

BOONE COUNTY ZONING COMMISSION MINUTES
MONDAY AUGUST 31, 2020
5:30 P.M. –VIA ELECTRONIC TELEPHONECONFERENCE

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I. OPEN MEETING AND ROLL CALL

Kay Rice	Carla Barnwell	Eric Crosman
Lance Stumbo	Marilyn Jordan	Jan Danilson
	Kim Houlding	Gary Luna

Present: Kay Rice, Lance Stumbo, Carla Barnwell, Marilyn Jordan, Eric Crosman, Jan Danilson

Absent: Kim Houlding and Gary Luna

Also Present:

II. APPROVAL OF MINUTES

A. April 27, 2020

Eric Crosman moved to approve the minutes as written

Kay Rice seconded

Carla Barnwell—yes

Jan Danilson—yes

Kay Rice –yes

Lance Stumbo—yes

Eric Crosman—yes

Marilyn Jordan—yes

Motion Carried

III. APPROVAL OF AGENDA

Lance Stumbo moved to approve the agenda

Seconded by Marilyn Jordan

Carla Barnwell—yes

Lance Stumbo—yes

Kay Rice —yes

Gary Luna—yes

Jan Danilson —yes

Eric Crosman—yes

Motion Carried

IV. DISCLOSE CONFLICT OF INTEREST AND EX-PARTE COMMUNICATION

A. None

V. CITIZENS COMMENTS ON ITEMS NOT ON THE AGENDA (ADDITIONS TO AGENDA)

A. None

VI. OPEN PUBLIC HEARING(S) AND CONSIDERATION OF APPLICATION(S)

A. Application for Conditional Use Permit # 2020-007 submitted by John Baratta. Mr. Baratta is wishing to build a barn type venue where weddings and private parties may be held. The proposed venue would be located at 1876 330th St, Madrid, Ia 50156.

John Baratta was first to speak in regards to the request. Baratta stated they were wishing to build a barn type venue where weddings and various other types of events could be held.

Baratta estimated they would do approximately 50 weddings a year with an additional 20 to 25 other events such as graduations, birthday parties and company parties. He expected they would host approximately 75 events a year.

Chairperson Carla Barnwell next asked for comments from Director Mike Salati.

Director Salati updated the commission stating Mr. Baratta had previously applied for a Conditional Use Permit on a different parcel of land but found there were some difficulties with the previous site.

Salati stated the applicant had previously applied for a land division which would allow Baratta to purchase a portion of the property located on 330th St which would exclude the existing home.

Salati also noted the Board of Supervisors had included this type of use into the allowable uses in the A-1 (Agriculture Conservation) District with the requirement of a Conditional Use Permit.

Salati noted the Zoning Commission would be making a recommendation onto the Zoning Commission at the end of the meeting.

Chairperson Carla Barnwell next asked for any public comments in regards to the application.

Charles Kostelnick was in attendance and had a few questions and comments. Kostelnick started speaking in regards to the Apex application.

Chairperson Barnwell noted we were currently discussion the Baratta application for a barn venue to be located just east of Madrid, Ia.

No public comments were made.

Chairperson Carla Barnwell next asked for any closing comments from the applicant.

Baratta noted they had been in the wedding business for some time. He stated they had started a venue in Glidden approximately 7 years ago and were also renting one in Carol, Ia.

He stated they had been planning to build a barn type venue for some time while finding the right location for such a venue.

Chairperson Carla Barnwell closed the public hearing at 5:51 p.m.

Barnwell next asked for discussion from the commission members.

Lance Stumbo questioned whether the existing home would be torn down.

Director Salati noted the home would not be torn down and the current owner would maintain the home and a portion of the property.

Eric Crosman questioned how parking would be handled and also questioned whether the location was in a low area.

Baratta noted they planned to use approximately one acre of land for parking which would accommodate approximately 172 cars. He stated they would have a dedicated entry and exit.

Baratta noted they were planning to put in a pond in which any excess water could drain.

Marilyn Jordan questioned how close the venue would be from the bike trail crossing.

Baratta noted the bike trail was right behind the venue.

Chairperson Barnwell noted the crossing was just to the east.

Barnwell questioned whether Baratta would be applying for a liquor license.

Baratta stated he would.

Barnwell questioned whether the venue would become public or only open to private parties.

Baratta stated it would only be available for private parties.

Chairperson questioned how the venue would be accessed.

Baratta noted they were planning to enter the venue off of the Highway. He noted there would be both an entrance and an exit.

Discussion was held on potential noise.

Baratta noted all music would be inside the barn with all music commencing at 10:00 p.m. He stated most guests would generally be leaving by 9:00 p.m.

Director Salati also noted a bar would not be an allowable use in the A-1 (Agriculture Conservation) District.

Eric Crosman questioned whether Baratta had spoke with any of the surrounding property owners.

Baratta stated the owner of the home had no concerns and did not think the venue would be an issue.

Director Mike Salati noted all surrounding property owners within 700 ft had been sent a public hearing notice in the mail in regards to the proposed venue.

Marilyn Jordan questioned who would cover as far as law enforcement was concerned.

Director Salati noted the property was in the county and the Sheriff's office would be in charge.

Jan Danilson questioned whether the Zoning Commission should include any conditions on their recommendation to the Board of Adjustment.

Jan Danilson questioned how far the venue would be from the bike trail. She had concerns with people riding their bicycles right up to the venue. She questioned whether there would be some type of buffer in place.

Baratta stated they planned to put in a border of pine trees and some landscaping to isolate the property from the trail.

Marilyn Jordan recommended possible signage be put up.

Chairperson Barnwell next asked for a motion.

Jan Danilson moved to recommend Board of Adjustment approval of the application with the following conditions:

1. That the drainage issues be resolved.
2. That some type of barrier be installed to separate the venue from the bike trail.
3. That appropriated entrances and exits be established.

Baratta noted the addition of the pond could benefit the area.

Kay Rice Seconded

Jan Danilson—yes
Eric Crosman—no
Marilyn Jordan—yes
Kay Rice—yes
Lance Stumbo—yes
Carla Barnwell—no

Motion Carried

- B.** Application for Conditional Use Permit #2020-008 submitted by Great Pathfinder Wind, LLC c/o Apex Clean Energy. Great Pathfinder Wind, LLC is requesting a Conditional Use Permit to allow for the construction of a Commercial / Utility Wind Energy System with 37 wind turbines and one substation to be located in Northern Boone County, Boone, Ia.

Chairperson Carla Barnwell opened the public hearing at 6:22 p.m.

Holly McCoy – Nelson was first to speak in regards to the application. Nelson next introduced the members of her team who were online to speak in regards to the application.

McCoy stated Apex Clean Energy was based out of Charlottesville Virginia with a regional office in Minnesota. She stated they were a privately held company with over 200 employees.

She stated they developed and operated wind and solar projects across the county. She stated they operated many projects across the mid-west.

McCoy-Nelson next spoke in regards to the Great Pathfinder wind project. She stated the Great Pathfinder wind project was a 225 mega watt project located in both Boone and Hamilton Counties.

She stated they expected the site to be completed and operational in the fall of 2022. She stated they currently had about 16,000 acres of land leased half of which was in Boone County.

Nelson-McCoy stated there maybe as many as 74 turbines total with approximately 40 of those located in Boone County.

Nelson next discussed the possible turbine which maybe used for the project, which have yet to be determined.

Further discussion was held on the specifics of the project stating the expected construction to begin in the fall of 2021 lasting from 12 to 15 months.

Holly McCoy-Nelson next addressed topics covered by the Zoning Ordinance which were of most interest to the general public.

She first discussed setback requirements from homes, structures, roads and property lines stating they were in compliance with all setback in the Zoning Ordinance.

Nelson also noted their application included a sound study indicating they met the 50 decibel requirement outlined in the ordinance.

Discussion was held on which model the sound study was based.

McCoy-Nelson noted it was on the Vespas B150 4.2 mega-watt machine.

She stated they had consulted with agencies such as the Iowa DNR, the Us Fish and Wildlife Service to perform studies to verify they avoided wetlands, eagles, bats and cultural areas. She stated they were over a mile from the Des Moines River. Also that they had performed over two years of avian studies to understand where eagles maybe nesting.

A property impact study had also been submitted with their application including a recent analysis of recent residential sales which did not support findings that wind farms created a negative impact on property values.

Holly McCoy-Nelson also spoke in regards to sensors on the turbines which would cause the turbines to shut down during an icing event. McCoy-Nelson also noted the turbines could also be manually shut down if necessary.

Discussion was next held on the decommissioning plan and costs.

Dr. Jeff L Logan was also online to speak in regards to health concerns associated with wind turbines. Dr. Nelson gave a bit of back ground on himself stating he was a physician a board certified neurologist and a sleep specialist. He stated he was a researcher in the relationship to sound and human health noting he did have some experience with wind turbines in particular.

He stated he was here to discuss the potential problems which included noise and vibration and also the issue of shadow flicker.

He stated there was no support for wind turbine syndrome or no support on shadow flicker and health effects.

He noted one study done in 2016 which was a high quality study know as Health Canada included data from over 1,200 people where the wind turbines were spinning. He stated the age of these people was between 18 and 79.

He stated the study concluded there was no association with wind turbine noise level and health related outcomes which had been considered. He stated there was a slight elevation of annoyance due to no noise related factors.

He stated he was comfortable with the fact that the noise levels described in the ordinance are within the range of the Health Canada Study and did not feel there would be health issues.

Further discussion was held on the benefits which would be brought including lease payments, additional jobs along with increased taxes.

Chairperson Carla Barnwell next asked for any comments from Director Mike Salati.

Director Mike Salati wanted the public and board to know that the application was posted on the Boone County Website.

Chairperson Carla Barnwell next asked for any public comment.

Mindy Moeller was first to speak she stated she was concerned with eagles in the area. She stated although Boone maybe getting a tax benefit but questioned how this was going to benefit here... stating there were going to be six turbines in her area.

Tracy Westrum was next to speak. He stated he was in favor of the request noting having a wind turbine on his farm ground would provide supplemental income for himself and family.

Charlie Kostelnick was next to speak. He noted he had previously served on the Zoning Commission at which time they developed a proposal after the Beaver Creek Project. He discussed one the proposals was that public hearing were held prior to any lease negotiations. He stated he assumed there had not been any previous public meetings and recommended the Zoning Commission gather more public input.

He also spoke in regards to loss of property value. Kostelnick discussed a study done by an appraisal group in Wisconsin and McCann Appraisers in Chicago who estimated a 25 to 40 percent in loss of value for surrounding property owners near such wind farms.

Kostelnick noted that many of the properties on which turbines were to be placed were owned by people whom did not live in the area and would not be affected by the night light, flicker or the infra-sound. Kostelnick stated infra sound could have very dangerous health affects on a person.

Kostelnick also had concerns with the decommissioning plan and what would happen if the project were to be sold. He asked the commission to think long and hard about approving the project.

VII. CONSIDERATION OF SUBDIVISION PLAT APPLICATION

A. None

VIII. UNFINISHED BUSINESS

A. None

IX. NEW BUSINESS

A. None

X. REPORT OF ZONING ADMINISTRATOR AND DIRECTOR OF PLANNING

A. Director's Report (Planning and Development Department)
None

IX. ADJOURNMENT

A. Meeting Adjourned

Respectfully submitted,

Wanda Cox