

NOTICE

Good Oak Solar, LLC
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David & Virginia Bain
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Portage, WI 53901

Russell & Patricia Brickwell
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Wisconsin Dells, WI 53965

Douglas & Nikki Bulgrin
W11699 WI-127
Portage, WI 53901

Weyh Trust U/a 4/27/1993
N8578 Weyh Road
Portage, WI 53901

Dennis & Beverly Weyh
N8578 Weyh Road
Portage, WI 53901

Michael Weyh
W12304 Adolph Road
Portage, WI 53901

Riverside Farms, LLC
1519 Woodlark Lane
Northbrook, IL 60062

Richard & Roderick Gumz
Gumz Muck Farms Llc
N570 6th Court
Endeavor, WI 53930

Elizabeth Wolfram
N8713 Harry Road
Wisconsin Dells, WI 53965

Greg & Mary Rose Strickland
N8597 Harry Drive
Wisconsin Dells, WI 53965

Two Brothers Hops LLC
N7363 Ptarmigan Drive
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Don & Barb Labrenz
N8254 Wolfram Road
Wisconsin Dells, WI 53965

3 Play LLC
P.O. Box 728
Lake Delton, WI 53940

Glvf Transition Trust Of
4/18/2016
7628 East Wind Lake Road
Wind Lake, WI 53185

Justin & Ashley Messer
N8515 Lewiston Station Road
Wisconsin Dells, WI 53965

Beth Leege
W6522 Gale Drive
Endeavor, WI 53930

Ron & Tamara Marks
213 Whitaker Hollow Road
Rocky Top, TN 37769

Nathan & Joli Gunther
N8606 Harry Road
Wisconsin Dells, WI 53965

Wisconsin Dells Storage
1307 2nd Avenue N
Minneapolis, MN 55405 1803

George & Cynthia Buzzell
W12824 Konkel Road
Wisconsin Dells, WI 53965

Karl & Linda Heckel
W12778 State Road 16
Wisconsin Dells, WI 53965

Chad Robert Dillinger
N8501 Weyh Road
Portage, WI 53901

Josh Anderson
W14195 State Road 127
Wisconsin Dells, WI 53965

Daniel Benson
2999 Braun Ct
Neenah, WI 54956

Jeffery & Ann Ipsen
N9653 Spring Road
Fox Lake, WI 53933

Concordia Farms LLC
25326 Oaks Boulevard
Land O'Lakes, FL 34639

Wilderness Land Co LLC
4205 Wilderness Drive
Rosholt, WI 54473

CMC Heartland Partners
330 N Jefferson Court
Chicago, IL 60661

A Conditional Use Permit request has been submitted to the Lewiston Plan Commission by Good Oak Solar, LLC, a subsidiary of OneEnergy Development LLC (applicant), and David & Virginia Bain; Patricia & Russel Brickwell; Douglas & Nikki Bulgrin; Riverside Farms LLC; Weyh Trust U/a 4/27/1993; Dennis & Beverly Weyh; Michael Weyh (owners) regarding the potential to develop a solar generation facility on parcels 195, 187.06, 251.A, 200, 249, 199, 204.A, 197.03, 203.02, 193, 196, 227, 241.1, 232, 234, 230, 246, 248, 245, 244, 215.01, 206, 209, 207 and 208 in the Town of Lewiston near Wolfram Road and State Hwy 16.

Small-scale solar projects, which are defined as those that produce less than 100 megawatts of electricity, are classified in the Columbia County Zoning Code as, "other transportation, communications, pipeline, electric transmission, utility, or drainage use". Within the A-1 Agriculture district, this use requires a Conditional Use Permit, and is further regulated by the standards of Section 12.125.27, as follows:

SEC. 12.125.27 OTHER TRANSPORTATION, COMMUNICATIONS, PIPELINE, ELECTRIC TRANSMISSION, UTILITY, OR DRAINAGE USE IN AGRICULTURAL AND OPEN SPACE DISTRICTS.

Within the Agricultural and Open Space zoning districts, such a use shall be permitted only where the Planning and Zoning Committee, following a public hearing and a visit of the proposed site(s), determines that:

- (a) The use and its location in the district are consistent with the purposes of that district per Section 12.105.01(1).
- (b) The use and its location in the district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
- (c) The use is reasonably designed to minimize the conversion of land, at and around the site of the use, from agricultural use or open space use.
- (d) The use does not substantially impair or limit the current or future agricultural use of surrounding This application as submitted will be considered by the Lewiston Planning Commission at the meeting on Thursday, June 15, 2023 at 6:30 p.m. at the Lewiston Elementary School. Comments for or against the approval will be heard by the Planning Commission. A recommendation by the Planning Commission will then be made to the Town Board of the Town of Lewiston for their decision. parcels of land that are zoned for or legally restricted to agricultural use.
- (e) Construction damage to land remaining in agricultural use is minimized and will be repaired, to the extent feasible.

The proposed Good Oak Solar Project is a 98-Megawatt solar electric generating facility that will consist of solar panels mounted on racking built atop driven steel I-beams and enclosed within an 8' tall woven wire deer exclusion style fence. This project will produce enough electricity to power approximately 25,000 average Wisconsin households. The solar project would interconnect to the existing high voltage transmission lines south of State Highway 16. Project components will include pad-mounted transformers, inverters and other electrical equipment, solar panels, racking, fencing and gravel access drives. Exhibit #2 provides more specific details about the project components. The project is proposed to have a 30-year lifespan, and construction is planned for mid-2024.

The operational project area is approximately 620 acres in size and will be under long-term lease from private landowners. Exhibit #1 shows the specific layout and location of the project. The lands in the proposed project area are currently in agricultural production. The parcels that make up the project area are currently all zoned A-1 Agriculture, and the area is planned for Agricultural or Open Space land use on the

Future Land Use map. Several of the parcels also have the A-4 Agricultural Overlay applied over them, this does not affect the underlying A-1 base zoning district. The A-4 district is a density tracking mechanism used singularly for the purpose of rural home development. The NRCS Web Soil Survey was used to estimate the impact this project will have on prime agricultural lands. The calculations were done including the alternate array locations. Based on a total estimated project area of 800 acres, a total of 273 acres of prime farmland (if drained) would be affected, and 10 acres of prime farmland would be affected. About 35% of the project area would affect lands classified as prime.

There is no floodplain in the project area. A wetland delineation was completed, see Exhibit #3. The report did find wetlands that do exist in the project area. These wetlands are primarily farmed, with some forested portions along the ditch corridors. Wetlands are included in the solar array project boundaries. Exceptions do exist within the Columbia County Shoreland Wetland Zoning Ordinance under section 12.510.03(4) for these types of projects, pending DNR approval. Exhibit #3 also includes the endangered resources review work that was done for this project area. This is considered a No/Low Impact Activity and is covered under a Broad Incidental Take Permit/Authorization, primarily because it is taking place on agricultural lands. There does not appear to be any tree removal work planned for this project area.

The project area has several sections of navigable waterways within it. The location of these waterways can be seen as part of Exhibit #1. Special considerations were required in these areas because of the Shoreland Zoning Ordinance and its requirements. Required setbacks for all structures need to be met as well as impervious surface calculations needed to be completed for all affected parcels. Impervious surface calculations were completed and can be found in Exhibit #1. Calculations show impervious surfaces to be below the required standards.

The project will require new access roads/driveways along several of the affected Town roads. Approvals will be required for those access points. The project is proposed to meet all applicable structure setbacks to property lines and necessary vision clearance standards for road intersections. Those setbacks can be seen in Exhibit #1. The project will be required to secure permits from Columbia County Planning & Zoning for all land disturbance, structures (fencing/Solar panels etc.), and apply for emergency response numbers (ERN's). The final location of all ERN's should be discussed with the Town of Lewiston and local public safety officials, so we determine the best use of ERN locations based on need. We anticipate that we will process these Zoning permits under the Shoreland/Wetland application process. We anticipate filling/grading in Shoreland Zone will exceed 10,000 square feet, thus requiring a separate conditional use permit application at the time of the County public hearing. The project will require greater than one acre of ground disturbance, and thus requires a WDNR Construction Site Stormwater Runoff Permit and a County Land Disturbance Permit.

The site will be planted with low growing pollinator grazing mix or prairie mix. A more detailed vegetation seed plan should be provided by the applicant before final approval. The department worked with the applicant to develop a landscape screening plan for the project site. The planned location of the proposed landscape screening can be seen on the maps included in Exhibit #1. The screening is planned to be a combination of evergreens and shrubs. A final detailed landscaping plan should be submitted as part of the final approval.

The details associated with the decommissioning plan can be found in Exhibit #2. The goal of the decommissioning plan would be to return the site to its predevelopment agricultural use. A more detailed final decommissioning plan should be developed and submit prior to final approval. A detailed financial

assurance plan, to assure financial resources are available at the time of decommissioning should be developed to be presented as part of the final approval.

This project will fall into the Utility Aid Shared Revenue Program. This means that parcels affected by this project will come off the property tax roll. The shared revenue payments are made to both the Town and the County. Current estimates provided by the developer would result in the Town receiving \$156,800 annually and the County would receive \$235,200. When parcels come off the general property tax roll, local school districts and technical colleges like MATC will be impacted. They do not receive the same payments. We have been working with the applicant to address the loss of revenues for the different schools that do receive funds from property taxes. The applicant will be working on a Joint Development Agreement that will address this funding issue for the schools. This should be finalized as part of the final approval.

The land is currently eligible to be enrolled in the Farmland Preservation Program (FPP) because the project area is zoned A-1 Agriculture. Currently 18 of the parcels involved in the project are certified by the Columbia County Land & Water Conservation Department to receive tax credits. Future FPP tax credit eligibility is explained in Exhibit #4.

The Wisconsin Department of Agriculture Trade and Consumer has developed a Renewable Energy Frequently Asked Questions handout, Exhibit #4, that provides direction regarding the authorization of projects like this. We have included a copy of this document for your reference. It provides for clear direction regarding how commercial renewable energy generation projects like this are to be reviewed and authorized (Wis. Stat. § 91.44(1)(f)).

Wis. Stat. § 66.0401(1m) further defines how solar and wind energy systems are to be regulated in Wisconsin.

Wis. Stat. § 59.69 further defines the standards for review and approval of conditional use permits.

In summary, the references to state statute are provided as background to provide clarity regarding the review parameters that are required with this proposal. In addition to the standing conditional use permit statutory standards, there are additional statutory standards that must be incorporated into this review, specific to Wis. Stat. § 66.0401.

This application as submitted will be considered by the Lewiston Planning Commission on Thursday, June 15 at 6:30 p.m. at the Lewiston School. Comments for or against the approval will be heard by the Planning Commission. A recommendation by the Planning Commission will then be made to the Lewiston Town Board for their decision.

Dated: May 31, 2023

By: Lewiston Planning Commission

CC: Thomas Klappstein

Jack Jensen

Tom Summers

Tammy Lynch