
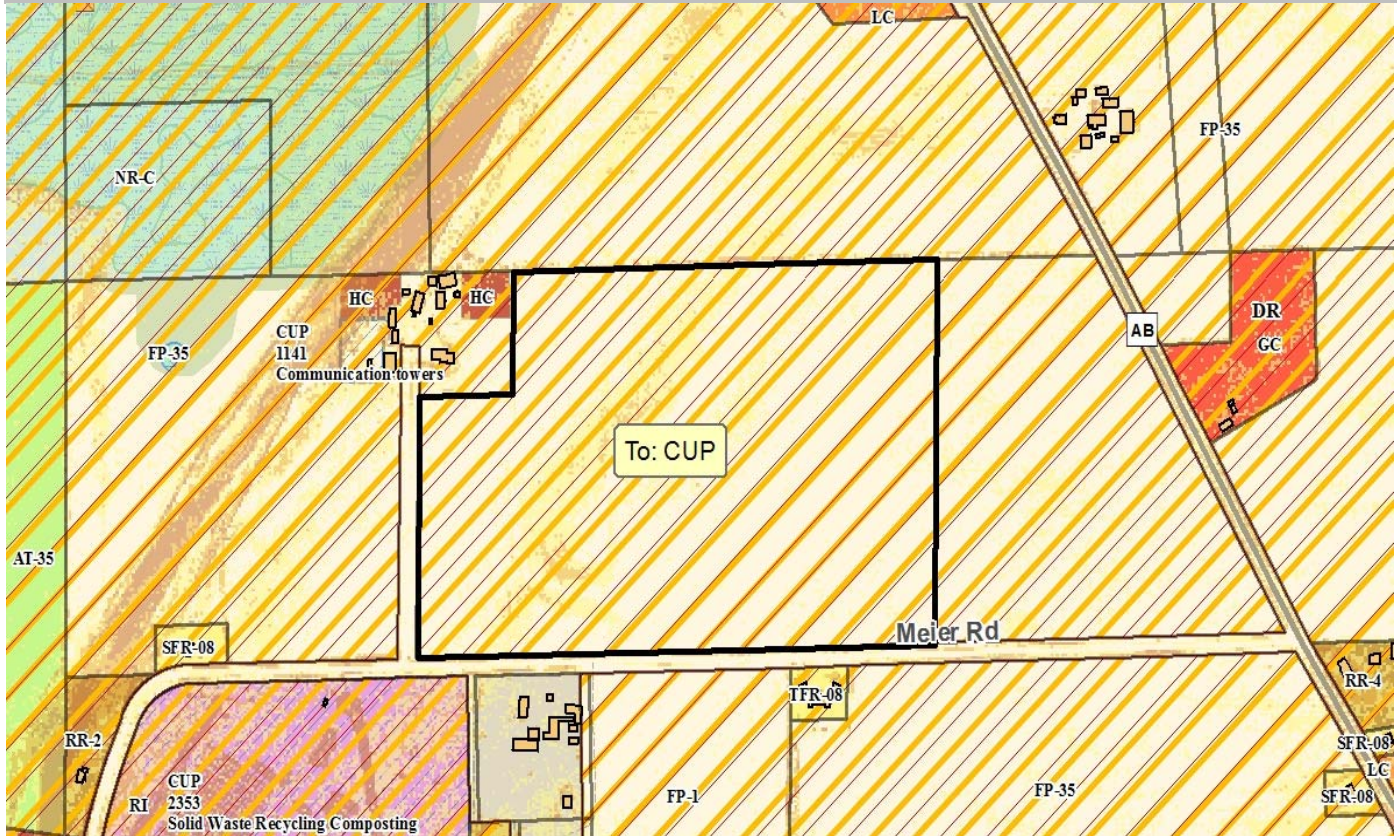


Staff Report  Zoning and Land Regulation Committee	<i>Public Hearing:</i> August 25, 2020	CUP 02503	
	<i>Zoning Amendment Requested:</i> TO CUP: renewable energy electric generating facility - 53-acre solar farm	<i>Town/Section:</i> BLOOMING GROVE, Section 24	
	<i>Size:</i> 53 Acres	<i>Survey Required:</i>	<i>Applicant:</i> RUTH B HERMSDORF
	<i>Reason for the request:</i> renewable energy electric generating facility - 53-acre solar farm		<i>Address:</i> 3382 MEIER ROAD



DESCRIPTION: This application is for a renewable energy facility. It will be a 53 acre “solar farm”. The applicant, DG Central 1, LLC, on behalf of Madison Gas and Electric Company (MGE), is proposing to build, operate, and maintain a utility-scale solar power production plant consisting of up to 53 acres of solar modules and associated equipment that will generate and deliver solar electric power to the electric grid. The Facility will have a maximum capacity of approximately 8 MW-AC, subject to potential future capacity increases supported by changing technology. The Facility will be conveyed to and owned by MGE prior to commercial operation.

The facility will provide solar electricity to serve the needs of MGE customers in Dane County, including the City of Madison and the Madison Metropolitan School District, through MGE's Renewable Energy Rider program. MGE will own and operate the facility and will lease the land from the owner, Ruth Hermsdorf. The term of the conditional use permit requested is for the full duration of the Facility's expected useful life of up to forty (40) years. The facility will have direct access to Meier Road.

The on-site equipment will consist primarily of solar modules mounted on single-axis trackers to generate direct current (DC) electricity. Inverters that are integrated into the facility will convert the DC electricity to alternating current (AC) electricity to allow it to be delivered to the electric grid. It will also include electrical switchgear cabinets, transformers that step up the voltage to 13.8-kV grid voltage, equipment pads for the

aforementioned equipment, and additional related ancillary solar equipment. Electrical lines, connecting the DC collection system to the inverters, will run underground or hang below the panels. AC collection lines may be buried underground or mounted on supporting structures several feet above the ground. Electrical lines from the equipment pads will run underground to the approximate locations of the point of interconnection to the distribution grid.

The facility will be an unmanned plant that will operate through local and remote control/monitoring. After construction is complete, there will be limited access to the site for periodic inspections (monthly), troubleshooting, and maintenance. One or two employees are required to do this work. The facility does not include any buildings. The overall project configuration was designed to avoid impacts to environmental resources and to minimize any visual intrusiveness on the surrounding land uses.

OBSERVATIONS: The site is surrounded with agricultural uses, scattered single family residences and a solid waste recycling facility located to the south of Meier Road.

City of Madison: The site falls within the South Phased Attachment Area of the Town of Blooming Grove and City of Madison Cooperative Plan. It will be attached to Madison on December 28th, 2020. Once the property is attached to the City of Madison, any construction activities must meet City of Madison requirements, and the City will be responsible for enforcing the CUP. In a letter from the city, off-site stormwater and drainage concerns were identified and extra attention to these issues was requested. Please see the attached letter from the City of Madison.

Dane County Land and Water Resources: The proposed project will need an erosion control permit for Dane County Land & Water Resources and may need a storm water management permit.

COUNTY ZONING ORDINANCE

Compliance with Standards Required for Granting Conditional Uses: Chapter 10 provides eight standards for granting a CUP in Section **10.107(7)(d)(1)**, as follows:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
2. That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.
3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.
5. That adequate measures have been or will be being taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.
7. That the conditional use is consistent with the adopted town and county comprehensive plans.
8. If the conditional use is located in a Farmland Preservation Zoning district, the town board and zoning committee must also make the finding described in Section 10.220(1)

CONDITIONS: If the permit is approved, staff recommends that all of the following conditions be applied to CUP 2503. The conditions below are divided into two sections. The first set of conditions are those required of *all* conditional use permits. The second set of recommended conditions is based on the *specifics of this site and proposed operation*, and where appropriate, the concerns expressed during the Town Board meeting and comments received in advance of the

ZLR public hearing. In this case, it includes concerns share by the City of Madison. If approved by the ZLR, staff recommends that all conditions below be applied to CUP 2503:

Standard CUP Conditions. The town board and zoning committee shall impose, at a minimum, the following conditions on any approved conditional use permit, which are common across all CUPs:

- 1) Any conditions required for specific uses listed under s. 10.103 (see list below).
- 2) The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
- 3) New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
- 4) The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the zoning administrator upon request.
- 5) Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request.
- 6) Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code.
- 7) All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
- 8) Off-street parking must be provided, consistent with s. 10.102(8).
- 9) If the Dane County Highway, Transportation and Public Works Department or the town engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be born by the landowner. Costs born by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.
- 10) The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.
- 11) The owner must post, in a prominent public place and in a form approved by the zoning administrator, a placard with the approved Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division.
- 12) The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.
- 13) Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit shall be given a reasonable opportunity to correct any violations prior to revocation.

Conditions Unique to CUP 2503.

In addition to the above standard conditions, staff recommends:

- 1) In anticipation of the attachment to the City, the site plan shall be updated to address any changes needed to meet City of Madison stormwater management standards.
- 2) The permit period shall be 40 years from effective date.

TOWN PLAN: The proposal is consistent with the town plan.

RESOURCE PROTECTION: There are no significant sensitive environmental features on this site.

STAFF: Staff recommends with conditions described above.

TOWN: The town of Blooming Grove approved with no conditions.

Questions? Contact Pam Andros at andros@countyofdane.com or 608-261-9780.