

January 23, 2023 Plan Commission Meeting

The Plan Commission met Monday, January 23, 2023 at the Town Hall in New Munster at 7:00 p.m.

The meeting was called to order by Chairman William Glembocki and began with the *Pledge of Allegiance*.

Present for the Plan Commission: Vice Chairman Vince Mosca, Paul DeLuisa, Brett Butler, Mark Robers, and Randy Schulz. Kyle Madsen was excused. Also present: Town Supervisors Andrew Lois and Kelly Wilson, Town Clerk Sheila Siegler, Town Planner Jeffrey Muenkel, Wayne Kaddatz, Alan Kaddatz, Rob Petersen, Mary Petersen, Doug Banwart, Patty Banwart, John Annessi, Helen Annessi, Scot Hall, John Lewis, and Jill Lewis. Peter Murphy and Seamus Fitzgerald were present to speak for the petitioner J and S Real Estate Company LLC and OneEnergy.

Meeting agenda notices were posted on the town website, at the town hall and transfer station and the *Kenosha News* and *Westosha Report* newspapers were notified. Wheatland property owners within 300 ft. of Tax Parcel #95-4-219-291-0100 were notified of the meeting by First Class Mail.

Draft Minutes of the last meeting (September 12, 2022) were distributed for review. Action at the next meeting.

Public comments – none

J and S Real Estate Company LLC, 1440 Masters Rd., Lake Geneva, WI 53147 (Owner), Eric Udelhofen, 834 E. Washington Ave., Madison, WI 53703 (Agent), requesting a conditional use permit to allow the construction of a solar farm in the A-1 Agricultural Preservation Dist. and A-2 General Agricultural Dist. Dist. on Tax Parcels #95-4-119-011-0600 & 95-4-119-014-0121 (property is located east of the Canadian National Railroad tracks and north of STH 50 “overhead”)

Peter Murphy explained OneEnergy Development LLC is proposing to build a 7.5 Megawatt solar generation facility on approximately 40 acres. OneEnergy has a 40-year lease from the owner, J and S Real Estate Company LLC who will continue to own the property. The project itself will take up 34 acres and generate enough electricity for 1,800 households.

A project such as this requires many permits and agreements. They are required to have PSC (Wisconsin Public Service Commission) approval to feed to the grid and WE Energies agreement.

Land that is fairly flat with access to the grid system and a willing property owner are needed to develop a solar farm. This property has some trees but they are on the boundary of the parcel and will remain. There will be little grading needed for this project.

There will be no battery storage on this site. It is fed into the electric grid system. Solar renewable energy costs have decreased in recent years and are now competitive with conventional sources of energy generation. There will not be a direct benefit to Wheatland property owners but indirectly it will benefit them by helping to stabilize the electrical grid.

The panels are bi-facial and move on a track with the sun. Bi-facial allows energy to be generated from both sides. On a cloudy day, there will be less, but energy will be generated. Panels are approximately 7.5 ft. tall at the highest tilt. The property will be fenced with an 8 ft. tall agricultural-type wire fence to keep out deer and other wildlife.

The property will be seeded with pollinator-friendly plants and mowed perhaps twice a year once the plantings are established. It will be managed and not left to run wild. Sheep could be used instead of mowing but there will be no water or shelter on the parcel and sheep would have to be brought in on a daily basis. The plantings will improve the soil and it will be in better condition for agricultural purposes in the future.

Metal posts to support the racking system will be pounded into the ground. The only cement used will be to construct the base for the transformer and for the equipment used to convert the energy to feed to the grid. That equipment is similar to the 6-8 ft. tall metal containers you might see at a grocery store where a large load of electricity is needed.

Rob Petersen, 31401 60th St. asked about glare from the panels. Peter Murphy said there is no glare anticipated. They want all the energy absorbed.

Mary Petersen, 31401 60th St. asked where the panels come from and recycling. Murphy said the panels are made in Vietnam by a Japanese company. Industry-wide recycling will be an issue and addressed as these panels come to the end of their serviceable life. They are made of aluminum, glass, silicone, etc. They should last 30 years or more but as they age the performance will decline. Panels continue to improve.

Responding to Chairman Glembocki, Peter Murphy said that start to finish, they hope to be completed by the end of 2023.

Chairman – who is responsible to remove the structures if the project fails? Murphy said OneEnergy will own the project unless it is sold to another utility such as WE Energies. OneEnergy is financially viable and insured.

Commissioner Paul DeLuisa – would you swap out the panels for a more efficient model if it becomes available? Murphy said they would not.

Town Planner Jeff Muenkel said Kenosha County has recently adopted a solar ordinance. This is the first project that is coming under that ordinance. The property is zoned A-1 which is the correct zoning category. He listed items from his company's (Foth) review, most of which are covered by the county solar energy systems ordinance. The ordinance does cover decommissioning once the project life ends. The county would enforce and the county will hold the financial guarantee for doing so. A drain tile management plan, stormwater plan, if necessary, etc. will be required by the county and listed in the ordinance.

Chairman said the county will do a study and recommend a financial amount with updating every 3-5 years.

Commissioner Mark Robers – decommissioning bond? Murphy said OneEnergy posts the financial guaranty and if there is a change in owner, it will be the new owner.

Responding to Patty Banwart, 6833 317th Ave., Murphy said OneEnergy has been in business since 2009. They purchase US products as they are available. There are more coming on the market but Vietnam is their source at the moment.

Town Board Supervisor Kelly Wilson asked questions about benefit to the owner, incentives from the state, battery storage in the future, beekeeper allowed?

Peter Murphy said they are leasing from the owner so that is a monetary benefit to him. Seamus Fitzgerald said he works with the landowners and tries to arrive at a fair market price.

Murphy said OneEnergy will not have a battery storage in the future on this property. Whether beekeepers are allowed would need to be determined. The property will have a gate.

Responding to questions, Murphy said the space between the fence and the first row of panels is 20 ft. Between the parcel boundary and the fence is 50 ft. They will be working on improving the gravel access road into the property and there is already an easement in place, irrespective of the lease. They are working with John Annessi on an improvement for the access entrance. They will have a stormwater plan but there will not be a pond on the property.

Commissioner Brett Butler moved a favorable recommendation to the town board for the Conditional Use Permit requested by J and S Real Estate LLC for Tax Parcel #95-4-119-011-0600 & #95-4-119-014-0121 per application submitted. Commissioner Vince Mosca seconded. Motion carried unanimously.

Meeting was moved for adjournment at 7:58 p.m. by Paul DeLuisa and second by Randy Schulz. Motion carried.

Respectfully submitted,

Sheila M. Siegler, Town Clerk