

**Glenwood Township
Pope County, Minnesota
ZONING APPLICATION**

This is an application for:

☐ Conditional Use Permit
☒ Variance
☐ Substantially Similar Use

☐ Zoning Ordinance Amendment
☐ Appeal

Parcel #: 09-0314-001 Acres: 122.74
Property Address: See Attached Legal Description (attach full legal description)
Zoning District: Ag / Ind

Applicant: Viking Community Solar 27-LLC Phone: 443-267-5012
Address: 2530 Riva Road, Suite 200 E-Mail: Development@newenergyequity.com
City/State: Annapolis, MD 21401

Owner: Minnerath Investments LLC Phone: 320-762-7289
Address: 6325 County Road 87 SW E-Mail: _____
City/State: Alexandria, MN 56308

Brief Description of Request (attach all additional information required by the Zoning Ordinance):
See Attached

If requesting a variance or an amendment, list the specific provision(s) of the Zoning Ordinance involved and attach an explanation of the reasons for the request: See Attached

If this is an appeal, attach an explanation of the decision being appealed from and a detailed explanation of the reasons for the appeal.

I swear that all information submitted by me (or my agent representing me) as part of this request is true, correct, accurate and complete to the best of my knowledge. I understand and agree I am responsible for complying with the application provisions of the Town's Zoning Ordinance, I am required to obtain all other permits required by law, and that the Town will not process this application until it is complete and the required application fee and escrow are submitted. I hereby authorize Glenwood Township representatives to enter upon property as reasonably needed to gather information pertinent to this application.

Applicant's Signature: [Signature] Date: 12/14/23

Owner's Signature: [Signature] Date: 12/18/23

Town Use Only

| | |
|--|--------------------|
| Date Application Received: _____ | Received by: _____ |
| Application Fee Received: <input type="checkbox"/> Yes <input type="checkbox"/> No | Amount: \$ _____ |
| Escrow Money Received: <input type="checkbox"/> Yes <input type="checkbox"/> No | Amount: \$ _____ |
| Date Approved: _____ | Date Denied: _____ |

Minnerath – Parcel 09-0314-001 Legal Description

Section: 17

Township: 125

Range: 37

NE1/4SW1/4 EX PTS ON DOCS# 000266 & 266526; S1/2SW1/4 & S 100 FT OF NW1/4SW1/4 EX PTS OF
ALL ON DOC# 199688

Date: 12/29/23
Glenwood Township, MN
Attn: Board of Adjustment
19396 State Highway 104
Glenwood, MN 56334

Subject: Full Written Description of the Proposed Variance Request, Variance Application, Glenwood Township

Minnerath Investments LLC, (Landowner), and Viking Community Solar 27 LLC, a subsidiary of New Energy Equity LLC, (Applicant) respectively submit an application for a variance to the 1,320-foot setback requirement from the centerline of Arterial, Major Collector and Minor Collector roads in Article IX, 4(D)(i)(c)(1) of the Township Zoning Code.

The Applicant seeks a variance to reduce the required setback from Highway 55 to 500 feet.

The purpose of the request is to facilitate the development of an 830 kW Solar Garden (the “Solar Garden”) in the Non-Intensive Agriculture (A-1) District.

Prior to application submittal, the Applicant communicated through email and by phone with Township Zoning Administrator, Fred Sandal, the proposed variance, and the potential development of the Solar Garden.

The subject parcel, parcel # 09-0314-001, consists of 122.74 deeded acres and portions are currently used in an aggregate mining operation. The area of the parcel where the Solar Garden is proposed is a reclaimed mining area, meaning it has been previously disturbed by the mining operation. The parcel sits between a manufacturing facility to the north and an aggregate mining operation to the south / southeast. The variance request is in harmony with the Township’s official controls because due to the characteristics of the subject parcel and manufacturing facility, the Applicant’s screening plan and the angle of Highway 55 in relation to the subject parcel, the solar array will not visually impact drivers on Highway 55. Further, as shown in the enclosed site plan, the Applicant designed the Solar Garden to minimize the scope of the variance requested, and the proposed Solar Garden adheres to all other local regulations and setbacks, while avoiding any visual impacts on drivers on Highway 55.

Should the Board approve the Variance request, the Applicant intends to develop, construct, own and operate the Solar Garden on a portion of the subject parcel under a private land-lease agreement with the Landowner. The Solar Garden will generate electricity for use by community utility customers and have a project life of 35-years from the date operations commence. The Applicant selected this site because of the Landowner’s interest, the parcel’s physical characteristics, proximity to existing electrical infrastructure and distribution lines, and compatibility with the uses on the adjoining parcels and other uses in the Non-Intensive Agriculture District (A-1). The Solar Garden’s final design will follow all regulatory, technical,

and environmental guidance, requests, rules and requirements of the Utility, Town, County, Involved Agencies, as well as the National Electrical Safety Code and the U.S. Department of Labor and Occupational Safety and Health Standards for the safety and protection of landowners, the public, and the property. We do not request that the Township provide any services or improvements to support the Solar Garden construction or operation.

In closing, we respectfully request that the Board grant the variance request because the request is in harmony with the Township's official controls.

We sincerely appreciate all the help we have received from your staff regarding our application and look forward to collaborating with you further to develop a great project that we can all be proud of.

Sincerely,

Viking Community Solar 27 LLC, Applicant

Point of Contact: Jesse Dimond

Phone: 651-333-0541

Email: jessed@newenergyequity.com

Enclosures/Exhibits:

- A. Variance Request – Practical Difficulty Explanation
- B. Proposed Development Site Plan
- C. Legal Description
- D. Application Form
- E. 3d Rendering of Proposed Project / Line of Site



AN ALLETE COMPANY

Exhibit A. Practical Difficulty:

1. Is the variance in harmony with the general purposes and intent of the official controls?

Yes. The pertinent purpose of the Township Zoning Ordinance is “to protect the public health, safety and general welfare.” The Applicant’s variance request is in harmony with that purpose because due to the characteristics of the subject parcel and neighboring manufacturing facility, the Applicant’s screening plan, and the angle of Highway 55 in relation to the parcel, the solar array on this parcel will not visually impact drivers on Highway 55. As shown on the enclosed site plan, the manufacturing facility on the property immediately to the north is significantly closer to Highway 55 than the proposed solar array and acts as a natural buffer, and the Applicant will utilize an existing berm, along with a 25-foot-wide landscaping design and fencing, to provide additional buffers between the Highway 55 and the solar array, which will eliminate visual impacts.

2. Is the request consistent with the comprehensive plan?

Yes, the request is consistent with the Comprehensive Plan. As stated in the Comprehensive Plan, the “Township’s goal is to maintain agriculture as a use in the Township, and to control residential, commercial and industrial development as deemed appropriate.” Comprehensive Plan at p. 10. The proposed Solar Garden is consistent because the subject parcel is not in agriculture use, and the Township has deemed the development of solar gardens as an appropriate and allowable use in the Non-Intensive Agriculture (A-1) District. In addition, solar projects, like this Solar Garden, are the rare type of use that will protect, preserve, and improve open reclaimed acres located within the project site. First, the interim nature of a Solar Garden, with a 35-year lifespan, means that any open reclaimed acreage previously used for aggregate mining will be preserved for use 35-years from now and will be fully revegetated by the Solar Garden owner, providing for improvement to the current site conditions. Restoring vegetation to a reclaimed mining site provides visual benefits, stormwater control and resets the natural balance of organic nutrients, carbon, and nitrogen. Restoring vegetation also lends a substantial contribution to restoring carbon levels in the atmosphere.

The Comprehensive Plan also states that the “optimum quality of life for Township residents is sought by protecting the natural environment, preventing pollution and meeting the needs of current residents and owners of land without compromising the ability of future generations.” Comprehensive Plan at p. 10. The proposed Solar Garden is consistent with that policy statement because it will not generate any smoke, gas, vibration, or other type of pollution. The proposed use is a lesser impact than the existing approved use as an aggregate mining facility. The Solar Garden will also protect the natural environment by protecting groundwater and surface water, as the native vegetation planted as ground cover under solar panels provides high resistance to soil erosion and facilitates water absorption. Stormwater runoff is reduced and slowed down to allow it to be absorbed into the soil instead of washing away. The Solar Garden will also help meet the needs of current residents by generating electricity for use by community utility customers. All of these attributes of solar gardens help protect and improve the natural environment, prevent pollution or meet the needs of current residents without compromising the ability of future residents.

Finally, the Solar Garden is consistent with the Township's policy to "continue to maintain Township roads and protect, preserve and maintain roads and right-of-ways in a manner consistent with safety and efficiency." Comprehensive Plan at p. 10. The proposed Solar Garden is consistent with this policy because its main point of access is from Highway 55, so it will have no material impact on Township roads. Further, once operational, the Solar Garden requires no daily traffic.

3. Is the property owner proposing to use the property in a reasonable manner not permitted by the official controls?

Yes, the proposal to use this property for the Solar Garden is reasonable because (1) the Solar Garden at this location, as discussed above, will not visually impact Highway 55; and (2) the subject parcel is in the Non-Intensive Agriculture (A-1) District and solar gardens are allowed in that District with the appropriate permit. We also confirmed with Township Staff that the project site meets all other criteria in the Township Zoning Ordinance and that this is the only variance the Applicant needs. Further, in an effort to minimize the scope of the variance requested, we located the Solar Garden as far away as possible from Highway 55, while maintaining compliance with all other setback or Ordinance requirements, in alignment with the County setback ordinance.

4. Is the plight of the landowner due to circumstances unique to the property not created by the landowner?

Yes, the circumstances are unique to the property because by utilizing the existing berm, fencing and a landscape plan, the solar array on the parcel will have no visual impacts on Highway 55. Strict application of the setback requirement to this parcel would be unreasonable because it would prohibit the Solar Garden even though it is a use allowed in the Non-Intensive Agriculture (A-1) District and has no visual impacts on Highway 55.

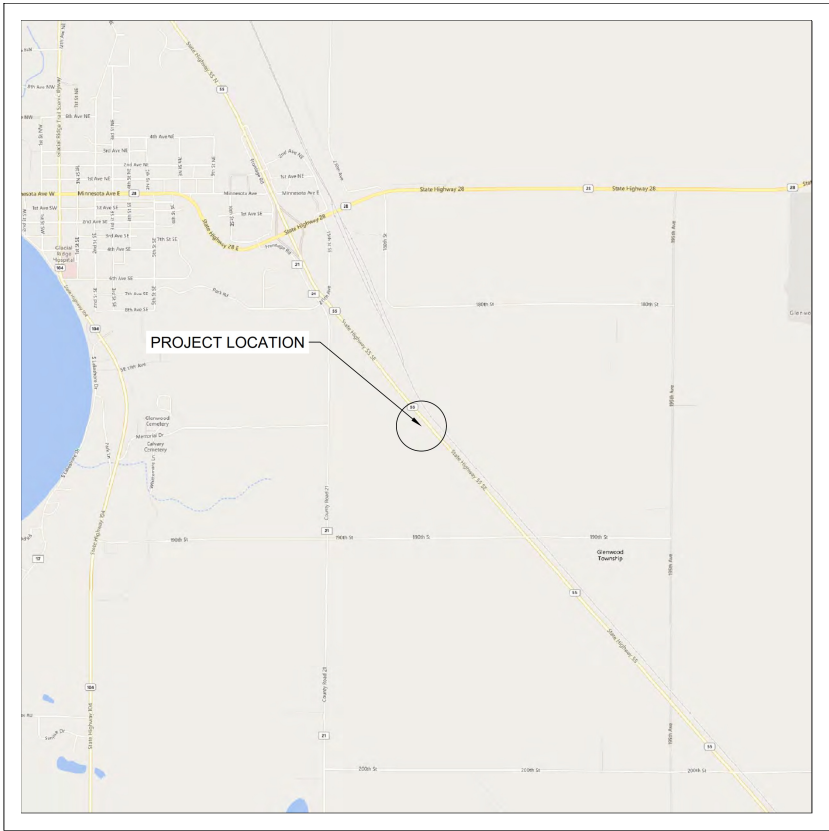
5. Would the variance maintain the essential character of the locality?

Yes, granting the variance will maintain the essential character. The subject parcel sits between a manufacturing facility to the north and an aggregate mining operation to the south / southeast. There are no improvements on the property to the southeast, but the improvements on the manufacturing facility are closer to Highway 55 than the proposed Solar Garden. Thus, the Solar Garden on this parcel would not be out of scale, out of place or inconsistent with the surrounding area or locality. In addition, solar gardens require large land areas, which is one of the reasons why the Township allows them in the Non-Intensive Agriculture (A-1) District.

6. Does the request involve more than economic considerations alone?

Economics are not a consideration of the variance request. Applicant designed the site of the Solar Garden to minimize the scope of the variance requested, and there are no alternative designs or location choices available for this parcel, either more or less expensive, that would alleviate the need for this variance.

MINNERATH CSG



1 ARRAY LOCATION

Scale: 1" = 2000'



2 OVERHEAD MAP

Scale: 1" = 400'

PROJECT TEAM

PROJECT OWNER
VIKING COMMUNITY SOLAR 27, LLC
2530 RIVA RD SUITE 200
ANNAPOLIS, MD 21401
443-267-5012

PROJECT DEVELOPER
NEW ENERGY EQUITY, LLC
2530 RIVA RD SUITE 200
ANNAPOLIS, MD 21401
443-267-5012

GENERAL INFO

PROJECT ACREAGE
PARCEL ACREAGE: 122.74 ACRES
LEASE PREMISES AREA/FENCE AREA ACREAGE: ~6.73 ACRES
LIMITS OF PERMITTING ACREAGE: ~8.43 ACRES
LOT COVERAGE: 6.87%

PARCEL DESCRIPTION
PROPERTY OWNER: MINNERATH INVESTMENTS, LLC
PARCEL ID NUMBER: 09-0314-001
ZONING CLASSIFICATION: NON-INTENSIVE AG (A-1)
APPLICATION TYPE: SOLAR GARDEN (250kW - <10MW)

SETBACKS
PARCEL BOUNDARY SETBACK: 50'
HWY 55 CENTERLINE SETBACK: 500'

SHEET INDEX

| SHEET # | DESCRIPTION | REVISION # | REVISION DATE |
|---------|------------------------------------|------------|---------------|
| T1 | TITLE PAGE | 1 | 12/18/2023 |
| PV1 | PROJECT OVERVIEW | 1 | 12/18/2023 |
| PV2 | SITE PLAN | 1 | 12/18/2023 |
| PV3 | SETBACKS MAP | 1 | 12/18/2023 |
| PV4 | PID MAP | 1 | 12/18/2023 |
| PV5 | SOIL MAP | 1 | 12/18/2023 |
| PV6 | TOPOGRAPHY & DRAINAGE PATTERNS | 1 | 12/18/2023 |
| PV7 | LIMITS OF PERMITTING | 1 | 12/18/2023 |
| PV8 | DISTANCE FROM AIRPORT DETAIL | 1 | 12/18/2023 |
| PV9 | VARIANCE APPLICATION | 1 | 12/26/2023 |
| PV10 | SINGLE AXIS TRACKER RACKING DETAIL | 1 | 12/18/2023 |
| PV11 | FENCE DETAIL | 1 | 12/18/2023 |
| PV12 | INFILTRATION BASIN DETAIL | 1 | 12/18/2023 |
| E1 | SINGLE LINE DIAGRAM | 1 | 12/18/2023 |
| E2A | EQUIPMENT LABELS A | 1 | 12/18/2023 |
| E2B | EQUIPMENT LABELS B | 1 | 12/18/2023 |
| E3 | ELECTRICAL DETAIL | 1 | 12/18/2023 |
| E4A | EQUIPMENT SPEC SHEETS | 1 | 12/18/2023 |
| E4B | RACKING SPEC SHEET | 1 | 12/18/2023 |
| E4C | TRANSFORMER SPEC SHEET | 1 | 12/18/2023 |
| E5 | MODULE CERTIFICATION | 1 | 12/18/2023 |
| E6 | INVERTER CERTIFICATION | 1 | 12/18/2023 |



PROJECT ENTITY: VIKING COMMUNITY SOLAR 27, LLC

NEW ENERGY EQUITY, LLC
2530 RIVA ROAD, SUITE 200
ANNAPOLIS, MD 21041
NEWENERGYEQUITY.COM
443-267-5012

PROJECT ADDRESS
20631 STATE HIGHWAY 55
GLENWOOD, MN 56334

LAT: 45.6359
LONG: -95.3579

SYSTEM SPECIFICATIONS

| | |
|-------------------|--|
| SYSTEM SIZE DC | 1.364 MW |
| SYSTEM SIZE AC | POWER LIMITED TO 830 KW |
| DC/AC RATIO | 1.644 |
| AZIMUTH | 180° |
| TILT | +/- 52° |
| MODULE COUNT | 2352 |
| MODULE TYPE | HANWA Q,PEAK DUO XL-G11.3_BFG - 580 |
| MODULE STC RATING | 580 W |
| INVERTER COUNT | 7 |
| INVERTER TYPE | SMA SUNNY HIGHPOWER PEAK-3 125kW-US |
| INVERTER POWER | POWER LIMITED TO 118.5kW |
| RACKING | TBD |
| MONITORING | ALSO ENERGY |

DESIGN CRITERIA

| | |
|------------------------|--------------|
| MIN/MAX TEMP. | -30°C / 31°C |
| WIND SPEED (ASCE 7-10) | 105 MPH |
| BUILDING CATEGORY | I |
| EXPOSURE CATEGORY | C |
| GROUND SNOW LOAD | 50 PSF |
| BUILDING HEIGHT | 0'-0" |

OTHER NOTES

CASE NUMBER: 04920769

NO POSITION, DISTANCE, OR CLEARANCE
ISSUES WITH OVERHEAD ELECTRIC
SERVICE LINES OR OTHER UTILITIES IN
RELATION TO THE PV PANELS.

24/7 UNESCORTED KEYLESS ACCESS
PROVIDED FOR ALL UTILITY ENERGY
EQUIPMENT INCLUDING THE METERS AND
AC DISCONNECT.

INTERCONNECTION TYPE: SECONDARY

REVISIONS

| # | DESCRIPTION | BY | DATE |
|---|---|-----|------------|
| 1 | SINGLE LINE | MPH | 7/21/2022 |
| 2 | UPDATE TO 580 HANWHA | HFM | 11/14/2022 |
| 3 | TITLE BLOCK CORRECTIONS | MPH | 3/29/2023 |
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| 7 | DC/AC RATIO FIXED | NGA | 12/12/2023 |
| 8 | CUP PACKAGE | NGA | 12/15/2023 |

DRAWN BY

EVAN DENT

PROJECT NAME

MINNERATH

DRAWING TITLE

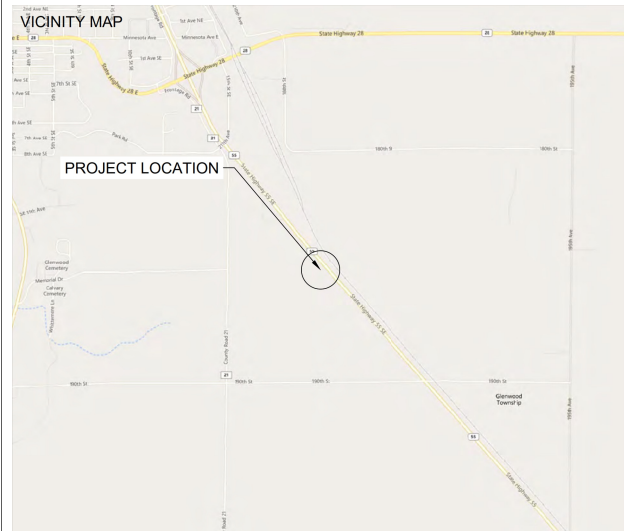
TITLE SHEET

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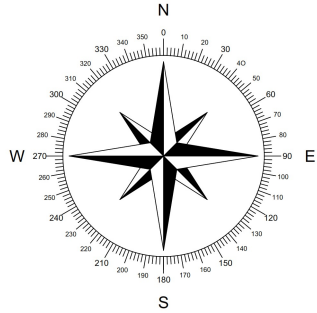
AS NOTED 0 1" 2"

SHEET

T1



SPACE FOR PE STAMP:



SHEET NOTES:

UTILITY POLES ARE SHOWN FOR INDICATING LOCATIONS ONLY. SPACING BETWEEN POLES, PHYSICAL PROTECTION BARRIER FOR SWITCHBOARDS, ETC. WILL BE ADDED IN THE DRAWINGS PREPARED FOR THE CONSTRUCTION DOCUMENTS



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PROJECT ADDRESS
20631 STATE HIGHWAY 55
GLENWOOD, MN 56334

LAT: 45.6359
LONG: -95.3579

SYSTEM SPECIFICATIONS

| | |
|-------------------|---|
| SYSTEM SIZE DC | 1.364 MW |
| SYSTEM SIZE AC | POWER LIMITED TO 830 KW |
| DC/AC RATIO | 1.644 |
| AZIMUTH | 180° |
| TILT | +/- 52° |
| MODULE COUNT | 2352 |
| MODULE TYPE | HANWA Q, PEAK DUO XL-G11.3_BFG - 580 |
| MODULE STC RATING | 580 W |
| INVERTER COUNT | 7 |
| INVERTER TYPE | SMA SUNNY HIGHPOWER PEAK-3 125KW-US |
| INVERTER POWER | POWER LIMITED TO 118.5KW |
| RACKING | TBD |
| MONITORING | ALSO ENERGY |

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OTHER NOTES
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EVAN DENT

PROJECT NAME

MINNERATH

DRAWING TITLE

PROJECT OVERVIEW

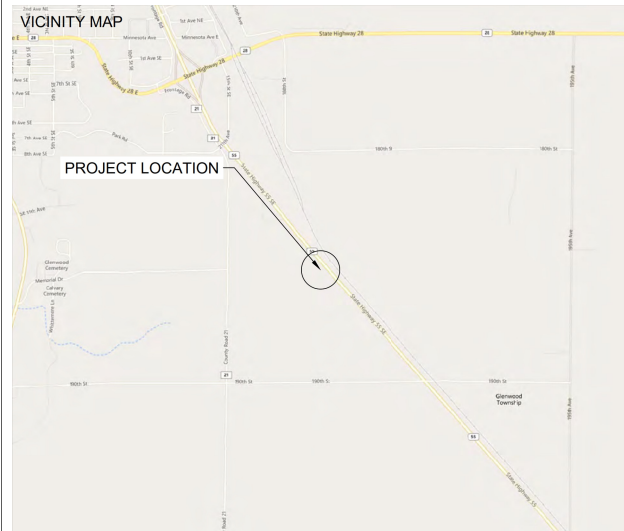
SCALE ¹

1" = 160'

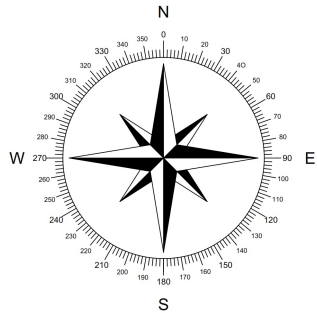
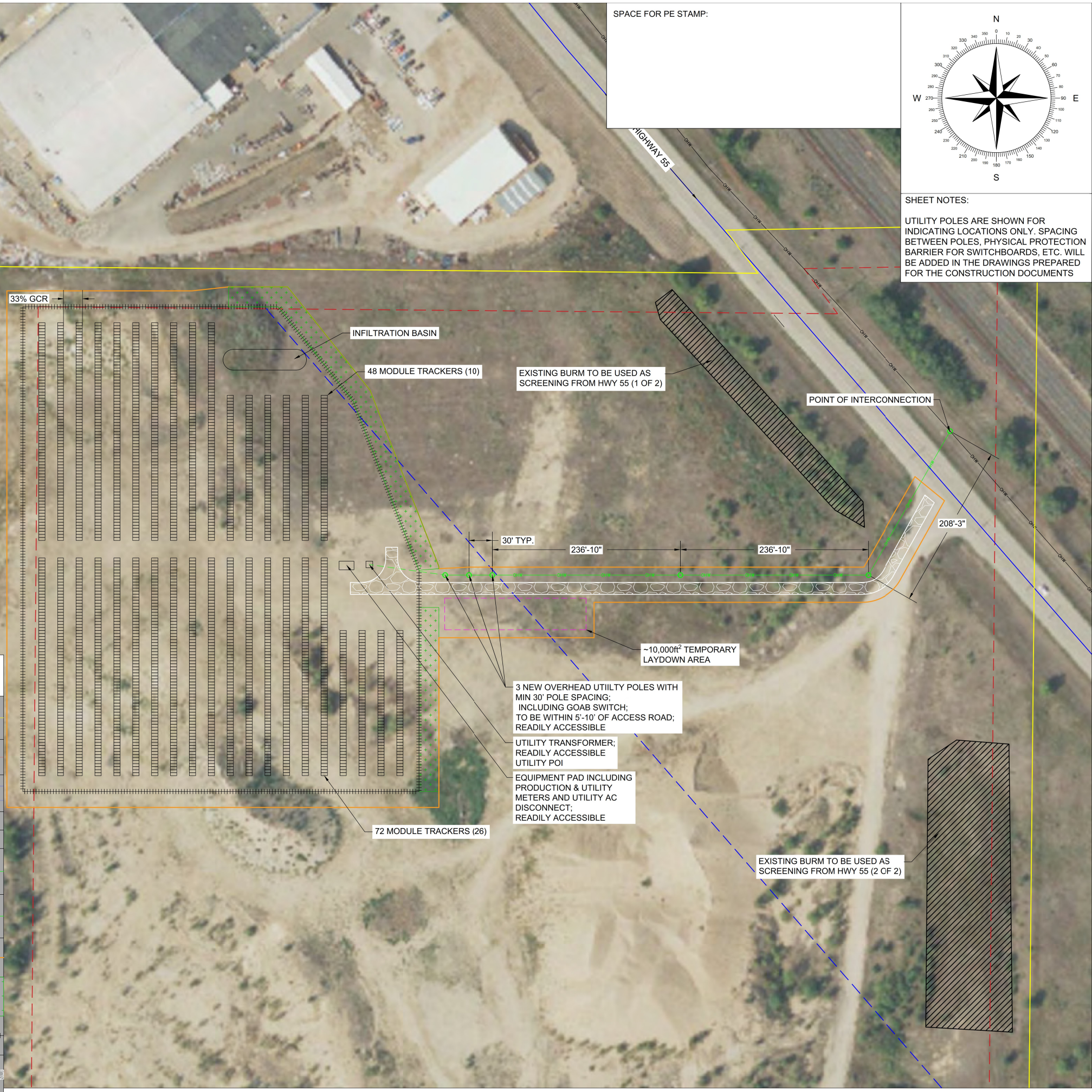


SHEET

PV1



| LEGEND | |
|---|--|
| PARCEL BOUNDARY (PID: 09-0314-001) | |
| 50' SETBACK FROM PARCEL BOUNDARY | |
| HIGHWAY 55 CENTERLINE AND 500' SETBACK (NTS) | |
| EXISTING OVERHEAD UTILITY LINE (XCEL) | |
| PROPOSED OVERHEAD LINE EXTENSION (~740' LENGTH) | |
| PROPOSED NEW UNDERGROUND ELECTRICAL LINE | |
| LIMITS OF PERMITTING (DETAILED ON PV7; ~8.43 ACRES) | |
| 25' WIDE LANDSCAPE SCREENING BUFFER | |
| ARRAY FENCE LINE (~2100' LENGTH AND ~6.44 ACRES) | |
| 15' WIDE ACCESS ROAD (~775' LENGTH) | |



NEW ENERGY EQUITY

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DRAWN BY

EVAN DENT

PROJECT NAME

MINNERATH

DRAWING TITLE

SITE PLAN

SCALE ¹

1" = 60'

0 1" 2"

SHEET

PV2