

The Hyde County Board of Adjustment convened at 11:00 a.m. on Tuesday November 2, 2021. Present were Mel Buchheim, Vice Chairman; Ronald VanDenBerg, and Randy Olson. Greg Swenson and Randy Hague were absent. Also present: Carrie Stephenson, Robert Bawdon, and Kevin Baloun. Emily Sovell and Casey Willis present via phone.

Vice Chairman Buchheim called the meeting to order. Motion to approve the agenda by VanDenBerg, seconded by Olson. All in favor, motion carried.

Willis, representing North Bend Wind Project, LLC, explained that the PUC has questions regarding Hyde County's exterior boundary standard as it applies to the PUC permit application. North Bend Wind has been asked for clarity twice by the PUC. Willis explained that, in their opinion, the definition of "exterior boundary" is a little unclear and overlaps with other more conservative County standards, namely setbacks tied to road, section lines, highways, etc. Where the "exterior boundary" setback of 500 feet or 1.1 times the system height seems to come into play is only in the instances where there are property lines that are not on section lines, are not along roads and separating participating from non-participating properties. A very finite number of spots because the majority of these areas are covered by the more conservative standard of 750 feet or 1.4 times the tower height standard. Sovell explained to the Board that they must determine whether the standards being used currently comply with the standards set forth in Hyde County Zoning Ordinance. Sovell joined the meeting in person at 11:10 a.m. Buchheim questioned whether non-participating landowners are given the more conservative setback of 750 vs 500 feet as an exterior boundary. Willis confirmed that is the pre-construction plan. Sovell asked the Board if they were comfortable with the more conservative approach that North Bend Wind is taking with the amount of the setback. Olson asked for confirmation that this was the same approach used with the existing towers in the Triple H Wind Project, LLC. Willis confirmed that the setbacks used were the same as Triple H. Motion by VanDenBerg, second by Olson that the Board of Adjustment has reviewed and discussed the information presented by North Bend Wind Project on behalf of the PUC and that the Board deems the pre-construction layout to be in compliance with the Hyde County Zoning Ordinance. Voting Aye: Olson, VanDenBerg. Voting Naye: Buchheim. Absent and not Voting: Swenson and Hague. Motion carried.

Motion by VanDenBerg, second by Olson, that the Board of Adjustment meeting adjourn at 11:17 a.m. All in favor, motion carried.

Hyde County Board of Adjustment

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Mel Buchheim, Vice Chairman

ATTEST:

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Marilyn Ring, Hyde County Auditor

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