

City of Oregon Planning Commission Meeting

The Planning Commission met Tuesday August 16<sup>th</sup>, 2022, at 5:30 pm.

**Members Present:** Rachel Brunner, Roger Cain, Randy Cropp, Jeff Hallock, Mark Herman, Rick Ryland, Karly Spell, and Commissioner Kurt Wilson.

**Also, Present:** Gloria Fallon, Don & Joy Groenhagen, Judy Groharing, Johanna Hahne, Dallas Hill, Cheryl Hilton, Linda & Mike Hoffman, Ron Klein, Dan Luepkas, Ryan Magnoni, Kevin O'Brien, Dawn Pregont, Bill Preston, Rich Rhoads, Bob & Diana Speck, Bill Verdun, and Mayor Ken Williams.

**Present Via Zoom:** City Administrator Darin DeHaan and Paul Chadwick.

Chairman Mark Herman called the meeting to order.

Paul Chadwick opened the public hearing at 5:30 pm. He stated USS Ducks Solar LLC has submitted an application for a Special Use. The special use is for a solar farm. Mailing and public notice requirements were met according to statute.

Ryan Magnoni with USS Ducks Solar LLC spoke regarding the submitted Special Use Application to build a solar farm. He talked about the subscription process and rates, and taxes that each taxing body would receive. He said the solar garden would have battery storage as a benefit to the community. The batteries will allow for the energy to be pushed back onto the grid. The panels will be about six to eight feet off the ground. The panels are tracking and will move east to west with the sun. A pollinator habitat will be used under the panels. There is potential for bee farmers to keep beehives on the property. Construction will take about two to four months. The project will produce about five megawatts of electricity, which is about eleven hundred homes. The project will be on approximately twenty-seven acres. The current site has a one-hundred-foot setback from the northern part of the property. A landscape screen will be installed. The first solar panel will be about one hundred twenty feet from any residence from the north. The east side of the project will be next to the Oregon Park District, screening will be provided there as well. He requested approval of the project.

Judy Groharing asked about the screening material that would be used. Ryan Magnoni said there will be tree landscaping across the northern edge of the property.

Rich Rhoades said the solar farm on Oregon Trail Road is two megawatts. This one is proposed to be five megawatts. He asked the Planning Committee not to recommend this project to the City Council due to the fact the property was for city growth.

Johanna Hayne asked how the particular piece of land was selected. Ryan Magnoni said the property was selected because the infrastructure is already in place. He also said it is hard to find a landowner who is willing to sign a contract with solar companies. Johanna Hayne also expressed concern about the property being residential and a need for growth. She is against the project.

Ron Klein stated he would have liked to have seen a more detailed plot map for the project. He asked how the power is getting to the lines. Ryan Magnoni said three poles will be on the

western side of the entrance into the subdivision. Everything else would be underground on an easement behind the homes. A more detailed plan was not presented because solar is evolving rapidly and the plans would be expensive.

Dawn Pregont asked what type of screening and who would maintain the landscaping. She also asked who would be responsible for the decommissioning of the site. Ryan Magnoni said they have not completed a landscape engineering plan. He said there is an Agriculture Impact Mitigation agreement that would be signed by the state, city, and the solar company. The bond in the agreement would be set to an amount that, if the solar company walked away from the project, would cover the costs to return the land back to farmable condition. Dawn Pregont also asked about battery storage, safety and noise created by the tracking system and the batteries. Ryan Magnoni said the solar company has a company that maintains the batteries and he has not heard any concerns about the sound of the tracking system used by his company.

Kevin O'Brien asked if the solar company were subsidized by the federal government and where the batteries would be located. Ryan Magnoni said they are not subsidized by the federal government and the batteries are in the center of the project.

Ryan Magnoni said that due to the length of time it will take for this project to be approved at the state level, the batteries for this project have not been purchased and changes to the batteries may happen.

Dan Luepkes, landowner, said he does not believe the property has any potential for housing. He said there is potential electrical savings to the community and the generating system would be clean. He does not feel the solar farm will be offensive.

Mayor Ken Williams asked Ryan Magnoni if the solar company would be purchasing the property. He believed the owner of the property would need to apply for the variance.

City Administrator Darin DeHaan asked if the Planning Committee received the public comments he received by email. The Planning Committee received all public comments. He also stated he received a phone call from Barb Batagalini who is opposed to the proposed solar project. The Oregon Park District also sent an email stating they did not support the project. Ryan Magnoni asked if the Planning Committee received the answers to the questions asked by the Oregon Park District. City Administrator Darin DeHaan said he will provide the Planning Committee with the responses to the questions provided by Ryan Magnoni.

Roger Cain asked if the property to the west was within the city boundaries, he also thanked Ryan Magnoni for his presentation. He said his biggest concern is to preserve the property and everyone is realizing the value of the land there for residential expansion. He also did not see how residents of the city would benefit from the project. Ryan Magnoni said through the subscription is how the residents would benefit from the project. The project needs to be approved before subscriptions would be offered. Roger Cain also asked about the property to the west being a potential location. Ryan Magnoni said the property is in the county, the permitting process is much harder, and the city would receive less taxes. Roger Cain was concerned with the length of construction, and he was impressed with the reviews for the company he just wished he could see more detailed plans for the project.

Rick Ryland thought the presentation was very well presented. He was also concerned with the location of the solar project, being so close to the parks and leaving no other place for expansion. He is in favor of solar but is opposed to the location. He also stated he believes the owner of the property should be able to decide the use of the land. He thought Pines Road would be a better location. Ryan Magnoni said the landowners on Pines Road were not interested in the solar program. Dan Luepkes stated the land next to the park is not conducive for building homes. He said a good portion of the land is too wet for homes.

Mark Herman stated he is also concerned with the placement of the solar field bordering the park property.

Roger Cain asked Dan Luepkes if he had other land that would support this project. Dan Luepkes said he did, but the property would need to be annexed into the city.

Commissioner Kurt Wilson asked about the sound of the solar panels. Ryan Magnoni stated a two-horsepower motor at every twentieth row would turn the panels two degrees.

Rick Ryland asked Mayor Ken Williams if the city could find another location for the solar project. Mayor Ken Williams said there are no other locations of this size in the city limits available. The city does not discourage annexations. Ryan Magnoni said there is a November 1st timeline they need to follow. If there is anything after that, he said the project would probably not be constructed. He said the state selects based on project specifics.

Commissioner Kurt Wilson moved to close the public hearing at 6:41 pm, Seconded by Karly Spell.

Motion carried. No Nays.

Commissioner Kurt Wilson moved to approve the July 19<sup>th</sup>, 2022, minutes, Seconded by Karly Spell.

Motion carried. No Nays.

Rachel Brunner moved to approve the Variance Request submitted by USS Ducks Solar LLC, Seconded by Commissioner Kurt Wilson.

Roll Call: Brunner, Aye. Cain, Nay. Ryland, Nay. Herman, Nay. Hallock, Nay. Spell, Nay. Wilson, Aye. Cropp, Nay.

The recommendation will be presented to the City Council at the next scheduled meeting.

Rachel Brunner moved to adjourn the meeting at 6:45 pm, Seconded by Mark Herman.

Motion carried. No Nays.

Cheryl Hilton, City Clerk