

**OFFICIAL PROCEEDINGS OF THE
RICE COUNTY PLANNING COMMISSION
Commissioner's Room / Government Services Building
Thursday, August 7, 2025 at 6:00 PM**

I. Call to Order

A. Roll Call

The meeting was called to order both in-person and electronically by Chair Garrett Johnson at 7:04 p.m.

Members present were: Garrett Johnson, Kenneth Engen, Julia Hogan, Jim Cihak

Members absent were: Matt Purfeerst

Staff present were: Zoning Administrator Trent McCorkell, Senior Planner Jeremy Edwards,
Administrative Coordinator Anna Aguilar, Clerk MacKenzie Klett.

Commissioners present: Charlie Peters

Others present: see Sign-in Sheet and Registrant List.

B. Motion by Jim Cihak, seconded by Julia Hogan, reading of the notice

RESULT: Approved, AYES: Julia Hogan, Garrett Johnson, Ken Engen, Jim Cihak, NAYS: None

C. Motion by Jim Cihak, seconded by Ken Engen, approval of the agenda with New Business Item 3 being tabled to the September 4, 2025, Planning Commission meeting.

RESULT: Approved, AYES: Julia Hogan, Garrett Johnson, Ken Engen, Jim Cihak, NAYS: None

D. Motion by Ken Engen, seconded by Jim Cihak, to approve the minutes of July 10, 2025

RESULT: Approved, AYES: Julia Hogan, Garrett Johnson, Ken Engen, Jim Cihak, NAYS: None

II. New Business

1. Preliminary Plat/Willingers - Section 23, Webster Township

Andrea Rand, on behalf of landowners Willingers Development Corp and Willing Partners Inc, has applied for a Preliminary Plat utilizing Transfer Development Rights (TDRs) to create 6 single-family dwelling lots and to allow for replatting of the existing golf course property. The property is described as: Part of Section 23, Webster Township, Rice County, Minnesota. PID#s 02.23.2.51.001 - .031 and 02.23.2.75.001. Property address is: 6797 Canby Trail, Northfield, MN 55021. The property is Zoned A, Agricultural.

Motion by Ken Engen, seconded by Julia Hogan, to recommend approval of the Preliminary Plat with the following conditions and findings for Andrea Rand, on behalf of landowners Willingers Development Corp and Willing Partners Inc. The property is located in Section 23 of Webster Township.

RESULT: Approved, AYES: Julia Hogan, Garrett Johnson, Ken Engen, Jim Cihak, NAYS: None

CONDITIONS OF APPROVAL – Willingers – Preliminary Plat (Pre Plat)

1. A final plat shall be submitted within six (6) months of the preliminary approval and shall closely follow the approved preliminary plat.
2. A septic system compliance inspection shall be completed for the clubhouse septic system on Outlot A of the preliminary plat, prior to application for a final plat. If the system is found to be not in compliance, a compliant system shall be installed by August 1, 2026.
3. Final plat submittal shall include documentation showing that the wetland boundary does not overlap with the location of the stormwater pond on Outlot B and detailed plans showing that the stormwater pond will not affect the hydrology flowing into the wetland in compliance with Minnesota wetland rules.
4. A signed conservation easement for the Transfer Development Rights (TDRs) sending area on Outlot F shall be submitted with the final plat.
5. Final plat submittal shall include proof of fee ownership of the development property, as evidenced by an Attorney's Title Opinion or Commitment for Title Insurance or Policy of Title

Insurance showing the property to be free and clear of all encumbrances except those which are required as part of the development.

6. Final plat submittal shall include final signed engineered road construction and stormwater plans.
7. Proposed homeowner covenants must include operation and maintenance of stormwater infrastructure and the public dedicated roadway and shall be provided with the final plat.
8. Final provisions for timing, phasing and final engineered cost estimates, of all improvements, shall be submitted with the final plat.
9. The preliminary plat shall be null and void if the final plat is not submitted within six (6) months of this approval.

Hearing Minutes:

Senior Planner Jeremy Edwards (JE) presented the request to the Planning Commission (PC).

JH - I did notice on the aerial that there are a lot of existing trees in the area. Does the county require a tree inventory or replacement of trees?

JE - Our ordinance talks about limiting tree removal to only those required to build. So, any trees that are where the roadway will be going and then in the future when they pull building permits for houses, where the homes will be. But the remaining trees on site, if they are mature, healthy trees they are required to remain. They aren't allowed to bulldoze and clear the entire site.

CP - Is the road internal to the site going to be taken over by the Township?

JE - It will be publicly dedicated, but it is my understanding at this time that it will be maintained privately.

The PC asked the applicant, Patrick Wrase (PW), to come forward to add comments or answer questions regarding the request.

PW - Tradition Development is representing Willingers Partners and Willingers Development Corporation. Our owners at Tradition are on the board at Willingers and part owners of the golf course. As it's been discussed here with these two items, this has been under consideration for a long time. The 2007 design was high density, I think on the northwest side there were 20 or more lots in that area and 13 on the south. It was before my time, but from what I hear, the plat was filed and recorded but about that time the builders that were contracted to purchase the lots were having a lot of problems. And for the most part they went out of business. The project has sat on the shelf now for nearly two decades. We have had renewed interest from builders and homeowners that are interested in moving around the golf course. We started looking at this about 4 years ago, trying to figure out a plan for the north area with ISG whose been involved since early on. We determined that with the changes in the market and the changes that happened to the ordinance with cluster developments, it occurred to us that it was in our best interest to do more of an acreage style development here on the south side. If we are successful, I think we are going to get six really nice lots with their own well and septic. They will have nice views, anywhere from 30-40ft over holes #8 and #9 on the golf course as well as the driving range. It's a little bit precarious to get back into the site from Canby Trail but we have managed to maneuver the new public roadway around a wetland and up a bluff. I think that we are going to have some really nice lots and homes here. We are going to do our best to preserve trees. Initially we started out with a custom lot concept where we would get the road in and end it there, but due to some of the topography, we asked ISG to develop some basic building pads. We will minimize tree removal to our greatest extent but there will be some tree impacts. Right now, we are working with a custom home builder, a partner of Tradition, who is interested in purchasing all the lots. Tradition and Tradition Companies do have two in-house builders that may have an interest in this site as well. So, we have one primary builder we are working with right now, but have the interest of our internal builders as well. And we have a list of interested parties, probably half a dozen deep right now. We are very hopeful we can move this forward and clean up the old platting. There's no plans for up there right now, we will see how things go on the south side and maybe be back at a later date with that.

GJ - Are you aware of the conditions?

PW - Yes.

JH - Did you see the correspondence from Rice County Soil and Water in regards to the wetland delineation issue for Outlot B?

JE - I believe RCSW connected with ISG last week.

Chair Johnson opened the public testimony portion of the item to the public and the following spoke:

Heather Malecha - *Benton Ave* - I said my spiel before. Very briefly, I disagree that if the land cannot be used to farm then it must be developed. That doesn't make sense. And to say it will be developed anyway, that is not a good reason to allow something. So again, I stand in opposition.

Jeff Docken - *Chester Ave* - As a former Commissioner, I think I look at this a little bit differently. I look at it as tax base for one thing, I know its new homes in rural Rice County. Webster Township seems to be a popular place, but I look at it as being good tax base without putting a bunch of burden on services. Willingers has been a good neighbor. We have had some issues in the past with drainage and they have corrected that and done things the way they are supposed to. There have been many of the Docken clan that have worked at Willingers. I like to golf there, but I don't know how to golf, but I have ridden around the course many times, it's a gorgeous place. I know this is on the south side and there is talk about the west side too. My dad had a piece of property that bordered that, so there are a couple questions. I know Commissioner Peters asked the question about if it's going to be a public roadway. I am not sure what it means to be a dedicated public roadway versus taking care of it. There are some questions to work through with the developer on the west side because I guess there were some agreements in place with that. But that doesn't have anything to do with this. Where does the township road end on this development is my question? And where does their publicly dedicated road go would be another. Not so long ago there were four people on Chester Ave and now there are fourteen, we had a get together the other night for Neighborhood Night Out. There were 75 people there. I can't say that there is a single neighbor I don't get along with. I know it's hard to see those changes and it's hard to see another house get built in the neighborhood, but there was just another one built in our neighborhood. We are the township on the north side of the county, and we probably get a little more pressure than any of the other townships but then again there is a lot of this property that would make an ideal place for a home. That's my spiel.

Chair Johnson closed the public testimony portion of the item to the public.

Discussion:

JH - Would staff know that question related to the public roadway?

JE - When I say that it is dedicated to the public, that means that the public is free to use the road. When I say that its privately maintained, that means it is up to the developers to figure out how to maintain that. My understanding is that the current agreement between the Township and the golf course is the road from the gate north is privately maintained and south of the gate is publicly maintained. Although you may want to ask the applicant because he should have more information.

GJ calls applicant up to the speaker stand

PW - We did meet to discuss this with Webster Township. The new roadway being built will be a public roadway and the township will do the routine maintenance, mainly snow plowing. There will be a homeowners association formed for this development, and the long-term maintenance of the roadway, the seal coating and paving will be funded with contributions from the residents, through the homeowner's association. We did something similar out there with Willingers on Canby maybe two years ago. It was a paved road, but it became quite deteriorated and we as Willingers petitioned the Township to improve the road and we took 100% of the assessment to pave that. So, essentially, Willingers golf course will be maintaining the pavement on Canby and the future homeowners will pay for the long-term maintenance of the new roadway.

Applicant leaves the speaker stand

GJ - I guess that answers some questions surrounding the road.

CP - I attended a couple Webster Township meetings and that was brought up at both meetings I attended. That is kind of the agreement they have.

JH - I do understand that just because land cannot be farmed does not mean it needs to be developed, I do agree with that. But I do think this land would be well used for residential use, especially on a lower

density scale like this.

GJ - I think that there won't be fewer houses built in the county. That's why I mentioned the clusters. Six homes being built separately on different quarter-quarters or quarters, spread out versus six being built closer together. That was the reasoning behind giving incentives for clusters. And on top of that, by preserving land in general but also agricultural land, that is the reasoning for the TDRs and by having 5 TDRs here, that's 100 acres of land that is in a Conservation Easement that can never be built on. So I think that helps a lot as well.

CP - Like you said, the golf course is like a lake. It's going to get built up around. And I think that's the intent usually when they build a golf course.

GJ - I will say that I am happy the lots are bigger. A lot of them are about two acres or bigger.

Obviously, that makes it lower density and not such a big sudden change. I see variances and other problems with small lots and sharing septic systems.

JH - It does sound like they will try to preserve as many trees as they can in that area which I appreciate. This is a very wooded area, and you would hate to see it completely bulldozed, especially with the wildlife that has habitat there.

GJ - I do think by having those bigger lots, a large portion of those trees will stay. And you might not even notice those houses being built in that forested area.

JH - We will see this again as a final plat, they still need to figure out a lot associated with these conditions prior to final plat submittal as well. Some of those fine details will be figured out with engineering and the developer.

KE - I motion to recommend approval with the 9 conditions.

JH - I second.

Motion to recommend approval with stated conditions and findings made by KE, seconded by JH, and approved unanimously.

2. **Interim Use Permit/Thompson - Section 18, Walcott Township**

RPMN Solar 1, LLC, on behalf of landowners Daniel and Lynda Thompson, has applied for renewal of an Interim Use Permit for a 1MW solar energy production facility. The property is described as: Part of the NW1/4 of the NE1/4, Section 18, Walcott Township, Rice County, Minnesota. PID# 15.18.1.25.001. Property address: 23021 Albers Ave, Faribault, MN 55021. The property is Zoned, A, Agricultural.

Motion by Jim Cihak, seconded by Ken Engen, to recommend approval of the Interim Use Permit with the following conditions and findings for RPMN Solar 1, LLC, on behalf of landowners Daniel and Linda Thompson. The property is located in Section 18 of Walcott Township.

RESULT: Approved, AYES: Julia Hogan, Garrett Johnson, Ken Engen, Jim Cihak, NAYS: None

CONDITIONS OF APPROVAL – Thompson (Takata) – Interim Use Permit (IUP)

1. The landowner and operators shall comply with all rules, regulations, requirements, or standards of the Minnesota Public Utilities Commission, Minnesota Pollution Control Agency, Minnesota Department of Natural Resources, Army Corps of Engineers, and other applicable federal, state or local agencies.
2. The Interim Use Permit (IUP) is for a 1-MW ac solar energy production site as shown on the approved 2025 application site plan, subject to meeting all setback and access requirements.
3. Solar panels must be at least 100-ft from County Road Right of Way, 70-ft from Township Road Right of Way and 20-ft from other property lines.
4. Security fence shall consist of fencing meeting state and federal electrical code requirements.
5. All required permits shall be obtained prior to onsite construction.
6. Removal of existing onsite trees shall be done to the minimum amount necessary.
7. A septic compliance inspection shall be completed on any septic system on the parcel prior to issuance of a building permit for the solar project. If any septic system is found to not be in compliance, a compliant system shall be shown to be in place within one year of the IUP approval.

8. With the building permit application for the project, the applicant shall submit proof of compliance with Minnesota wetland rules.
9. As soon as onsite construction is completed all areas of the site, excluding the access roads and electrical equipment pads, are to be established and maintained in Agricultural crop production or a pollinator friendly perennial vegetative cover.
10. All electrical lines internal to the site and to the location of the interconnection point with the power utility shall be buried underground, except those lines within the fenced area may be above ground as long as they are lower than the panel heights and meeting electrical codes.
11. A stormwater plan and proof of compliance with state/federal stormwater regulations shall be submitted to Rice County Environmental Services with the application for building permits.
12. The applicant or operator shall furnish Rice County with a \$50,000 bond or other approved financial surety to ensure proper site decommissioning/restoration and to ensure road repair or repair for other off-site damages caused by construction or operation of the facility. Financial surety shall be reviewed and approved by the Rice County Attorney's office prior to any work on-site.
13. This Interim Use Permit (IUP) shall expire and the entire site shall be restored to a condition suitable for agricultural crop production within 18-months after the cessation of onsite electrical production.
14. Failure to comply with conditions may result in revocation of the conditional use permit.
15. This Interim Use Permit (IUP) shall expire and be considered null and void if no construction has begun within one year from the County Board approval date.

Hearing Minutes:

Zoning Administrator Trent McCorkell (TM) presented the request to the Planning Commission (PC).

CP - With the previous filling permit, did they reclaim the wetland they were supposed to? Has that all been rectified?

TM - My understanding is that they have done everything needed for the reclamation from that previous fill. There was quite a bit of fill that had to be removed at that point and that was done. Solar gets a little strange with wetland rule. Generally solar panels and their pilings are allowed in wetland areas. It's the roads and the maintenance that gets to be more of the impact with that. But I think it falls in an unusual area for being able to do things in wetlands and still have them as wetlands.

The PC asked the applicant, Erin Takata (ET), to come forward to add comments or answer questions regarding the request.

ET - I am here to represent Renewable Properties as the project applicant. Our company specializes in developing solar and storage projects throughout the United States. As mentioned, this Interim Use Permit for this project was approved last year, so this is just a follow up request to renew the permit to allow for completion of the project.

Dan Flow - I am a consultant at Merjent, Inc. in Minneapolis, and we are supporting Renewable Properties with the application. I am here just in case there are additional questions.

CP - Does the solar layout go through the wetland area?

GJ - I believe it does. I am assuming one of the conditions is to work with Soil and Water.

Chair Johnson opened the public testimony portion of the item to the public and no one spoke.

Chair Johnson closed the public testimony portion of the item to the public.

Discussion:

CP - I know I saw the letter of concern from the neighbor, and hopefully they work with Soil and Water and don't move any more dirt or fill more wetlands.

TM - Condition #8 is the one dealing with the wetland rules and requiring proof of compliance at the time of the building permit.

GJ - Did we change the condition about having the wires at panel height? Did we make that permanent across conditions or did we change that on just a few?

TM - That is condition #10, we did make that clarification. Basically the wires running between panels are fine at panel height or lower.

GJ - I remember when they all had to be underground, that might be a problem with the wetland.

TM - It was always interpreted that way, that the ones within the panels weren't required to be underground but we made that clarification.

GJ - We did approve it before and subject to everything working out with Soil and Water, I don't see why we wouldn't approve it again.

GJ allowed applicant to ask question

ET - One change from our previous approval is the addition of a condition related to the septic system, I believe it's condition #7. I just want to clarify that any septic system on the parcel would not be within our leased area. So, I want to see if this can be removed, as it wouldn't really be applicable to the area we are planning to lease from the landowner.

TM - On properties that have a Conditional Use Permit, it has been a general condition to deal with any septic that's there. Similar to in our lakeshore areas, even if you are building something unrelated to the septic, it triggers septic compliance. So, it has been fairly common with that, and I believe for the previous approved solar here, we did not know there was a septic on site. It's just a shed on this property currently but our sanitarian did point out that there is a septic system, I believe it's a holding tank. They will need to verify compliance with that as part of the process.

ET - Okay, so this is required for all permits that have a septic on site, regardless of whether it's in the specific area of the project.

GJ - Correct.

TM - While the existing septic may not be in the area being impacted, we don't know that for certain without the compliance inspection. And we also don't know if there is an alternative area we are needing to maintain in this process. So looking at the overall septic on a site where we are using up potential options is certainly appropriate.

EK - I understand, thank you.

JC - I motion to approve item 2 subject to 15 conditions.

KE - I second.

Motion to recommend approval with stated conditions and findings made by JC, seconded by KE, and approved unanimously.

III. Adjournment

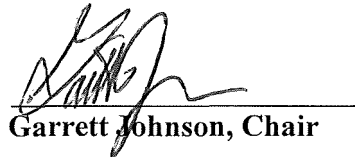
Hearing no other items before the PC, a motion was made by JH, second by JC, to adjourn the meeting at 7:40 pm. Motion carried 4-0.

Respectfully Submitted

Planning Commission



MacKenzie Klett
Office Support Specialist


Garrett Johnson, Chair