

McKenzie Electric Kummer Ridge Switchyard to Veeder Substation Transmission Line – Conditional Use Permit

Reason for Request:	The applicant desires to build an approximate 2.5 mile 115 kV double circuit transmission, 24.9 kV distribution underbuild line
Staff Recommendation:	Staff recommends that the conditional use permit be recommended for approval based upon the finding in the staff report and the conditions as provided in the staff report.
Hearing Date:	December 14th, 2015
Location:	The line will run through Sections 23, 14, and 13 in T150N, R96W, and along Section 18 in T150N, R195W (Grail Township).
Owner(s)/Applicant:	McKenzie County Electric

Comprehensive Plan Land Use: Agricultural

Zoning: Agricultural

Findings of Fact:

1. All requirements for public notification have been satisfied.
2. Staff has not received any phone or written comments on the proposal.
3. Staff has not received any comments from any adjacent property owners.
4. All affected State agencies have been notified of the project and have received their respective project applications. No objections to the project have been provided by the applicable State agencies.
5. On October 21, 2015, the Grail Township recommended approval of this Conditional Use Permit for the new transmission line.

Conditional Use Permit Criteria:

No conditional use permit shall be recommended by the Planning Commission or approved by the County Commission unless the applicant shall have met all the following criteria:

- a) The establishment, maintenance, or operation of the conditional use shall not be detrimental to or endanger the public health, safety, comfort or general welfare.**

Although public health could potentially be caused harm if a line somehow fell down, it is a very unlikely event. Based on previous history of this type of transmission line, the likelihood of endangerment is minimal.

- b) The proposed conditional use shall not substantially impair or diminish the value and enjoyment of other property in the area.**

This line will not diminish property values in the area and may improve the value with increased utility accessibility in the area.

- c) The proposed conditional use shall not impede the normal orderly development of the surrounding property.**

After construction, the agricultural property will go back to its preexisting state.

- d) Adequate utilities, access roads, drainage or other necessary site improvements have been or are being provided to accommodate the proposed conditional use.**

This is a public utility.

- e) Adequate measures will be taken to provide ingress and egress to the property without adverse effects on the adjoining properties and traffic congestion in the public street.**

Once in place, this transmission line will not create any of the mentioned items of concern. Temporary impacts from construction may be experienced.

- f) The proposed conditional use shall conform to all applicable regulations of the district within which it is located.**

The proposed use is conditionally allowed in the agricultural district.

Comprehensive Plan Consistency:

The subject land area is designated in the land use plan as **agricultural**. This electrical transmission line, once constructed and complete will be compatible with adjacent land use by allowing normal agricultural practices adjacent to the line.

Staff Recommendation:

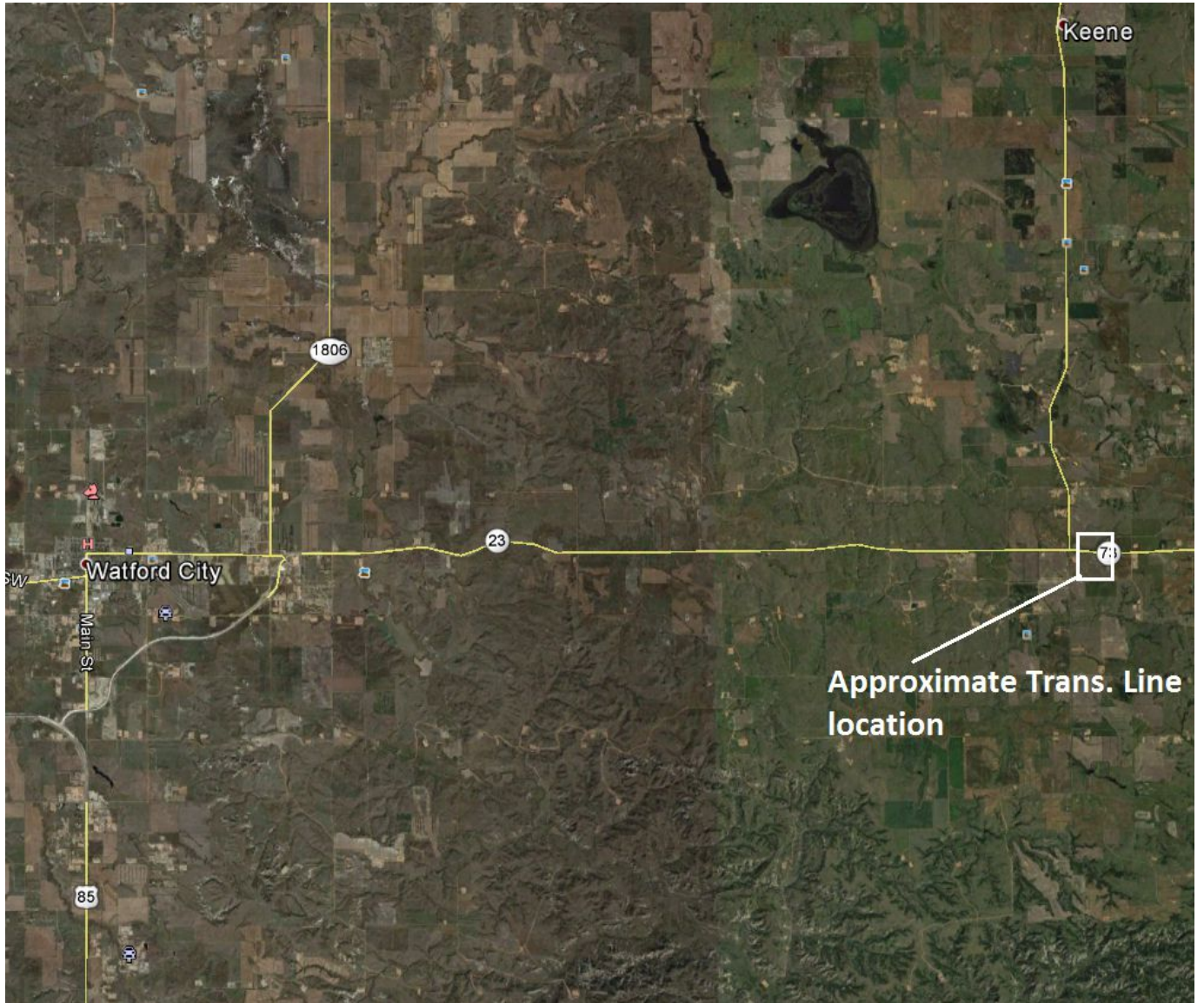
Staff recommends that the conditional use permit be recommended for approval based upon the finding in the staff report and the conditions as provided in the staff report.

Suggested motion: "Recommend approval of the conditional use permit to the County Commission to allow a new 115 kV double circuit transmission line with a 24.9 kV underbuild. Adopt the findings and conditions as provided in the staff report."

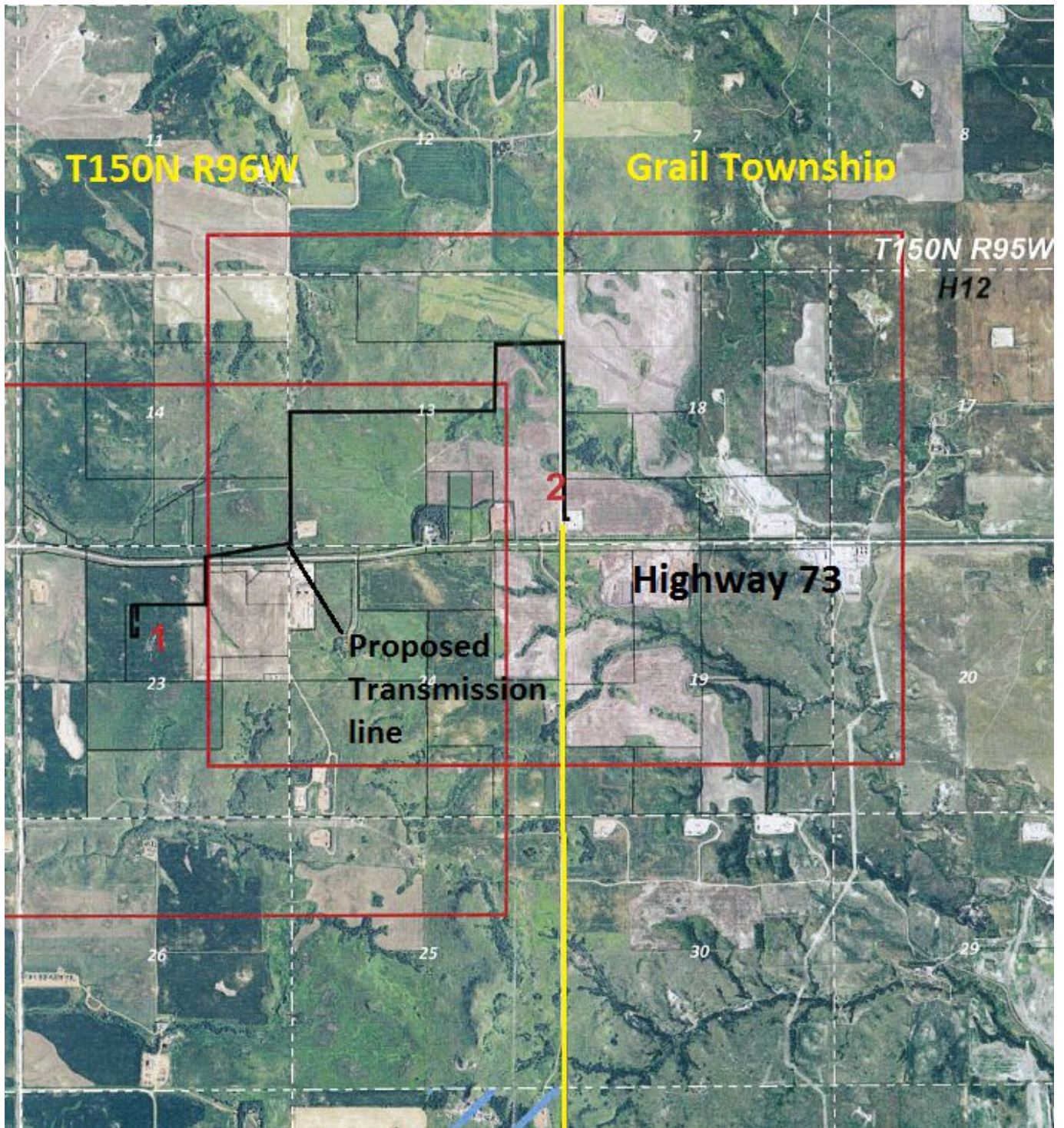
Conditions:

1. The applicant shall not deposit any snow or water onto neighboring properties and dispose of storm water onsite through an approved engineering method. Additionally, the applicant shall design the storm water and culvert system to convey a 25 year event.
2. Construction will not be done during early morning hours or late evening hours per the ND Dept. of Health.
3. The applicant shall take proper precautions to minimize effect on local wildlife per the Army Corp of Engineers.
4. The applicant will take care to minimize adverse effects on any body of water per the ND Dept. of Health.
5. The applicant shall take all necessary measures to minimize fugitive dust emissions created during construction activities per the ND Dept. of Health.
6. The applicant shall not condemn property to obtain easements.
7. The applicant shall follow all Federal, State, and Local laws pertaining to this proposal.
8. The applicant shall maintain garbage control within the site during construction.
9. The applicant shall maintain weed control including obtaining certified weed free fill.
10. The conditional use permit will be reviewed annually to ensure compliance with the listed conditions.
11. The applicant shall obtain any necessary utility permits for the proposed line.

Project Vicinity



Location Map



MCKENZIE

COUNTY

Planning and Zoning Commission