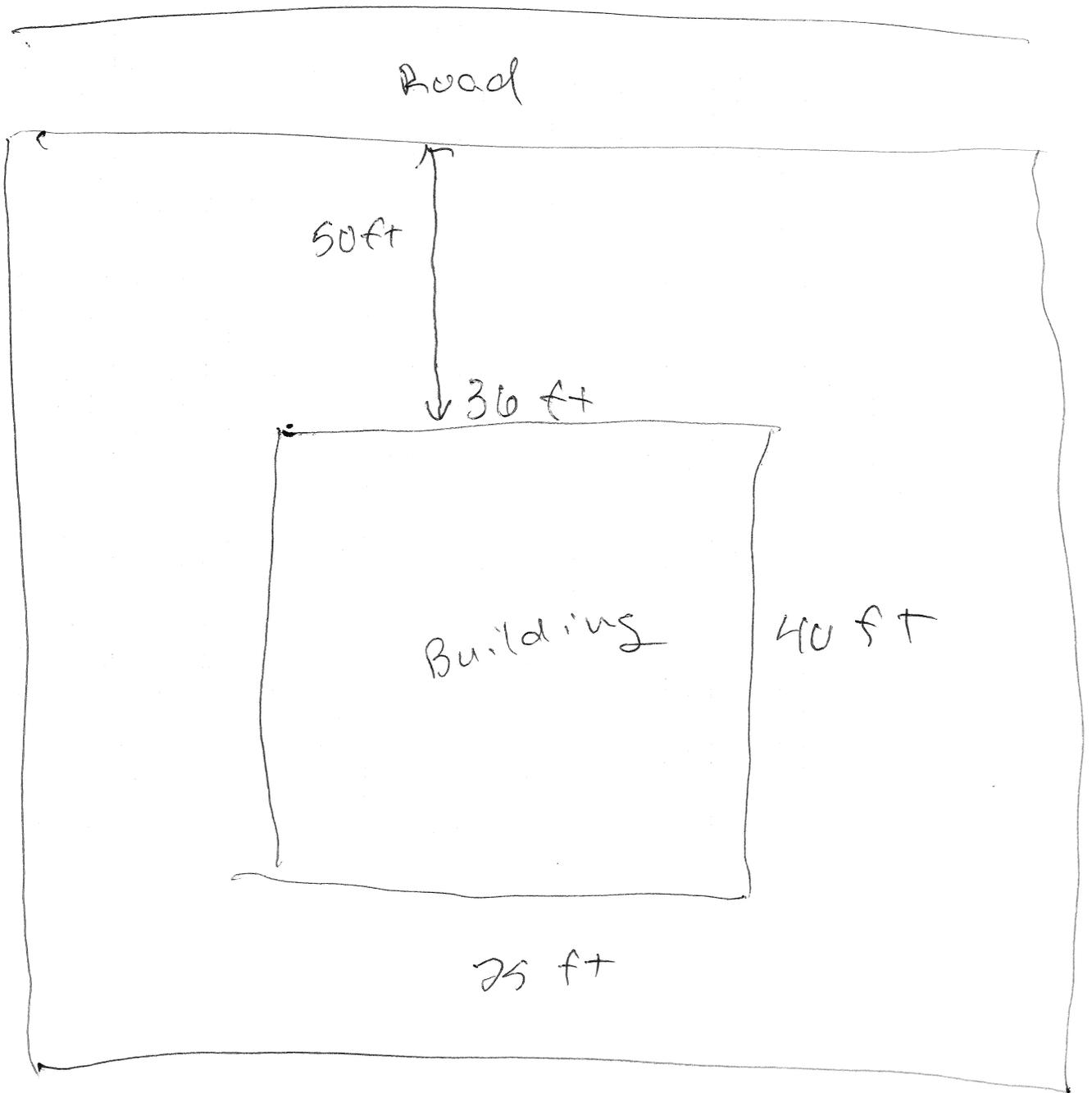
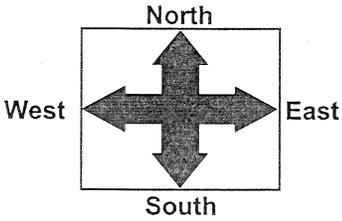
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this regulation: that the special conditions and circumstances do not result from the actions of the applicant, and that granting the variance requested will not confer on the applicant, and privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

Shape & Size of Lot

2016 var 019
+
2016 cu 019

SKETCH

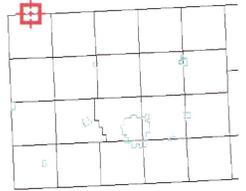
Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.



2016 var 019 + 2016 cu 019



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Parcels
- Roads

Parcel ID	113001125203282	Alternate ID	n/a	Owner Address	STENSRUD, CHAD ET UX
Sec/Twp/Rng	3-112-52	Class	NAC		2701 N OAK RD
Property Address		Acreage	n/a		BRANDON SD 57005
District	110819				
Brief Tax Description	WACEK BEACH LOT Q IN NW 1/4 SEC 3-112-52 98.6' X 115'				
	(Note: Not to be used on legal documents)				

Date created: 8/26/2016
 Last Data Uploaded: 2/18/2014 4:02:57 AM

Looking south from driveway.



2016cu019 & 2016var019 – Chad Stensrud



Wheel at front lot line.

Looking north



Looking west – wheel at 25' from rear lot line.



2016cu019 – October 4th, 2016

Prepared by Richard Haugen,

Applicant/Owner: Chad Stensrud, 2701 W Oak Rd, Brandon, SD 57005

Site: 284 SE Lake Drive, Estelline, SD

Legal Description: ““Lot Q in Wacek Beach Addition in Govt Lot 4, in NW 1/4 Sec. 3, T112N, R52W (Laketon Township)”.

The Lake Park Conditional Use # 6: “Accessory building with a side wall greater than 10 feet or more than 1,000 square feet”. The property is located is in the Lake Park District on the south side of Lake Poinsett.

2016cu019: Chad Stensrud has applied for conditional use to build a 36 feet(wide) x 40 feet(deep) x 12 feet side wall (1,440 square feet) detached garage (accessory building) on a non-lake front lot. His residence is located at 284 SE Lake Dr, Estelline, SD, (east of the State Park). The proposed garage would be built across the road to the south of his residence on a non-lake front lot. The lot was platted 2001 and contains 11,339 square feet. The Lake Park Non-Lake Front setbacks are 50 feet front setback, 50 rear setback and 8 feet side setback. He has applied for a variance (2016var019) for the rear setback.

Public notices were published in the Brooking Register on September 20th and 27th, 2016 and Arlington Sun on September 22nd and 29th, 2016.

Letters were sent to the adjoining landowner’s, Laketon Township Chairman and Clerk.

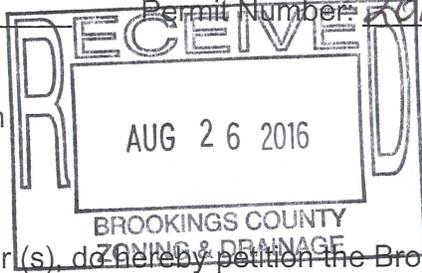
Granting the conditional use request would allow the applicant the same benefit granted to others in the area with similar sized structures.

Denying the request would be maintaining the Lake Park Zoning Ordinance - Accessory Building permitted use size requirement.

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 8-26-16

Permit Number: 2016cu 019



To: Brookings County Planning Commission
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Brookings County Planning & Zoning Commission of Brookings County, South Dakota, to grant a Conditional Use to the Brookings County Zoning Regulations for the purpose of:

Build 36x40 12ft sidewalk
Storage Building

B.) Section(s) of Zoning Regulations authorizing Conditional Use:

Article 13.00: "LP" Lake Park District: Section 13.01:
Conditional Use Permit #6: Accessory building with a
side-wall greater than ten (10) feet or more than
1,000 square feet.

C.) Legal Description of Property:

Wacker Beach Lot Q in NW 1/4 Sec 3-112-52

Form continued on page 2

2016 var 019 + 2016 cu 019



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Parcels
- Roads

Parcel ID	113001125203282	Alternate ID	n/a	Owner Address	STENSRUD, CHAD ET UX
Sec/Twp/Rng	3-112-52	Class	NAC		2701 N OAK RD
Property Address		Acreage	n/a		BRANDON SD 57005
District	110819				
Brief Tax Description	WACEK BEACH LOT Q IN NW 1/4 SEC 3-112-52 98.6' X 115'				
	(Note: Not to be used on legal documents)				

Date created: 8/26/2016
 Last Data Uploaded: 2/18/2014 4:02:57 AM

Looking south from road.



2016cu019 & 2016var019 – Chad Stensrud Wheel at front lot line.



Looking west wheel at 25 feet from rear lot line.



Looking east wheel at 25 feet from rear lot line.



2016cu020 – October 4th, 2016

Prepared by Richard Haugen,

Applicant/Owner: Lance Park, 6840 Sunset Rd, Brookings, SD 57006

Legal Description: "Lot 3 of Glover Park Addition in Govt Lot 6 in the NE1/4 of Section 28, T109N, R50W (Medary Township)".

The Lake Park Conditional Use # 6: "Accessory building with a side wall greater than 10 feet or more than 1,000 square feet".

2016cu020: Lance Park has applied for a conditional use to build a 36 feet wide x 56 feet long x 20 feet 4 inch tall side wall pole shed (accessory building). There will be a 21 feet wide x 48 feet long x 12 feet 4 inch sidewall lean to addition on each side, for a total building size of 78 feet wide x 56 feet long (4,032sq ft). The exterior of the building will match the other residences and structures in the area. There is a photo attached of how he wants the structure to look. The proposed building would be built in the Lake Park District at Lake Campbell, on a non-lake front lot which has no existing structures on it. The lot is "L" shaped and is surrounded by trees on 3 sides of the lot. The lot was platted 1993 and contains 1.44 acres. The building will be used for his motor home and storage. The building will meet the Lake Park non-lake front setback requirements: 50 feet from the road, 8 feet side setback and 50 feet from the rear property line.

Public notice was published in the Brookings Register on September 20th and 27th, 2016.

Letters were sent to the adjoining landowner's, Medary Township Chairman and Clerk.

Granting the conditional use request would allow the applicant the same benefit granted to others in the area with similar sized structures.

Denying the request would be maintaining the Lake Park Zoning Ordinance - Accessory Building permitted use size requirement.

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 9-6-2016

Permit Number: 2016 CU 020

To: Brookings County Planning Commission
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Brookings County Planning & Zoning Commission of Brookings County, South Dakota, to grant a Conditional Use to the Brookings County Zoning Regulations for the purpose of:

Build a Pole Building larger than
Allowed.

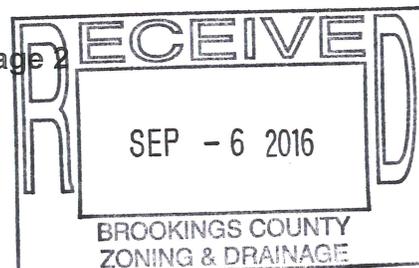
B.) Section(s) of Zoning Regulations authorizing Conditional Use:

Section 13.01: CU Permit #6: Accessory bldg w- sidewalk
greater 16 feet or more than 1,000 sq. feet.

C.) Legal Description of Property:

Lot 3 of Glover Park Addition.
In Gov't Lot 6 in the NE 1/4 of Section 28
T169N, R50W (Medary Twp)
County of Brookings, South Dakota
Parent Parcel # 1208010950 28100

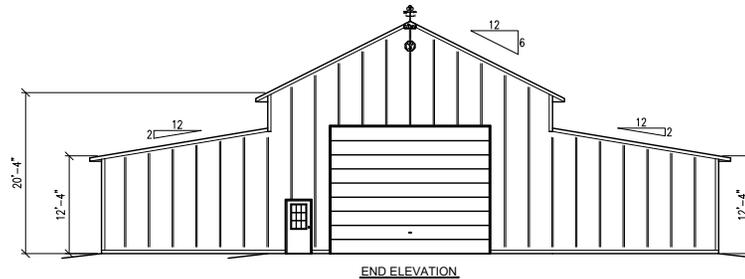
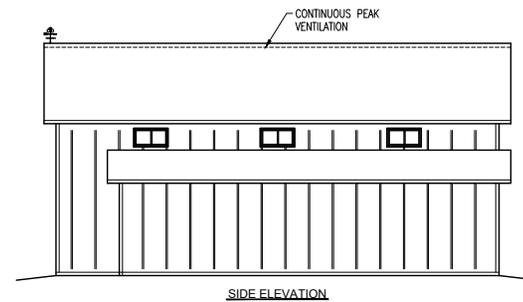
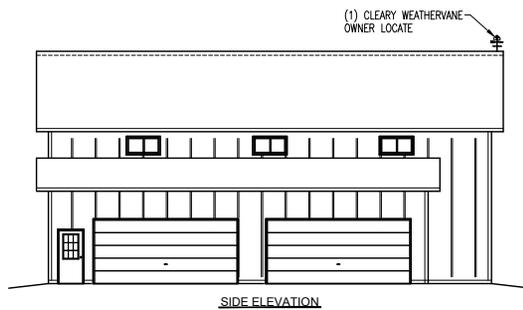
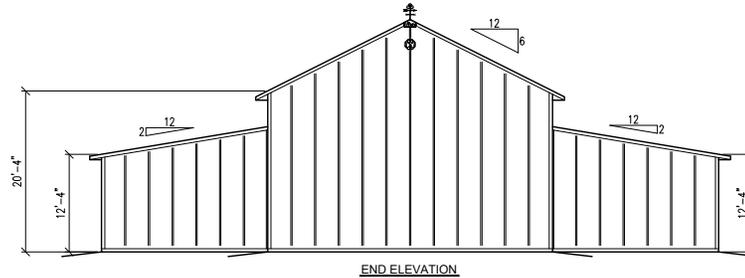
Form continued on page 2





Proposed Building for: Lance Park

36'x56'x20'-4" with (2) 21' Leans



We Protect What You Value



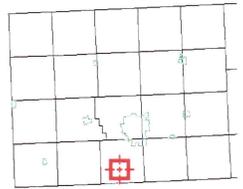
RMT Architects
Heritage Cabin



2016 cu 020



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Lots
- Parcels

Parcel ID	120801095028100	Alternate ID	n/a	Owner Address	PPI LLC
Sec/Twp/Rng	28-109-50	Class	NAC		PO BOX 557
Property Address	6970 SUNSET RD	Acreage	n/a		BROOKINGS SD 57006
	BROOKINGS				
District	12014				
Brief Tax Description	KLINEFELTERS LOT 1, LOT 11A NORTHSORE & LOT 3 GLOVER PARK ADDN SEC 28-109-50 120' X 200' & 224' X 80'				
	(Note: Not to be used on legal documents)				

Date created: 9/6/2016
 Last Data Uploaded: 2/18/2014 4:02:57 AM

Looking southwest from 218th St,
screening of mature trees.



Looking north
from road.



2016cu020: PPI, LLC by Lance Park

Looking south from north
property line.



Looking east. Wheel at 50 feet from
south property line.



Looking east from west property line. Wheel at 50 feet from north property line.



Looking south, from north property line wheel at east end of building.



2016cu020 – cont.

Looking southeast



Looking northwest.



2016cu021 – September 6th, 2016

Prepared by Richard Haugen,

Applicant/Owner: Avangrid Renewables, LLC by Mr. Jesse Bermel, for Coyote Ridge Wind Project.

Legal Description: The property boundaries are described as: Richland Township (T111N, R47W) Sections 19 & 30; Lake Hendricks Township (T112N, R47W) Sections 30 & 31 and (T111N, R47W) Sections 6,7 & 18; Sherman Township (T111N, R48W) Sections 1-4, 9-16, 24 & 25; Oak Lake Township (T112N, R48W) Sections 22-36; Argo Township (T112N, R49W) Section 25.

Article 11, Section 11.01: "A" Agricultural District: Conditional Use # 25: Wind Energy Systems (WES); Article 23, Section 23.01: Wind Energy Systems (WES) Requirements.

2016cu021: Jesse Bermel representing Avangrid Renewables (formerly known as Iberdrola Renewables and PPM Energy) has applied for a conditional use # 25: Wind Energy System to construct a wind farm for up to 99 megawatts. The application includes up to 49 wind turbines depending on the final selection of the make and model of wind turbine, construction of a substation and an operations and maintenance building (O & M). A Wind Energy System is an allowed land use in the Brookings County Comprehensive Land Use Plan, under Appendix "B" page 86. The enclosed application addresses Article 23: Wind Energy System (WES) Requirements, starting on page 23-2 of the Brookings County Zoning Ordinance. As noted in the application the final siting and size of the turbines has not been determined at this time. When the selection is completed, Avangrid will need to provide to the Zoning Office with: the final siting, turbine size, road haul and road maintenance agreements with the county or townships involved, driveway permits, laydown yard location and other requirements noted in the Findings of Facts. The wind farm would join the three existing wind projects in Brookings County: Minn-Dakota Wind Farm by PPM Energy approved in April, 2006; Buffalo Ridge I Wind Farm by Iberdrola Renewables approved in June, 2007 and Buffalo Ridge II by Iberdrola Renewables, approved in January 2009.

Public notices were published in the Brookings Register on September 20th and 27th, 2016, White Tri-City Star on September 22nd and 29th, 2016 and Hendricks Pioneer on September 21st and 28th, 2016.

Letters were sent to the landowner's within the project boundaries, Richland Township Chairman and Clerk, Lake Hendricks Township Chairman and Clerk, Sherman Township Chairman and Clerk, Oaklake Township Chairman and Clerk and Argo Township Chairman and Clerk.

Granting the conditional use request would allow the applicant the same benefit granted to others in the area.

Denying the request would be maintaining the agricultural land use.



September 9, 2016

Mr. Richard Haugen
Deputy Director
Brookings County Development Department
520 3rd St, Suite 200
Brookings, SD 57006

Re: Conditional Use Permit Application for the Coyote Ridge Wind Project in Brookings County, South Dakota

Dear Mr. Haugen,

Heartland Wind, LLC (the Applicant) is requesting a Conditional Use Permit (CUP) to authorize construction and operation of the up to 99 Megawatt (MW) Coyote Ridge Wind Project in Brookings County, South Dakota. Heartland Wind, LLC is an unregulated wholly owned affiliate of Avangrid Renewables, LLC (formerly Iberdrola Renewables, LLC). This application has been prepared using the Wind Energy Siting (WES) Requirements (Brookings County Zoning Ordinance, Article 23, dated 11-27-2007) for the Brookings County Zoning Commission.

The Project will be dispersed throughout portions of up to 37 sections of land in northeastern Brookings County, South Dakota, east of the City of White. The Project is located in the following Brookings County Townships and sections:

- Richland Township (T111N, R47W), Sections 19 and 30
- Lake Hendricks Township (T112N, R47W) Sections 30 and 31 and (T111N, R47W), Sections 6, 7 and 18
- Sherman Township (T111N, R48W), Sections 1-4, 9-16, 24 and 25
- Oak Lake Township (T112N, R48W), Sections 22-36
- Argo Township (T112N, R49W), Section 25

The Project will consist of constructing, operating, and maintaining up to 49 wind turbine generators (WTGs), gravel access roads, underground and overhead 34.5 kV electric collector lines, a Project collection substation, upgrades to the Brookings County Substation, an Operations and Maintenance facility, communication lines (SCADA), and one permanent meteorological tower.

The Applicant is providing 13 copies of the CUP application. I will bring a \$100.00 check for the CUP application fee to your office by September 13, 2016. Thank you for your consideration of this application. Please feel free to contact me at (503) 724-2483 or jbermel@avangrid.com if you have any questions relating to this Project.

Sincerely,



Jesse Bermel
Project Developer

cc: Ms. Sarah Emery - Avangrid Renewables, LLC
Mr. Brett Koenecke - May, Adam, Gerdes & Thompson LLP

Attachments:
Thirteen (13) copies of CUP application

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 09/09/2016

Permit Number: 2016cu021

To: Brookings County Planning Commission
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Brookings County Planning & Zoning Commission of Brookings County, South Dakota, to grant a Conditional Use to the Brookings County Zoning Regulations for the purpose of:

Construction and operation of the Coyote Ridge Wind Project

B.) Section(s) of Zoning Regulations authorizing Conditional Use:

Article 11, Section 11.01. "A" Agricultural District: Conditional Use #25, Wind Energy System (WES)

Article 23, Section 23.01 Wind Energy Systems (WES) requirements.

C.) Legal Description of Property:

Richland Township (T111N, R47W), Sections 19 and 30

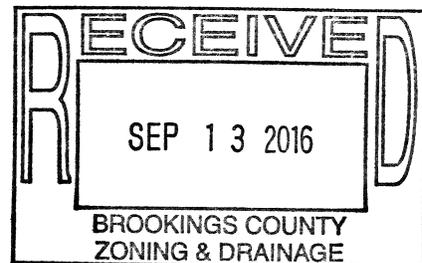
Lake Hendricks Township (T112N, R47W), Sections 30 and 31 and (T111N, R47W) Sections 6, 7 and 18

Sherman Township (T111N, R48W), Sections 1-4, 9-16, 24 and 25

Oak Lake Township (T112N, R48W), Sections 22-36

Argo Township (T112N, R49W), Section 25

Form continued on page 2



D.) Time and Date Set for
Hearing before Brookings
County Planning Commission.

Oct 4th, 2016
Date

8:00 pm
Time

Approved

Rejected

Date

Chairman of Brookings County Planning
and Zoning Commission

Mr. Jesse Bermel, Avangrid Renewables

Person filing petition – print

Jesse Bermel

Person filing petition – sign

1125 NW Couch St, Suite 700
Address

Portland
City

Oregon
State

97209
Zip Code

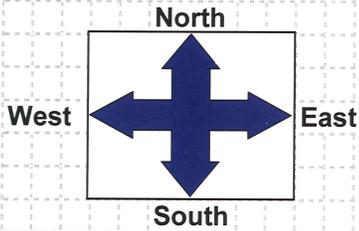
(503) 724-2483
Telephone

A conditional use that is granted and not used within three (3) years will be considered invalid.

SKETCH

Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.

See attached CUP Application for maps showing the proposed Coyote Ridge Wind Project



A large grid of dashed lines for sketching the site. The grid is approximately 30 units wide and 40 units high, starting from the top-left corner of the diagram area.

BROOKINGS COUNTY CONDITIONAL USE PERMIT APPLICATION

Coyote Ridge Wind Project Brookings County, South Dakota



Heartland Wind, LLC

a subsidiary of
Avangrid Renewables, LLC

September 2016

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Introduction

Heartland Wind, LLC (the Applicant) is submitting this application for a Brookings County Conditional Use Permit (CUP) to construct and operate the Coyote Ridge Wind Project (the Project) in Brookings County, South Dakota. Heartland Wind, LLC is an unregulated wholly owned affiliate of Avangrid Renewables, LLC (formerly Iberdrola Renewables, LLC). This application has been prepared using the Wind Energy Siting (WES) Requirements (Brookings County Zoning Ordinance, Article 23, dated 11-27-2007) for the Brookings County Zoning Commission.

The Project will have a nameplate capacity of up to 99 megawatts (MW) consisting of up to 49 wind turbine generators (WTGs) located in northeastern Brookings County, South Dakota (Figure 1). The Project will consist of constructing, operating, and maintaining:

- Up to 49 WTGs
- Gravel access roads to each WTG
- Underground 34.5 kilovolt (kV) electric collector lines connecting the WTGs and junction boxes
- 34.5 kV underbuild on approximately 7.8 miles of existing 115 kV overhead transmission line
- A new 34.5 kV double-circuit overhead collector line, approximately 2,100 feet (ft) in length, between the underbuild section and the Project collection substation
- A Project collection substation with a 34.5 kV to 345 kV transformer
- An approximately 800 ft 345 kV interconnection tie-line to Xcel's Brookings County Substation
- Additions and upgrades to the Brookings County Substation
- A Project Operations and Maintenance (O&M) facility
- Supervisory, control and data acquisition (SCADA) system - an underground and overhead fiber optic communication system that connects to each WTG, the O&M Facility, the meteorological tower, and the Project substation
- One permanent meteorological tower

The Applicant is planning to begin civil construction as early as May 2017 and anticipates an in-service date as early as December 31, 2018.

The Applicant proposes to permit the Project for a range of WTG sizes between 2.0 and 3.465 MW. The layout shown in this application (Figure 2) is preliminary and subject to changes during final design. However, the general layout restrictions described in the WES requirements and this application (setbacks, turbine spacing) will be adhered to when designing and constructing the Project. The Applicant understands that the CUP will become void if no substantial construction has been completed within three years of issuance.

Project Description

The Applicant is seeking a CUP for an up to 99 MW wind project in Brookings County, South Dakota. The Project is located in the following Brookings County Townships and sections:

- Richland Township (T111N, R47W), Sections 19 and 30
- Lake Hendricks Township (T112N, R47W) Sections 30 and 31 and (T111N, R47W), Sections 6, 7 and 18
- Sherman Township (T111N, R48W), Sections 1-4, 9-16, 24 and 25
- Oak Lake Township (T112N, R48W), Sections 22-36
- Argo Township (T112N, R49W), Section 25

The Project will be dispersed throughout portions of up to 37 sections of land in northeastern Brookings County, South Dakota, east of the City of White. The Project is located south of the existing Buffalo Ridge II wind facility, and west and northwest of the existing Buffalo Ridge I and MinnDakota wind facilities (Figure 3). The Applicant has site control on land sufficient to support the Coyote Ridge Wind Project. The land easements within the Project boundaries are proprietary information; a map of easements for the WES will be filed separately as a confidential document.

The proposed Project is up to 99 MW. The Applicant has not finalized the turbine selection for the Project and proposes to permit the Project for a range of turbine sizes between 2.0 and 3.465 MW. Depending on the selected turbine size, the number of turbines in the project will vary. Figure 2 is a preliminary layout based on Gamesa G114 2.625 MW turbines, which includes 38 proposed turbine locations and 9 alternate turbine locations. Table 1 compares the specifications for the main turbine types under consideration.

Table 1. Wind Turbine Characteristics

Characteristics	Gamesa G114	Gamesa G132	Vestas V110	GE 116-2.3
Nameplate Capacity (MW)	2.625	2.625 to 3.465	2.0 to 2.2	2.3
Number of Turbines	38	28 to 38	45 to 49	43
Hub Height (meters)	80 to 93	84	80	80
Rotor Diameter (meters)	114	132	110	116
Total Height ¹ (meters)	137 to 150	150	135	138
Total Height ¹ (feet)	449 to 492	492	443	453
Rotor Swept Area (square meters)	10,207	13,685	9,503	10,568
Rotor Swept Area (square feet)	109,867	147,304	102,292	113,756
Operational Wind Speed (meter/second) ^{2,3}	3 - 25	3 - 25	3 - 21	3 - 32
Operational Wind Speed (miles/hour) ^{2,3}	7 - 56	7 - 56	7 - 47	7 - 72

¹ Total height = the total turbine height from the ground to the tip of the blade in an upright position

² Operational Wind Speed – the lower value is cut-in wind speed = wind speed at which turbine begins to produce power

³ Operational Wind Speed – higher value is cut-out wind speed = wind speed above which turbine shuts down operation

If another turbine model is selected, the specifications will be within the range described above. Hub heights would be between 80 to 93 meters (m; 262 to 305 ft), with rotor diameters (RD) between 110 to 132 m (361 to 433 ft), resulting in a maximum total turbine height of 150 m (492 ft). The Applicant requests that Brookings County approve the Project based on the preliminary layout shown in this application, with the understanding that some of the turbine locations shown ultimately may not be constructed as part of the Project; or, alternately, that additional turbine locations may be required. A final site layout will be submitted to the County prior to construction.

It is anticipated that less than one percent of the Project site will be converted for turbines, access roads, electrical collection system, SCADA system, substation, O&M facility, and meteorological tower.

Setbacks

The turbines and associated facilities will be sited on agricultural land. The Applicant will prepare the final siting layout to optimize wind resources while minimizing the impact on land resources and potentially sensitive resources. The Applicant is using the following setbacks for siting wind turbines, following those set out in the Brookings County Zoning Ordinance, Article 23, Section D.2.:

- Minimum of 305 m (1,000 ft) from existing residences, businesses, and public buildings
- Minimum of 152 m (500 ft) from the edge of public road right-of-way (ROW), or a distance that is greater than 1.1 times the total turbine height for all turbines under consideration
- Minimum of 152 m (500 ft) from any property line of unleased lands, or a distance that is greater than 1.1 times the total turbine height for all turbines under consideration
- Minimum of 3 RD spacing from any existing wind turbines

- Noise will not exceed 50 dBA at existing on and off-site residences, businesses, and public buildings. A minimum buffer of 305 m (1,000 ft) from existing residences, businesses, and public buildings will address this setback requirement (see the Noise section for additional information)

Figure 4 shows occupied residential structures within and adjacent to the Project. There are no public buildings or businesses within the Project boundary. Figure 5 shows the modeled noise contours in relation to the proposed WTG locations and residences.

Electromagnetic Interference

Residents receive television signals from network and public stations in Sioux Falls and Brookings, South Dakota, and Marshall and Worthington, Minnesota. There are a number of underground and overhead telecommunications lines in the Project area.

The Applicant has completed a study of the potential for WTGs to obstruct microwave telecommunications paths. The Applicant is using information provided by the National Telecommunications and Information Administration, the Department of Energy and Western Area Power Administration to ensure the placement of the turbines does not affect microwave transmissions. The current preliminary layout avoids all microwave beam paths.

The Applicant will not operate the Project so as to cause microwave, television, radio, or navigational interference contrary to Federal Communications Commission (FCC) regulations or other law. In the event such interference is caused by the WES or its operation, the Applicant will take the measures necessary to correct the problem.

Lighting

The Applicant will illuminate turbines to meet the requirements of the Federal Aviation Administration (FAA) obstruction lighting or marking of structures over 61 m (200 ft) above ground surface because they are considered potential obstructions to air traffic. The Project will require review by the FAA and the South Dakota Aeronautics Commission (SDAC), which will ensure that the Project does not cause significant impacts to air traffic. The Applicant will light the turbines to comply with FAA requirements and will not place additional lights on turbines beyond what is required by the FAA.

Turbine Spacing

As stated above, the Applicant has not made a final selection on turbines for the Project and proposes to permit the Project for a range in turbine size from 2.0 to 3.465 MW. The leased lands, setbacks, topography of the site and the selected turbine technology will dictate turbine layout. The current preliminary layout shows WTGs spaced at least 3 RD apart for G114 turbine layout. If a different WTG is selected, the turbine internal spacing will be no closer than 3 RD. A final site layout will be submitted to the County prior to construction.

Footprint Minimization

The Applicant will develop a final site layout that optimizes wind resources while minimizing the impact on land resources and any potentially sensitive areas. It is anticipated that less than one percent of the Project site will be converted for turbines, access roads, electrical collection system, SCADA system, substation, O&M facility, and meteorological tower.

The majority of the turbine foundation will be underground, with a buried diameter of approximately 16.5 to 20.4 m (54 to 67 ft) and a depth of 2.7 to 3.7 m (9 to 12 ft). The surface area permanently disturbed during operations will be a circular area with a radius of approximately 7.0 m (23 ft), or up to 249 m² (2,640 ft²). These dimensions include a turbine tower with a radius of up to 2.4 m (8 ft) and surrounding gravel area with a radius of up to 4.6 m (15 ft).

The control panels (housing communication and electronic circuitry) will be placed inside the base of each turbine tower. A generator step up transformer (GSU) will be installed either at the base of each wind turbine or within the turbine to increase the output voltage of the wind turbine to the voltage of the power collection system (34.5 kV). If external transformers are used, then small concrete slab foundations will be constructed adjacent to the turbine tower to support the transformers within the gravel area adjacent to the turbine.

The Project will include Class 5 gravel access roads that allow for access to the wind turbines year-round. The turbine access roads will be low profile roads to allow farm equipment to cross. Access roads will avoid crossing drainages to the extent practicable and will minimize drainage impacts to allow water to flow from upper to lower portions of watersheds. The permanent gravel access roads will be approximately 4.9 m (16 ft) wide. During construction, a larger area will be temporarily disturbed for equipment deliveries, crane operations, and turbine component assembly. There will be approximately 2 to 4 acres of temporary disturbance at each of the turbine locations for component laydown and rotor assembly. In addition, to facilitate crane movement and equipment deliveries during

construction of the Project, an additional 7.3 m (24 ft) of compacted earth or gravel roadway may be temporarily installed along the permanent access roadway for a total width of 12.2 m (40 ft). The Project will also need a temporary construction laydown yard of approximately 8 acres and a temporary batch plant for concrete mixing of approximately 5 acres. Temporary impacts will be kept to the minimum amount necessary to safely and effectively construct the Project.

Electric Cables

The electricity generated by the turbines is stepped up in voltage to 34.5 kV and is transmitted to the Project substation by a system of underground and overhead power collection lines. The WTGs will be connected by communication and electrical power collection circuits within the wind project. At the point where access roads and public roads meet, the communication and power lines will either rise from underground to overhead lines or continue as underground collection lines. Overhead collection lines will be installed as underbuild on the existing 115 kV transmission line structures (Figure 2).

Overhead Collection (Feeder) Lines

The Applicant will install approximately 7.8 miles of 34.5 kV overhead lines as an underbuild along the existing 115 kV transmission line that was built for the adjacent operating Buffalo Ridge II Project (Figure 2). The underbuild section would begin at the intersection of 202nd Street and 482nd Avenue, and follow the 115 kV line south to the location where it will connect to the Project substation, located on 484th Avenue just west of the Brookings County Substation. The only anticipated change to the existing 115 kV structures along this segment would be adding brackets and conductor lines below the 115 kV conductors.

To connect to the new Project substation, 8 to 10 new structures will be installed for the approximately 640 m (2,100 ft) distance between the existing 115 kV line and the Project substation. An overhead 345 kV line, approximately 240 m (800 ft) in length, also will be constructed between the Project substation and the Brookings County Substation. Before construction, the Applicant will submit a copy of the final design for the overhead lines to the County.

Substation and Operations and Maintenance Facilities

Project Substation

A new Project substation will be constructed to the west of the Brookings County substation, on private land in Section 25 of Sherman Township (Figure 2).

The 34.5 kV wind project collection grid and fiber optic communication network will terminate at the new Project substation. The substation will include a transformer to step up the voltage of the collection grid to 345 kV. Additional facilities located within the new substation include above ground bus structures to interconnect the substation components, breakers, a building for relays, switchgear, communications and controls, and other related facilities required for delivery of electric power. The new Project substation will have a gravel surface within a surrounding chain-link security fence, and the substation components will be placed on concrete and steel foundations.

Improvements to Brookings County Substation

This Project incorporates an interconnection to Xcel Energy's Brookings County substation. Xcel Energy will design and construct the additions at Brookings County Substation to accommodate the Project interconnection. For this interconnection, the 34.5 kV collection system power would be stepped up to 345 kV in the Project substation and routed to the Brookings County substation.

The facility assessment is still being completed by Xcel Energy, but may indicate a need for some expansion to the existing Brookings County Substation to accommodate the new interconnect from the Coyote Ridge Wind Project.

O&M Facility

The location of the O&M facility has not been determined, but it will be located on approximately five acres within private leased land in the Project area. The buildings used for this purpose are approximately 507 m² (5,460 ft²), and house the equipment to operate and maintain the wind project. A gravel parking pad will surround the building. The parking lot adjacent to the building is typically 280 m² (3,000 ft²). Once determined, the location will be provided to Brookings County.

Decommissioning/Restoration/Abandonment

The Applicant has entered into lease agreements for placement of the WTGs and associated infrastructure with private landowners within the Project area. The Applicant will prepare and submit a decommissioning and restoration plan for the Project to Brookings County within 120 days of completion of construction. This plan will be prepared in

accordance with the requirements of Brookings County Zoning Ordinance, Article 23.09. The Applicant anticipates that the life of the Project will be no less than 40 years and reserves the right to explore alternatives regarding Project decommissioning. One such option may be to retrofit the turbines and power system with upgrades based on new technology, which may allow the wind project to produce efficiently and successfully for many more years (this is called "repowering").

Heartland Wind, LLC has a contractual obligation to the landowners to remove the Project facilities, including foundations to a depth of 1.2 m (4ft), when the wind easement expires. In the event that Heartland Wind, LLC decides to decommission the Project instead of repowering, it will advise the Brookings County Zoning Offices of the planned decommissioning activities. Heartland Wind, LLC will be responsible for all costs to decommission the Project and associated facilities.

In the event the Coyote Ridge Wind Project requires decommissioning, the following sequence for removal of the components will be used:

- Remove wind turbines -- blades, towers, hubs, and generators
- Remove wind turbine foundations to a depth of 1.2 m (4 ft)
- Remove Collection Transformers
- Remove overhead collection lines and structures
- Remove Project substation equipment
- Remove access roads (unless landowner requests they remain in writing)
- Areas disturbed by decommissioning will be graded, topsoiled, and seeded

The site will be restored within 18 months of the expiration of the Brookings County WES permit. Any exceptions to removal of the Project components will be recorded with the Brookings County Zoning Offices.

Tower Design and Height from Ground Surface

The turbines used in the Project will all be singular tubular steel design. The surface will be non-reflective material. All surfaces are sandblasted and multi-layer coated for protection against corrosion.

In accordance with County regulations, the minimum height of the blades from the ground surface will be greater than 25 ft. All proposed WTGs will be greater than 25 feet from the

ground to blade tip. The minimum distance from the ground to the blade is 18 m (59 ft) for the G132 turbine. Figure 6 is a diagram of typical turbine features.

Noise

The preliminary layout was modeled to determine at what distance turbine noise would not exceed the 50 dBA limit of the Brookings County Revised Zoning Code. The Project was modeled using the sound power level information provided by the turbine manufacturer for the G114 2.625 MW turbine. Using the manufacturer's maximum sound power levels as a basis and adding 2 dBA to that level to be conservative, the model calculates the sound pressure level that would occur at residences after losses from distance, air absorption and ground effects. The sound propagation factors used in the acoustical model have been adopted from International Organization for Standardization 9613-2, Acoustics—Sound Attenuation During Propagation Outdoors Part 2: General Method of Calculation (1996).

Figure 5 shows the Project noise level contours for the preliminary layout using the Gamesa 2.625 MW WTG. Analysis indicates that the distance to 50 dBA is approximately 213 m (700 ft) from the turbine tower. The Applicant is using a minimum setback of at least 305 m (1,000 ft) from existing residences, businesses, and public buildings to meet County Zoning Ordinance. Based on this setback distance, the Applicant will not exceed the 50 dBA noise level. If a turbine type other than the Gamesa 2.625 MW is selected, the Applicant will provide Brookings County with updated noise modeling results.

Project Schedule

The Applicant anticipates that construction will take approximately 12 to 18 months to complete. The Applicant is planning to begin civil construction as early as May 2017 and anticipates an in-service date as early as December 31, 2018. A preliminary "best case" permitting and construction schedule for the Project is presented below but several variables could cause the schedule to be altered.

- Submit Brookings County CUP September 2016
- Road Clearing and Construction May-Nov. 2017
- WTG Foundation Construction May-Nov. 2017
- Grading, Trenching of Underground Facilities May-Nov. 2018

- Overhead 34.5 kV Transmission Line Underbuild Stringing Winter 2017/2018
- WTG Assembly, Communication & SCADA System Installation May-Nov. 2018
- Collection Substation Construction May-Sept. 2018
- WTG Testing Oct.-Dec.2018

Mitigation Measures

The Applicant is committed to complying with all applicable standards and will coordinate with all appropriate local, state and federal agencies. Any permit conditions will be followed, including mitigation requirements.

Site Clearance

The Applicant will disturb and/or clear the Project site only to the extent necessary for construction and maintenance of turbines, electric collection system, access roads, SCADA system, Project substation, O&M facility, meteorological tower, temporary laydown area and temporary batch plant. Direct permanent impacts will be confined mainly to areas in agricultural use.

- Existing roads will be used for construction and maintenance where possible. Road construction will be minimized.
- Access roads created for the wind facility will be located on gentle grades to minimize visible cuts and fills.
- Temporarily disturbed areas will be reseeded to blend in with existing vegetation.

Topsoil Protection

The Applicant will prepare a Soil Erosion and Sediment Control Plan and obtain a National Pollutant Discharge Elimination System (NPDES) permit to discharge storm water from construction activities. Best Management Practices (BMP) will be used during construction and operation of the Project to protect topsoil and adjacent resources and to minimize soil erosion. Practices may include containing excavated material, protecting exposed soil, stockpiling and respreading topsoil, and stabilizing restored material. In accordance with Brookings County regulations, the Applicant will protect and segregate topsoil from subsoil in cultivated areas unless otherwise negotiated with the affected landowner.

Compaction

Compaction of the soil is a concern where construction equipment is used intensively. Temporary construction areas will be decompacted as necessary to relieve excessive compaction due to construction. In accordance with Brookings County regulations, the Applicant will minimize the amount of compaction throughout the Project's life. Construction equipment will be confined to the smallest necessary area, and access roads will be minimized to the extent possible.

Livestock Protection

During construction the Applicant will work with landowners to protect livestock from construction activities. After construction, livestock may graze up to the turbine pad and access roads. The Applicant will maintain all equipment and in accordance with Brookings County regulations, the Applicant will work with landowners and take precautions to protect livestock throughout the Project's life.

Fences

Security measures will be taken during the construction and operation of the Project including temporary (safety) and permanent fencing, warning signs, and locks on equipment and wind power facilities. Turbines will sit on solid steel enclosed tubular towers in which all electrical equipment will be located, except for the pad-mounted transformer where applicable. Access to the tower is only through a solid steel door that will be locked when not in use. Where necessary, the Applicant will construct gates or fences. The Applicant will promptly replace or repair any fences or gates removed or damaged during the Project construction or operation, unless otherwise negotiated with the affected landowner.

Roads

There may be some temporary and permanent improvements to local roads during the construction phase of the Project. The Applicant will work with the South Dakota Department of Transportation, Brookings County, and townships to obtain the appropriate access and use permits, as well as minimize and mitigate any impacts to area transportation. Prior to construction, the Applicant will determine which roads will be used as "haul roads" for the Project, and will coordinate with the appropriate governing body (state, county or township) having jurisdiction to determine if those roads are acceptable. Wherever practical, all-weather roads will be used to deliver heavy components to and from the turbine sites. At the time of this application, haul roads have not been determined. The Applicant will notify the Brookings County Zoning Office of all agreements with state and local governing bodies, including arrangements for the maintenance and repair of any haul roads that could be

subject to extra wear due to transportation of the Project's heavy components. During construction, it is anticipated that several types of light, medium, and heavy-duty construction vehicles will travel to and from the site, as well as private vehicles used by the construction personnel. That volume will occur during the peak construction time when the majority of the foundation and tower assembly is taking place. Access roads will be built adjacent to the towers, allowing access both during and after construction. Some temporary construction roads will be 12.2 m (40 ft) wide to allow an assembled crane to walk from turbine site to turbine site. These roads will be reduced in width to 5 m (16 ft) at the end of construction if they are going to serve as permanent roads. The portion of the road restored will be returned to similar pre-existing agricultural or vegetation condition. The permanent access roads will be approximately 5 m (16 ft) wide and have gravel as cover, adequate to support the size and weight of maintenance vehicles. The access roads will be low profile to allow farming equipment to cross them. The roads will be designed to not impede runoff from streams and drainageways. Specific turbine locations will determine the amount of roadway that will be constructed for this Project. The number of access roads will be minimized to the extent possible. The Applicant will repair any private roads damaged during the life of the Project, unless otherwise negotiated with the affected landowner.

During construction, soil disturbance may result in dust. The Applicant will enact reasonable measures and practices to control dust. Oil and other derivatives will not be used for dust control.

Soil Erosion and Sediment Control Plan

Since the Project will disturb more than one acre of soil, an NPDES permit will be required for construction. The South Dakota Department of Environment and Natural Resources has issued a NPDES General Storm Water Permit for Construction Activities and one of the conditions of this permit is the development of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP will mandate Best Management Practices (BMPs) to control erosion and sedimentation. BMPs may include silt fencing, erosion control blankets, temporary storm water sedimentation ponds, or other methods of controlling storm water runoff and minimizing sedimentation. Since erosion and sediment control will be in place for construction and, no impacts to water quality are expected as a result of the Project. The Applicant will submit the SWPPP for the Soil Erosion and Sediment Control Plan to the Brookings County Zoning Office prior to construction. The Plan will include grading, construction and drainage plans, soils information, design features to maintain water quality downstream, a revegetation plan, and methods that will be used to minimize surface disturbance area and dispose or store excavated material. The Plan will also include information on containment, storage or disposal of excavated material, protecting exposed soil, stabilizing restored material and removal of silt fences or barriers when the area is stabilized.

Conclusion

The Applicant has addressed all matters set forth in the sections of Brookings County Zoning Regulations authorizing Conditional Use. The Project will consist of constructing, operating, and maintaining up to 49 WTGs, access roads, underground and overhead 34.5 kV electric collector lines, a Project collection substation, upgrades to the Brookings County Substation, an O&M facility, SCADA system, and one permanent meteorological tower. The Project's current preliminary layout complies with all Brookings County siting ordinances (setbacks) and zoning codes. The Applicant will coordinate with Brookings County once the turbine type is selected and the layout is finalized, and will provide the following information:

- Final turbine type, and associated final layout (turbines, access roads and electrical)
- Modeled noise level contours associated with final layout and turbine type
- Location of O&M Facility
- Location of permanent meteorological tower
- Final design of overhead line structures
- Updates to easements, if applicable

Additionally, the Applicant will provide the following prior to construction:

- SWPPP for the Soil Erosion and Sediment Control Plan
- Site Plan that includes Haul Roads
- Notification of any road agreements with state and local governments

Finally, the Applicant will submit a decommissioning and restoration plan no later than 120 days after completion of construction.

FIGURES

Coyote Ridge Wind Project
 Brookings County Conditional Use Permit Application

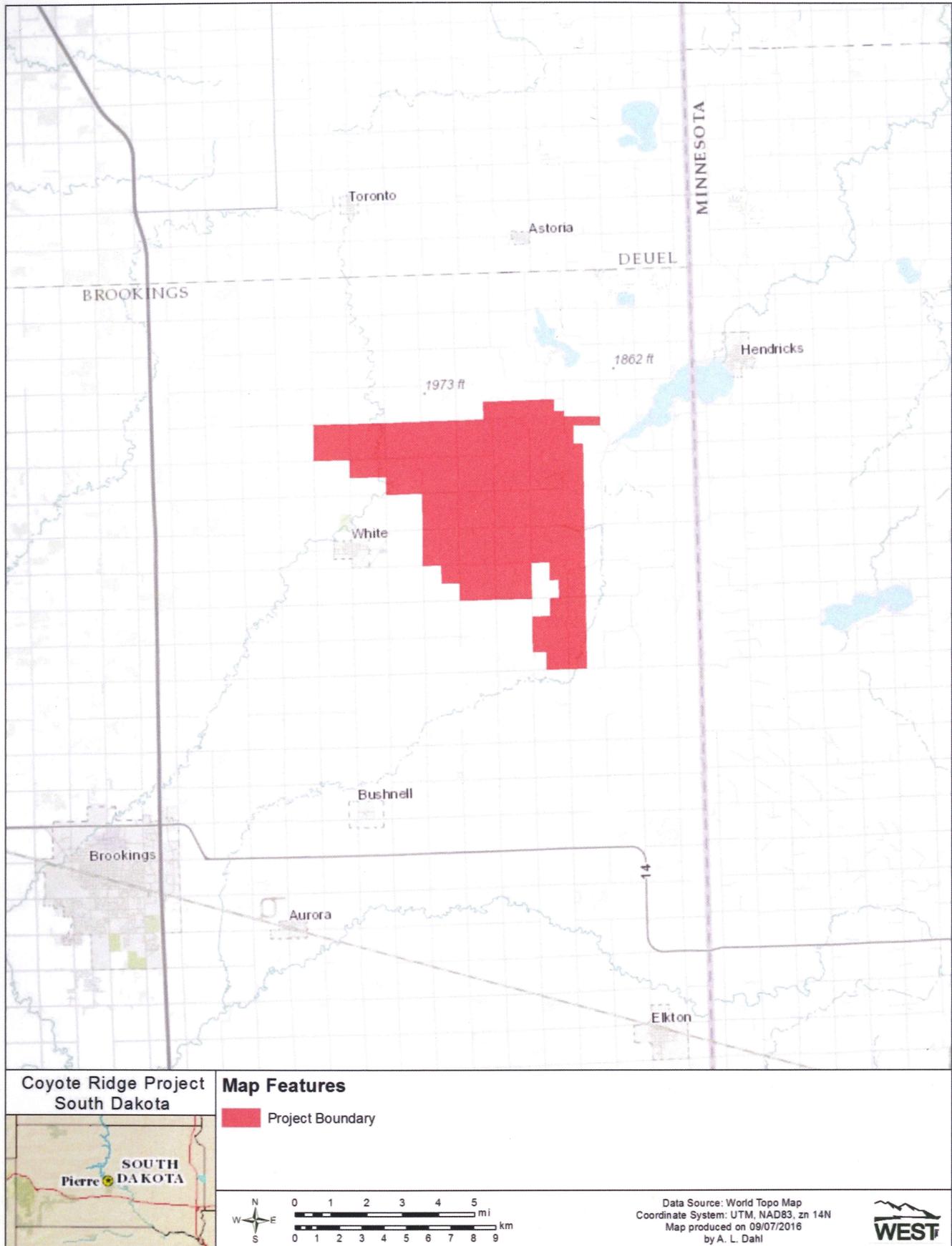


Figure 1. Coyote Ridge – Project Location

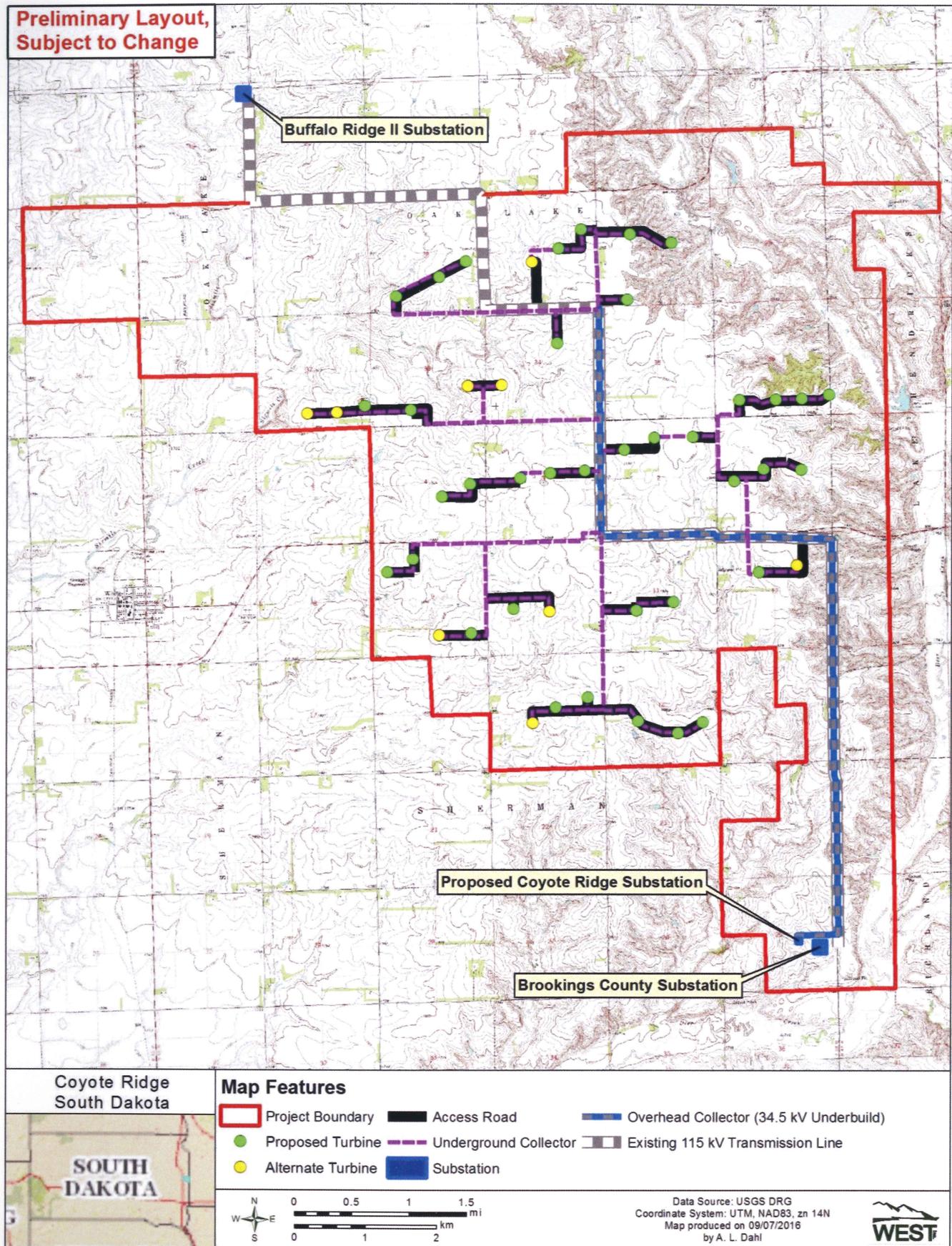


Figure 2. Coyote Ridge – Project Layout

Coyote Ridge Wind Project
 Brookings County Conditional Use Permit Application

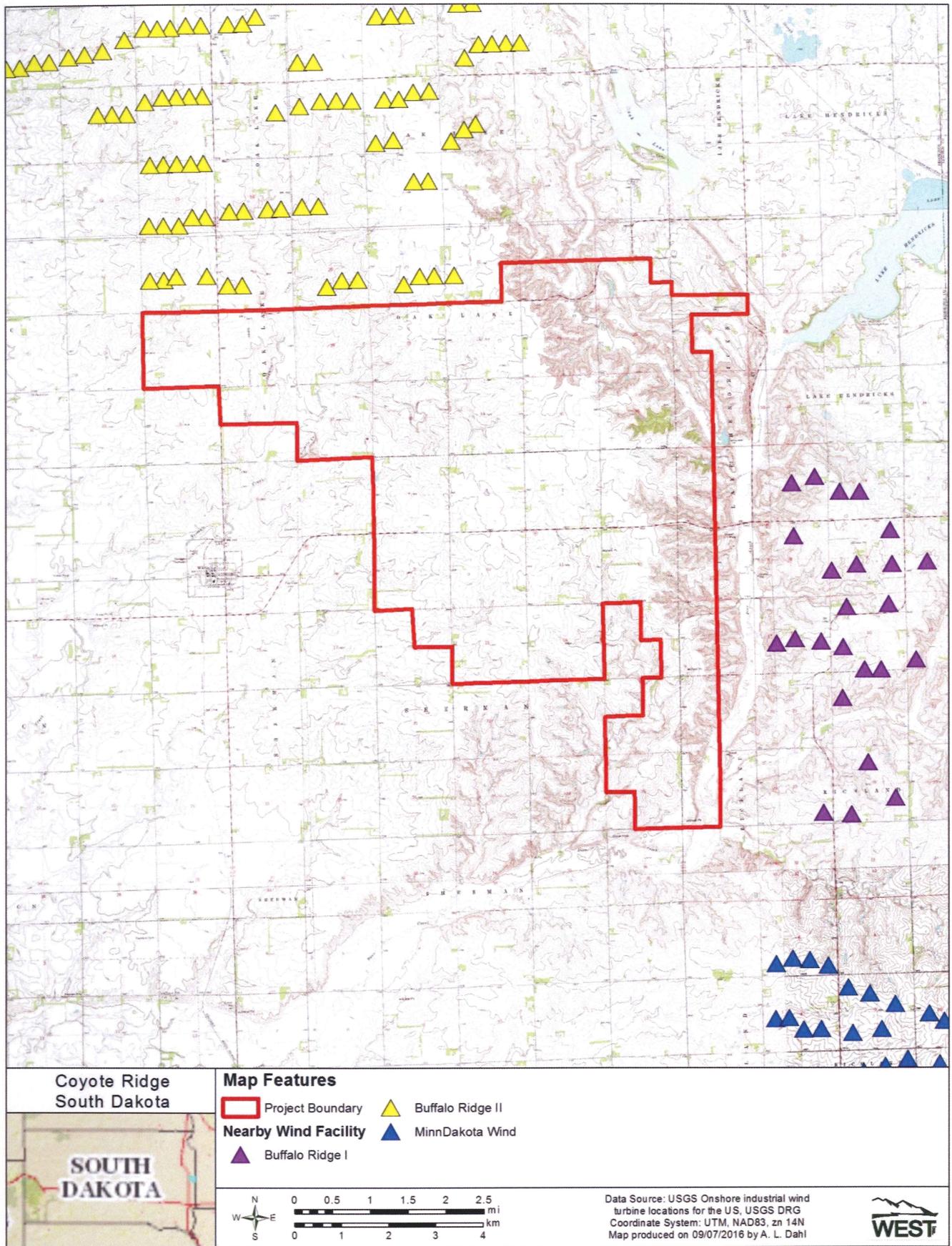


Figure 3. Coyote Ridge – Nearby Wind Generation

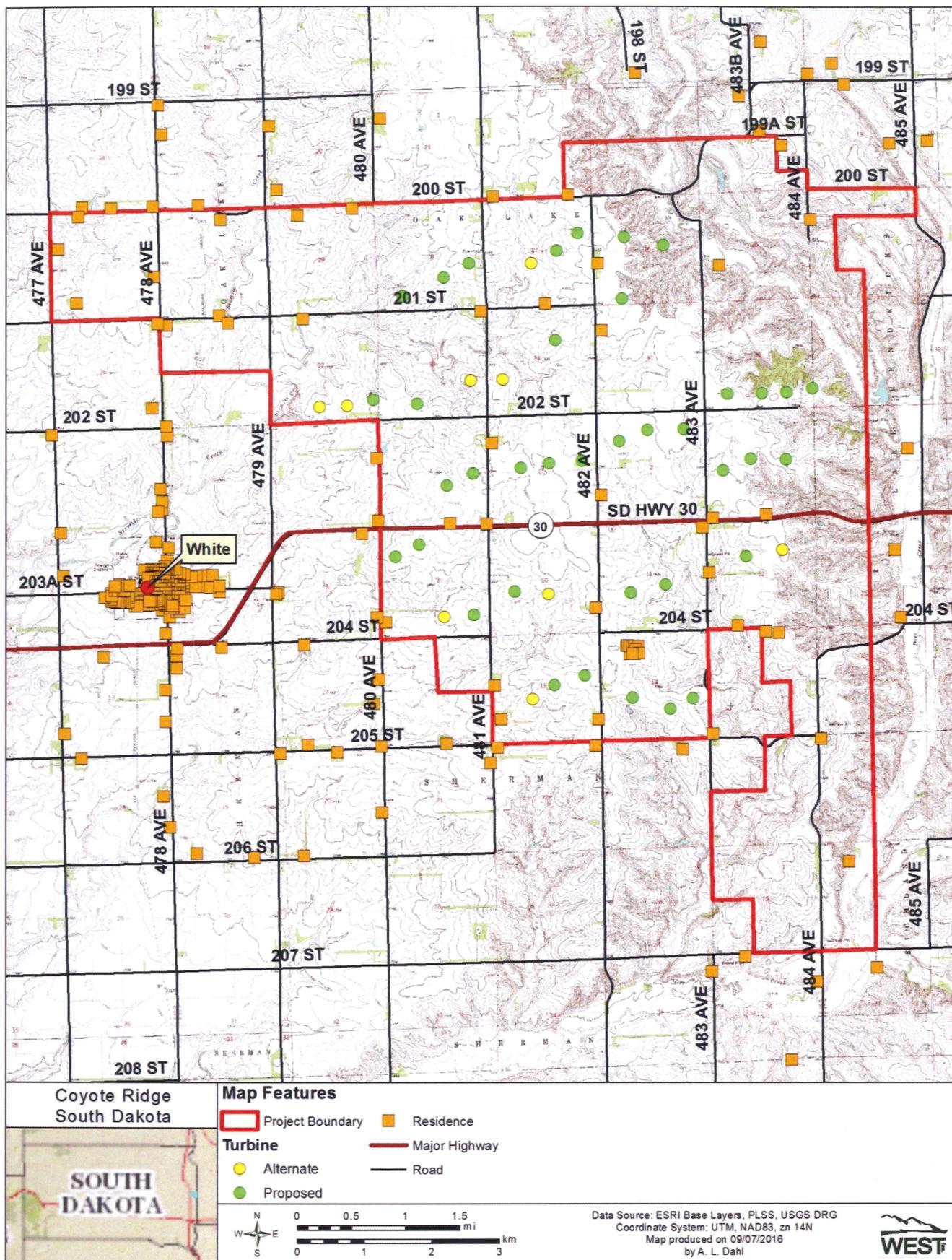


Figure 4. Coyote Ridge – Residence Locations

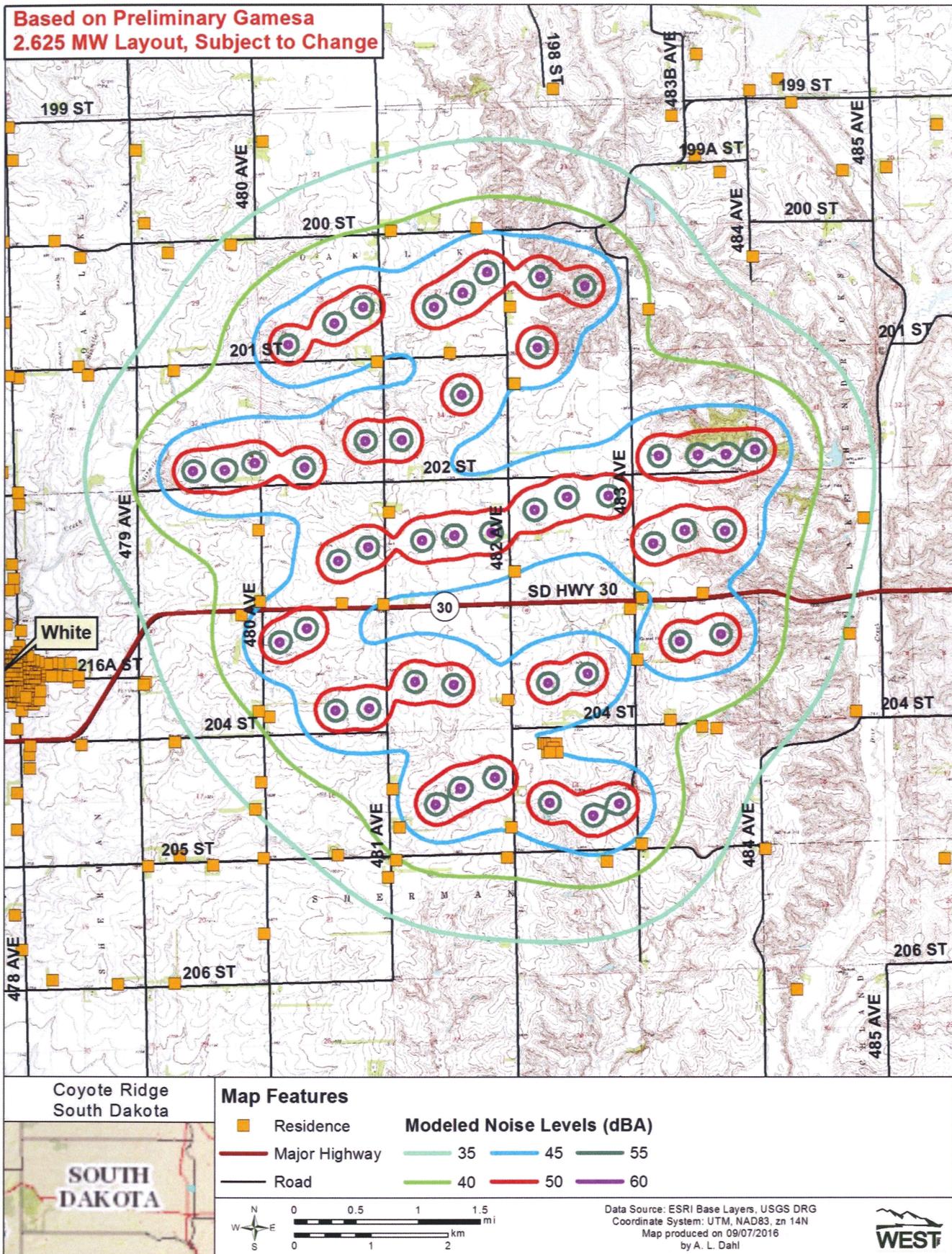


Figure 5. Coyote Ridge – Modeled Noise Contours

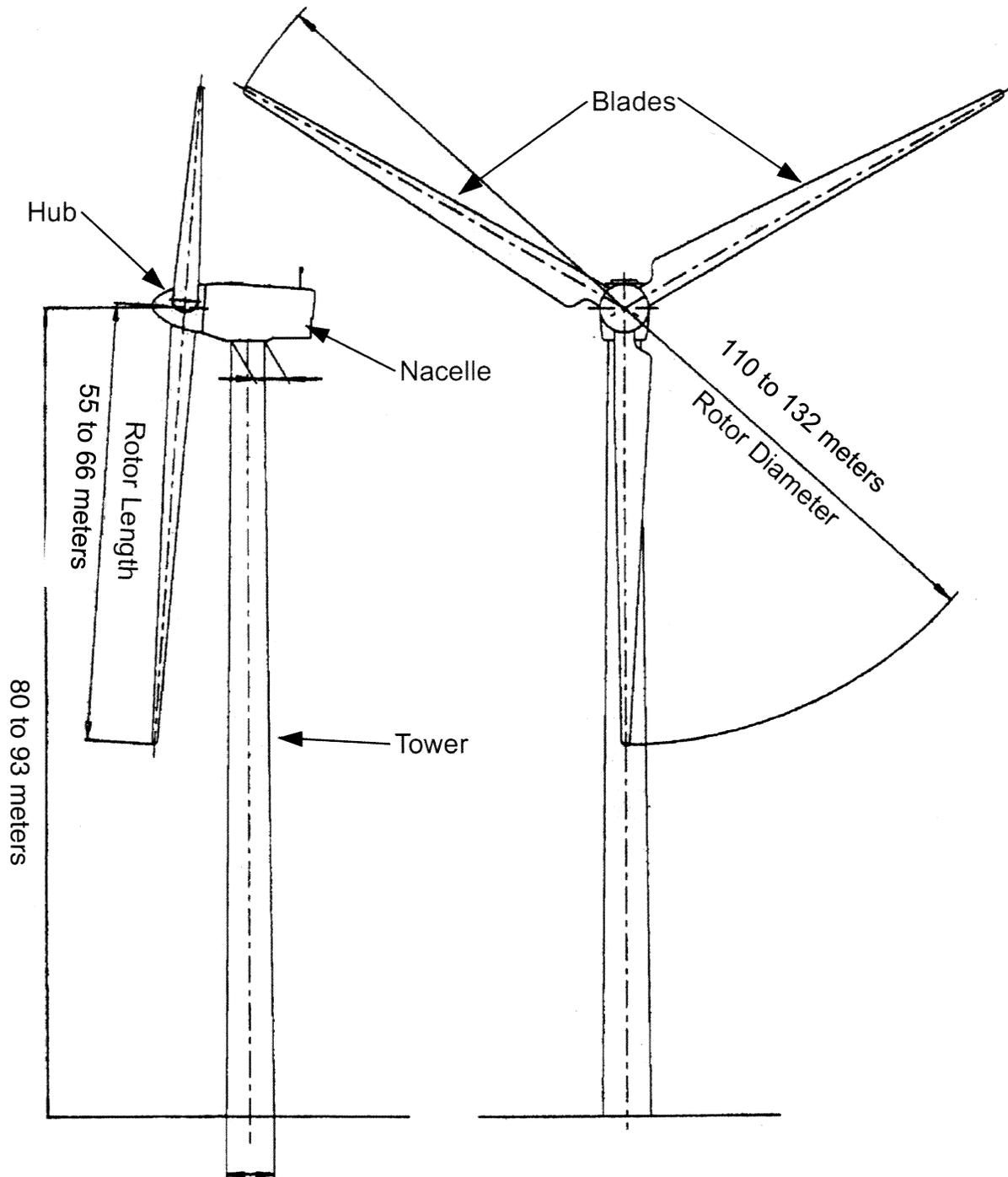


Figure 6. Coyote Ridge – Wind Turbine Generator Typical Dimensions

9-28-2016: Emily Reitman called the Zoning Office with questions on the wind project.

9-28-2016: Larry Postma called the Zoning Office about the wind project, they have land in Argo Township and had no comment on the wind project.

10-4-2016: Richard Schwartz called the Zoning Office about the wind project and wanted contact information for the Avangrid.

10-6-2016: Byron Ramlo came into the Zoning Office about the wind project, he had concerns with trucks on township roads and dust.

2016plat009 – October 4th, 2016

Prepared by Richard Haugen

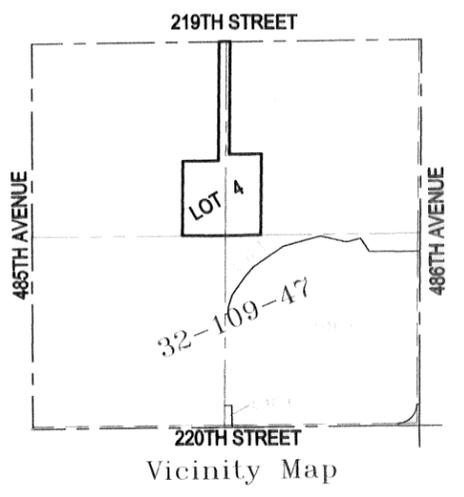
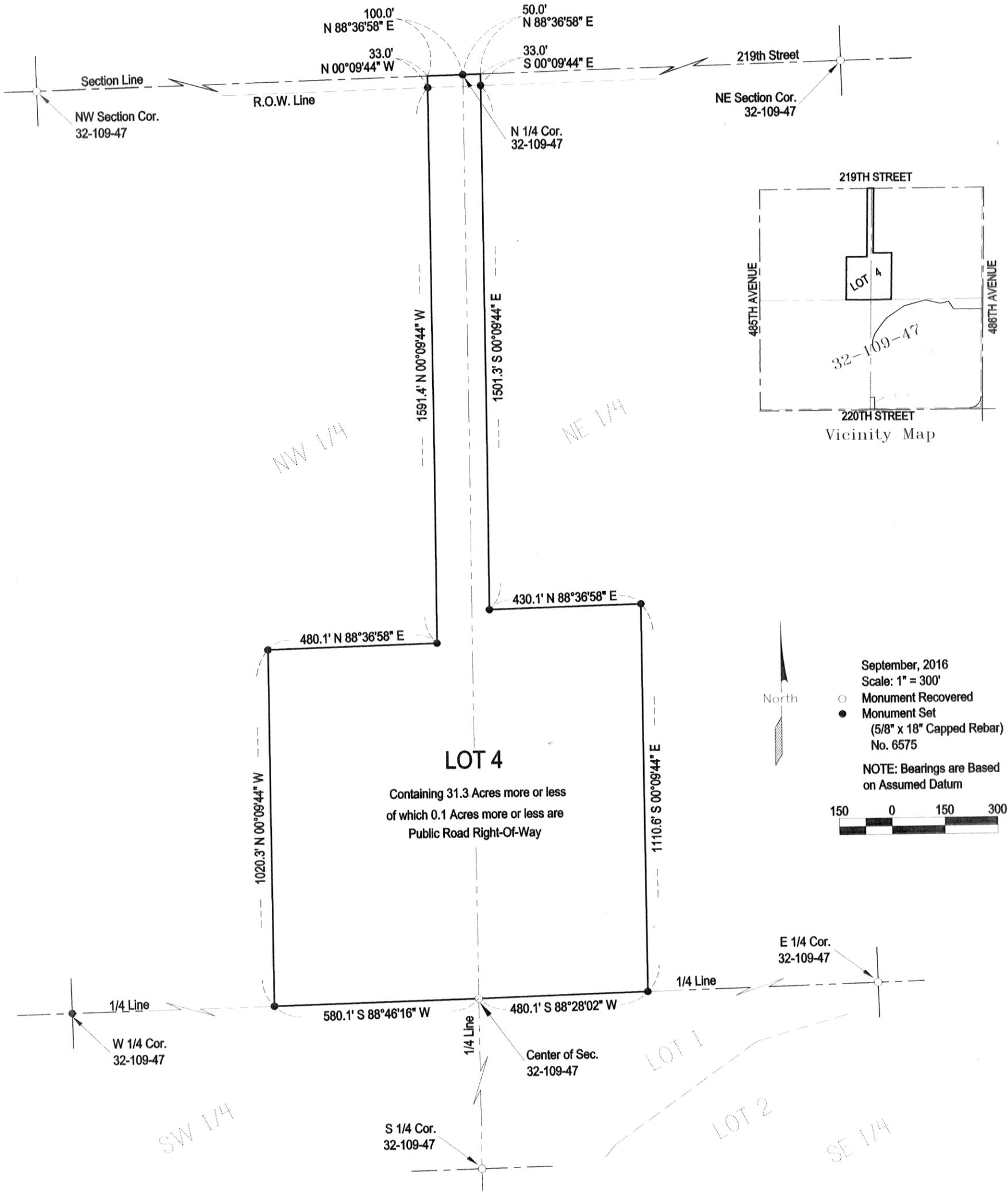
Applicants/Owners: David Moss, 48549 219th St, Elkton, SD 57026

Legal Description: “Plat of Lot 4 Moss Addition in the N1/2 of Section 32, Township 109 North, Range 47 West of the 5th P.M., Brookings County, South Dakota.”

2016plat009: The Moss’s are platting off an existing 31.3 acre building site from the rest of their land. The building site is existing and the balance of the land is shelter belts and grass. The property is located on the quarter line between the northwest and the northeast quarters of section 32.

The plat meets the platting requirements and the 2016 Comprehensive Plan-Unincorporated Rural Area Land Use statement on page 24 for Agricultural Land Use.

**PLAT OF
LOT 4 OF MOSS ADDITION IN THE N1/2 OF SECTION 32, TOWNSHIP 109 NORTH, RANGE 47 WEST
OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA**



September, 2016
Scale: 1" = 300'

- Monument Recovered
- Monument Set
(5/8" x 18" Capped Rebar
No. 6575

NOTE: Bearings are Based on Assumed Datum

SURVEYOR'S CERTIFICATE

I, Mike J. Lapka, a Registered Land Surveyor of the State of South Dakota, do hereby certify that I did on or before September 6th, 2016, survey a parcel of land located in the N $\frac{1}{2}$ of Section 32, T109N, R47W of the 5th P.M., Brookings County, South Dakota, as shown on the plat, and marked upon the ground thereof in the manner shown on the plat and that the attached is a true and correct representation of said survey and that the parcel of land so platted contains: "PLAT OF LOT 4 OF MOSS ADDITION, IN THE N $\frac{1}{2}$ OF SECTION 32, TOWNSHIP 109 NORTH, RANGE 47 WEST OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA".

IN WITNESS WHEREOF, I have executed the Surveyor's Certificate this 6th day of September, 2016.

Prepared By:

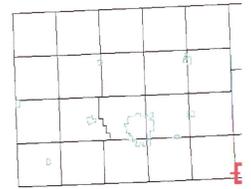


Civil Engineers & Land Surveyors
Brookings, South Dakota
Ph. 605-696-3200





Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Parcels
- Roads

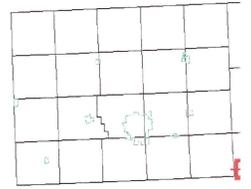
Parcel ID	070001094732200	Alternate ID	n/a	Owner Address	MOSS, DAVID ET UX
Sec/Twp/Rng	32-109-47	Class	AGA		48549 219TH ST
Property Address		Acreage	80		ELKTON SD 57026
District	0703				
Brief Tax Description	E 1/2 NW 1/4 SEC 32-109-47 80.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 9/8/2016
 Last Data Uploaded: 2/18/2014 4:02:57 AM

2016 plat 009



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Parcels
- Roads

Parcel ID	070001094732100	Alternate ID	n/a	Owner Address	MOSS, DAVID ET UX
Sec/Twp/Rng	32-109-47	Class	AGA		48549 219TH ST
Property Address	48549 219TH ST	Acreage	160		ELKTON SD 57026
	ELKTON				
District	0703				
Brief Tax Description	NE 1/4 SEC 32-109-47 160.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 9/8/2016
 Last Data Uploaded: 2/18/2014 4:02:57 AM

2016 plat 009