

-Info-Public Service Commission

From: Aron Anderson <aanderson@Sunedison.com>
Sent: Monday, June 27, 2016 8:08 AM
To: -Info-Public Service Commission
Subject: Sunflower Wind Project - Case Number: PU-14-105
Attachments: North Dakota NDPDES_PERMIT 330 331.pdf; Sunflower Project Schedule 5.20.16.pdf; PMT-01-02 Building Permit.pdf

Jerry,

The Sunflower Wind Project has begun construction this week for the 2016 season. Please see attached updated schedule, batch plant permit and Stark County permanent met tower building permit. I will have the construction weekly report to you later today and will continue to provide each Friday until project completion. If you have any questions feel free to give me a call.

Thank You,

*Aron Anderson
Senior Project Manager*

Mobile: (612) 599-4251
Email: aanderson@sunedison.com

79 **PU-14-105** Filed: 6/27/2016 Pages: 24
Updated construction schedule, Permits

| Activity Name | OO | Start | Finish | 2015 | | | | | | | | | | | | 2016 | | | | | | | | | | | | 2017 | | | | | | | | | | | |
|---|-----|------------|------------|--|-----|-----|-------|-----|-----|-------|-----|-----|-------|-----|-----|-------|-----|-----|-------|-----|-----|-------|-----|-----|-------|-----|-----|-------|-----|-----|-------|--|--|--|--|--|--|--|--|
| | | | | Qtr 3 | | | Qtr 4 | | | Qtr 1 | | | Qtr 2 | | | Qtr 3 | | | Qtr 4 | | | Qtr 1 | | | Qtr 2 | | | Qtr 3 | | | Qtr 4 | | | | | | | | |
| | | | | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | | | | | | | | |
| Underground Collection System | 87 | 01-Aug-16 | 02-Dec-16 | [Gantt bars for Underground Collection System] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Substation | 265 | 05-Oct-15A | 12-Oct-16 | [Gantt bars for Substation] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Substation - Civil | 5 | 05-Oct-15A | 13-Oct-15A | [Gantt bars for Substation - Civil] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Substation - Foundations | 18 | 12-Nov-15A | 11-Dec-15A | [Gantt bars for Substation - Foundations] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MPT Delivery (By Owner) | 0 | 19-Feb-16A | | [Gantt bars for MPT Delivery (By Owner)] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Substation - MPT Assembly / Oil Fill / Testing (By Owner) | 10 | 22-Feb-16A | 06-Mar-16A | [Gantt bars for Substation - MPT Assembly / Oil Fill / Testing (By Owner)] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Substation - Conduit & Grounding | 20 | 05-Jul-16 | 01-Aug-16 | [Gantt bars for Substation - Conduit & Grounding] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Substation - Structural Steel | 20 | 20-Jul-16 | 16-Aug-16 | [Gantt bars for Substation - Structural Steel] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Substation - Equipment Install | 20 | 03-Aug-16 | 30-Aug-16 | [Gantt bars for Substation - Equipment Install] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Control Bldg. Delivered Onsite | 0 | 29-Aug-16* | | [Gantt bars for Control Bldg. Delivered Onsite] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Substation - Control Building Set & Wiring | 10 | 29-Aug-16 | 12-Sep-16 | [Gantt bars for Substation - Control Building Set & Wiring] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Substation - Cabling & Bus Installation | 10 | 06-Sep-16 | 19-Sep-16 | [Gantt bars for Substation - Cabling & Bus Installation] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Substation - Ballast Rock & Final Grading | 5 | 15-Sep-16 | 21-Sep-16 | [Gantt bars for Substation - Ballast Rock & Final Grading] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Substation - Testing & Commissioning | 15 | 22-Sep-16 | 12-Oct-16 | [Gantt bars for Substation - Testing & Commissioning] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Energize Project Substation | 2 | 11-Oct-16 | 12-Oct-16 | [Gantt bars for Energize Project Substation] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| O&M Building | 262 | 13-Oct-15A | 27-Oct-16 | [Gantt bars for O&M Building] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| O&M Building - Civil | 5 | 13-Oct-15A | 13-Oct-15A | [Gantt bars for O&M Building - Civil] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| O&M Building - Foundations | 10 | 11-Jul-16* | 22-Jul-16 | [Gantt bars for O&M Building - Foundations] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| O&M Building - Shell | 15 | 25-Jul-16 | 12-Aug-16 | [Gantt bars for O&M Building - Shell] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| O&M Building - Interior Finishes | 30 | 15-Aug-16 | 26-Sep-16 | [Gantt bars for O&M Building - Interior Finishes] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| O&M Building - SCADA Room Complete | 0 | 16-Sep-16 | | [Gantt bars for O&M Building - SCADA Room Complete] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| O&M Building - HVAC / Electrical | 21 | 22-Sep-16 | 20-Oct-16 | [Gantt bars for O&M Building - HVAC / Electrical] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| O&M Building - Final Inspections | 5 | 21-Oct-16 | 27-Oct-16 | [Gantt bars for O&M Building - Final Inspections] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| WTG Foundations | 41 | 05-Jul-16 | 30-Aug-16 | [Gantt bars for WTG Foundations] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Excavate & Pour Mud Mat | 31 | 05-Jul-16 | 16-Aug-16 | [Gantt bars for Excavate & Pour Mud Mat] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| FRP Base & Pedestal | 31 | 11-Jul-16 | 22-Aug-16 | [Gantt bars for FRP Base & Pedestal] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Backfill | 30 | 20-Jul-16 | 30-Aug-16 | [Gantt bars for Backfill] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Turbine Erection | 77 | 15-Aug-16 | 02-Dec-16 | [Gantt bars for Turbine Erection] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Offload Turbines | 31 | 15-Aug-16 | 20-Sep-16 | [Gantt bars for Offload Turbines] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Base & Mid Erection | 26 | 15-Aug-16 | 20-Sep-16 | [Gantt bars for Base & Mid Erection] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Upper Mids / Tops / Nacelles / Hub | 60 | 24-Aug-16 | 16-Nov-16 | [Gantt bars for Upper Mids / Tops / Nacelles / Hub] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Blade Slab | 60 | 24-Aug-16 | 16-Nov-16 | [Gantt bars for Blade Slab] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Tower Wiring | 65 | 26-Aug-16 | 29-Nov-16 | [Gantt bars for Tower Wiring] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mechanical Completion | 60 | 08-Sep-16 | 02-Dec-16 | [Gantt bars for Mechanical Completion] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Construction | 116 | 20-Jun-16 | 03-Dec-16 | [Gantt bars for Construction] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Met Towers | 34 | 20-Jun-16 | 05-Aug-16 | [Gantt bars for Met Towers] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Permanent Met Towers (2) | 34 | 20-Jun-16 | 05-Aug-16 | [Gantt bars for Permanent Met Towers (2)] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Met Tower Foundations | 14 | 20-Jun-16* | 08-Jul-16 | [Gantt bars for Met Tower Foundations] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Met Tower Assembly & Erection | 20 | 11-Jul-16 | 05-Aug-16 | [Gantt bars for Met Tower Assembly & Erection] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Feeder 1 | 72 | 05-Jul-16 | 13-Oct-16 | [Gantt bars for Feeder 1] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Collection System | 53 | 01-Aug-16 | 13-Oct-16 | [Gantt bars for Collection System] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 34.5kV Cable Installation - Feeder 1 | 16 | 01-Aug-16* | 22-Aug-16 | [Gantt bars for 34.5kV Cable Installation - Feeder 1] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PD Testing - Feeder 1 | 5 | 23-Aug-16 | 29-Aug-16 | [Gantt bars for PD Testing - Feeder 1] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Circuit Energization Date - Feeder 1 | 0 | 13-Oct-16 | | [Gantt bars for Circuit Energization Date - Feeder 1] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| WTG 1 | 47 | 05-Jul-16 | 08-Sep-16 | [Gantt bars for WTG 1] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Excavate & Pour Mud Mat - WTG 1 | 2 | 05-Jul-16* | 06-Jul-16 | [Gantt bars for Excavate & Pour Mud Mat - WTG 1] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| FRP Base & Pedestal - WTG 1 | 4 | 11-Jul-16 | 14-Jul-16 | [Gantt bars for FRP Base & Pedestal - WTG 1] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Backfill - WTG 1 | 2 | 20-Jul-16 | 21-Jul-16 | [Gantt bars for Backfill - WTG 1] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Offload Turbines - WTG 1 | 1 | 15-Aug-16 | 15-Aug-16 | [Gantt bars for Offload Turbines - WTG 1] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Set Base / Mid - WTG 1 | 1 | 15-Aug-16 | 15-Aug-16 | [Gantt bars for Set Base / Mid - WTG 1] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Grout - WTG 1 | 4 | 16-Aug-16 | 19-Aug-16 | [Gantt bars for Grout - WTG 1] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Upper Mids / Tops / Nacelles / Hub - WTG 1 | 1 | 24-Aug-16 | 24-Aug-16 | [Gantt bars for Upper Mids / Tops / Nacelles / Hub - WTG 1] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Blade Slab - WTG 1 | 1 | 24-Aug-16 | 24-Aug-16 | [Gantt bars for Blade Slab - WTG 1] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Tower Wiring - WTG 1 | 7 | 26-Aug-16 | 06-Sep-16 | [Gantt bars for Tower Wiring - WTG 1] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Tower Clean & Walkdown - WTG 1 | 1 | 07-Sep-16 | 07-Sep-16 | [Gantt bars for Tower Clean & Walkdown - WTG 1] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mechanical Completion - WTG 1 | 1 | 08-Sep-16 | 08-Sep-16 | [Gantt bars for Mechanical Completion - WTG 1] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| WTG 2 | 50 | 06-Jul-16 | 14-Sep-16 | [Gantt bars for WTG 2] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Excavate & Pour Mud Mat - WTG 2 | 2 | 06-Jul-16 | 07-Jul-16 | [Gantt bars for Excavate & Pour Mud Mat - WTG 2] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| FRP Base & Pedestal - WTG 2 | 4 | 12-Jul-16 | 15-Jul-16 | [Gantt bars for FRP Base & Pedestal - WTG 2] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Backfill - WTG 2 | 2 | 21-Jul-16 | 22-Jul-16 | [Gantt bars for Backfill - WTG 2] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Offload Turbines - WTG 2 | 1 | 15-Aug-16 | 15-Aug-16 | [Gantt bars for Offload Turbines - WTG 2] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Set Base / Mid - WTG 2 | 1 | 15-Aug-16 | 15-Aug-16 | [Gantt bars for Set Base / Mid - WTG 2] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Remaining Level of Effort
 Remaining Work

Actual Level of Effort
 Critical Remaining Work

Actual Work
 Milestone

Project Start: 27-Jan-15
 Project End: 24-Jun-17
 Data Date: 10-May-16
 Run Date: 20-May-16 14:35

Sunflower

 Proprietary & Confidential

Project ID: 15141007-11
 Page 4 of 15

Stark County, ND

Building Permit

Permit # *16-0006S*

Description of Work:

Sunflower Wind Project MET 01-02
40th St NW & County Rd 78
Hebron, ND
763-287-5180
MET Tower

Required Inspection

- Footings
- Final Building & Mechanical

Date Issued: 3/2/2016

Call 701-842-2120 for inspections, one business day in advance.

COMMERCIAL BUILDING APPLICATION

(ALL INFORMATION IS REQUIRED)

Plan Submittal Requirements: You must submit Two (2) sets of adequate plans and specifications. Plans and specifications must be drawn to scale, must clearly indicate the location, nature, and extent of the work proposed and must show in detail that it will conform to the provisions of the International Building Code.

Plans Shall Include:

1. A site plan with the location of the proposed building and all existing buildings. It must include distances between buildings, to property lines, streets, roads, alleys, etc. If required, a handicap accessible route and parking space(s) must also be shown on the site plan.
2. A dimensioned floor plan showing interior and exterior walls, opening location and size, operating windows, door swings, door hardware, exit sign locations, and handicapped toilet rooms.
3. Identification of the use of each room or area of the building, with a list of materials or supplies to be used or stored, and a description of any product to be manufactured or installed.
4. A dimensioned typical section through the structure showing footings, foundation, walls, floor, ceilings, roof materials, and details. The roof and floor framing plans must show size and spacing all members.
5. Materials specification as appropriate, for example, roofing materials, sheetrock type and thickness, door type and rating, etc.

Other Submittal Requirements:

1. A completed ADA Form
2. The address of the property must be recorded.
3. List of utility providers. (Sewer, Gas, Water, Electrical)
4. A Subcontractor List must be submitted.

Received:

12/3/14

1. PROJECT INFORMATION

Project Title: Sunflower Wind Project

Address: Near 40th Street NW and County Road 78, Hebron, ND

Legal Description: SW 1/4 OF SECTION 26, TWN 139 N, RNG 91 W
Parcel Number:

Owner of Property: Sunflower Wind Project, LLC.

Owner Address: 179 Lincoln St. Suite 500, Boston, MA 02111 Phone Number(s): 612-599-4251

2. CONTRACTOR INFORMATION

Company: M.A. Mortenson

Name of Jobsite Supervisor: Ryan Januszewski
Phone Number: 763-287-5180
ND Contractor License Number: 3713

3. PROJECT DESCRIPTION

| | | | | |
|---|---|-------------------------------------|-----------------------------------|-------------------------------------|
| Type of Work: check box that applies | <input checked="" type="checkbox"/> New Construction | <input type="checkbox"/> Alteration | <input type="checkbox"/> Addition | <input type="checkbox"/> Demolition |
|---|---|-------------------------------------|-----------------------------------|-------------------------------------|

Location of Work: See attached map - Location PMT 01-02
SF of Work Being Done: 400 SF

Describe in detail work being done: Installation of a permanent MET tower, MET tower concrete foundation work, and a six-foot chain link fence will be installed around the perimeter of the MET tower.

Note- Attached with this building permit application is a Determination of no Hazard to Air Navigation from the FAA for the PMT 01-02.

REVIEWED FOR CODE COMPLIANCE

STARK COUNTY, ND
[Signature] 3/1/16
PLANS EXAMINER DATE

4. FEE INFORMATION

| | | |
|---------------------------|----------------------------|-------------------|
| | Name & Lic. No. | Bid Amount |
| General Contractor | Mortenson 3713 | |
| | Total Project Cost: | |
| Building Permit Fee: | Paid: | Credit Card |
| Plan Review Fee (65%): | | Check |
| Other Fees: | | Cash |
| Total Permit Fee: | | Received By: |

A member of the Building Inspections Division will notify you when the permit has been created. All permits must be picked up and a signature is required. You will be required to post an address sign as well as a copy of the approved permit in a conspicuous place prior to any inspections. Any information that the applicant has set forth in this application that is false or misleading may result in the rejection of the application. A condition for the issuance of this permit is that the proposed construction will comply at all times with the plans as approved by all applicable government agencies.

I hereby declare and affirm that all matters and facts set forth in this application are true and correct to the best of my knowledge, information and beliefs.

Signature _____ Date _____

5. ZONING/ASSESSING INFORMATION (Required)

| New | Addition | Alteration | Demolition | Miscellaneous |
|---|--------------------------------------|--------------------------|------------------------|-------------------|
| Occupancy Group: N/A | Division: | Census Code: | Ownership: | # of Units: N/A |
| Building Height: 80m | Construction Type: lattice structure | Front Width: 20' | Rear Width: 20' | Building Width: |
| Zoning: | Average Depth of Lot: | Lot Area (sq ft): | | |
| Easement: | | | | |
| Front Yard Setback | | Side Yard Setbacks | | Rear Yard Setback |
| Area of Main. | Finished Area. | Finished Area Alt / Add. | | |
| # Required Parking Spaces | Area Required Parking | Total Area: <i>2</i> | | |
| Zoning Approval Signature: <i>[Signature]</i> | | | Date: <i>2/25/2016</i> | |

The application meets to CUP conditions

6. BUILDING CODE INFORMATION (for office use only)

| | |
|-------------------------------------|----------------------|
| Occupancy Classification: | Change of Occupancy: |
| Type of Construction: | Allowable Area: |
| Building Stories / Height: | Mixed Occupancy: |
| Building Area: | Occupant Load: |
| Fire Protection Systems | Area Increase |
| Alarm: | Frontage |
| Sprinkler: | Sprinkler |
| Fire Resistance Rating Requirements | |
| | |
| | |

PROJECT REVIEW

Reviewed By:

Project Title:

Address:

Comments:

A member of the Building Department will inform you when the permit has been created. Your signature is required when you pick up the permit. The property must be clearly identified with an address prior to inspection. Any information the applicant has set forth in this application that is false or misleading may result in the rejection of the application or revocation of the permit. A condition for the issuance of this permit is that the proposed construction will comply at all times with the plans as approved by all applicable government agencies.

I hereby declare and affirm that all matters and facts set forth in this application are true and correct to the best of my knowledge, information and beliefs.

Signature

Date

This permit application and associated plans have been reviewed for compliance with the Code. All work associated with this permit is subject to field inspection by certified individuals during the course of construction. Issuance of this permit is in no way granting any portion of the proposed work to be completed in a manner contrary to the Code. Construction must commence within (six) months.

To: Stark County Planning and Zoning Board
From: Steve Josephson, AICP, County Planner
Subject: Staff Recommendation for Agenda Item #5, Stark County Planning and Zoning Board Meeting of November 24, 2015
Date: November 24, 2015

AGENDA ITEM#5- Public Hearing- Sunflower Wind Project is requesting a Conditional Use Permit for a 262 foot lattice meteorological radio tower to provide data transmission for wind energy facilities communications on a parcel located on the SW ¼ of Section 26, Township 139, Range 91 containing approximately 160 acres.

REQUEST

The applicant is requesting a conditional use permit for a 262 foot lattice meteorological tower. The applicant states the tower will be used for the following:

- Monitoring collecting wind data; and
- Assisting and generation planning of the Sunflower Wind Project.

The subject property is zoned Agriculture. Per Section 5.1.2. of the Stark County Zoning Ordinance, a conditional use permit is required in the Agriculture zoning district prior to the construction of a meteorological tower. Per Chapter 8.3 of the Stark County Zoning Ordinance, a conditional use permit application requires a public hearing before the Stark County Planning and Zoning Commission and approval by the Stark County Commission.

BACKGROUND INFORMATION

The subject property is currently zoned Agriculture and is currently in agricultural use. Adjacent properties to the north, south, east and west are zoned Agriculture, and the properties to the south and east are zoned Agriculture.

The subject site is within the project area of the Sunflower Wind Energy Facility as approved by the Stark County Commission in March 2014.

ANALYSIS

Chapter 8.3 of the Stark County Zoning Ordinance states that no conditional use permit shall be recommended by the Planning and Zoning Commission or approved by the Commission unless the applicant shall have met all the following criteria:

- The establishment, maintenance, or operation of the conditional use shall not be detrimental to or endanger the public health, safety, comfort or general welfare.
- The proposed conditional use shall not substantially impair or diminish the value and enjoyment of other property in the area.

REVIEWED FOR CODE COMPLIANCE
STARK COUNTY, ND
Steve Josephson
PLANS EXAMINER
3/1/16
DATE
APPROVED PLANS MUST BE KEPT ON SITE

- c) The proposed conditional use shall not impede the normal orderly development of the surrounding property.
- d) Adequate utilities, access roads, drainage or other necessary site improvements have been or are being provided to accommodate the proposed conditional use.
- e) Adequate measures will be taken to provide ingress and egress to the property without adverse effects on the adjoining properties and traffic congestion in the public street.
- f) The proposed conditional use shall conform to all applicable regulations of the district within which it is located.

Staff has reviewed the conditional use permit application and has determined the applicant has met the criteria listed above. The applicant has stated the following:

- The proposed tower will be located within the Sunflower Wind Facility project area near two turbine sites. As the tower's purpose is only to collect wind data it should not be detrimental to or endanger public health, safety, comfort or general welfare;
- The proposed tower has a small footprint and will not impede the normal orderly development of surrounding property;
- The tower will be powered by electricity generated by the project's wind turbines. The roads servicing the tower will be those constructed as part of the overall project; and
- The tower will be constructed in accordance of the requirements of Stark County, the Federal Communication Commission, the Federal Aviation Commission, and the standards of the American National Standards Institute/Telecommunications Industry Association.

No residential or agricultural structures appear to be located within the vicinity of the proposed radio tower. In accordance with Chapter 8.3 of the Stark County Zoning Ordinance, staff proposes a number of conditions meant to further promote and protect public health, safety and the general welfare of Stark County residents.

STAFF RECOMMENDATION: Approval of the proposed conditional use based upon the following findings:

1. **The location of the proposed project should not adversely impact the existing uses in the vicinity; and**
2. **The conditional use shall to limited through the inclusion of the following conditions:**
 - a. **Development shall be limited to a lattice meteorological tower to support a wind energy facility**
 - b. **The maximum height of the meteorological tower shall be limited to 262 feet;**
 - c. **The location of the tower shall be as generally shown on the drawing received as part of the application dated November 2, 2015;**
 - d. **The developer shall be responsible for all maintenance associated with the tower;**
 - e. **The developer shall provide a six-foot chain link fence around the perimeter of the pad;**

- f. Prior to construction, the developer shall submit a letter from the Federal Aviation Administration (FAA) stating that the tower does not exceed the maximum height permitted under FAA rules;**
- g. Any proposed change of use of the tower, increase in height or change of location shall require a hearing before the Stark County Planning and Zoning Board and approval as well as approval from the Stark County Commission; and**
- h. Development of the meteorological tower shall be performed in accordance with all applicable County, State and Federal rules and regulations.**



October 12, 2015

North Dakota Pollutant Discharge Elimination System (NDPDES)
General Permit for Stormwater Discharges from **Industrial Activity**
Associated with Mining, Extraction or Paving Material Preparation
NOTICE OF COVERAGE

Permittee(s)

Contact: Fawn Kibria
GCC Ready Mix Portable Plants #330 & #331
431 W 23rd Street
Tulsa, OK 74107

Permit coverage is identified as follows:

Permit Coverage #: Facility Name:
NDR32-0783 **GCC Ready Mix Portable Plants #330 & #331**

The permit coverage is granted for stormwater discharges from the facility described above. The permit does require the implementation of a Stormwater Pollution Prevention (SWPP) plan to control potential pollutants in stormwater discharges from the site. Please remember to inspect, maintain and adjust the Best Management Practices (BMPs) outlined in your plan.

Additional Information

The permit will expire on December 31, 2019. A copy of the general permit conditions for storm water discharges from industrial activity and related information is available on our website at:
<http://www.ndhealth.gov/WQ/Storm/Mining/MINING.HTM>

Should you have any questions on the permit, please contact the staff person listed below.

Sincerely,

Dan Weber
Division of Water Quality
Phone: 701-328-5285
Email: daweber@nd.gov

cc: Doug Roark – GCC of America
Chad Henrich – GCC of America