

Board of Adjustment Meeting Minutes – October 30, 2025

The Muscatine County Board of Adjustment held a Public Hearing at the Environmental Learning Center on Friday, October 30, 2025 at 6:00 p.m.

Present: Tom Harper, Carol Schlueter, Michael Smock, and Janelle Spies (Chair)

Absent: Emily Geertz (Vice Chair)

Staff Present: Eric Furnas, Morgan Othmer, Jake Boucher, and Brandon Hatcher

Others present for this meeting included: See Attendee list on last page.

- **Case #25-10-03** An application has been filed by Louisa Solar Power LLC. If approved, the request would allow the Zoning Administrator to issue a Special Use Permit to allow a utility-scale solar energy system. The affected properties are located in Seventy-Six Township and Fruitland Township, south of Highway 61, T76N, 2W and 3W, containing an approximate 306 combined acres, and are zoned A-1 Agricultural District.
 - Sazzy Gourley, with Orion, gave an overview of the project.
 - Orion is the renewable energy company that will be developing the Louisa Solar Project.
 - Sazzy explained that they have completed various outreach efforts with the community. They began meeting with farmers on the Muscatine Island in 2020. They received a positive response and moved forward by starting meetings with county officials in 2021. Orion reached out to many groups including local first responders, various farming groups including Muscatine Island Research Farm, Muscatine Community College, and local beekeepers.
 - Prior to the public hearing, they visited all residences that would be within 1/3 mile of the project.
 - Orion held initial safety training for local first responders in July of 2025.
 - Orion obtained approval for the portion of the project in Louisa County.
 - The community benefits that will occur during the lifetime of the project include:
 - A Community Fund with the Community Foundation of Greater Muscatine.
 - The Solar Neighbor Program would offer residents within 1/3 mile of the project payments of \$2,500 annually for the life of the project with an increase of 30% every decade.
 - The Tenant Transition Program would offer farmers a one-time payment of \$300 per acre for any ground they are currently farming that will be leased for the project.
 - The Fruitland Community Program would offer residents of Fruitland who are more than 1/3-mile from the project site a payment of

\$1,500 annually for the life of the project with an increase of 30% every decade.

- Orion has also provided grants to local first responders, donations to the local school district and Muscatine Community College, and sponsored Fruitland Fun Days.
 - The entire project will have up to 1,100 megawatts of solar and up to 550 megawatts of battery storage. The portion in Muscatine County will only contain solar panels. The rest of the project facilities, like the substation, operations and maintenance building, and battery storage are in Louisa County. The Special Use Permit request is for a subset of the project which contains approximately 300 acres and 70 megawatts that would be placed on properties zoned A-1 Agricultural District.
 - The project location is ideal due to the following:
 - The project average CSR2 rating of 45.1 indicates low quality farm ground.
 - The project is near a lot of heavy industrial activity and away from highly concentrated residential areas.
 - A decommissioning plan was provided with the application that details how the project will be removed at the end of its lifetime and how the land would be restored. Orion will also obtain road use agreements with the County that will address inspections, maintenance, dust control, and traffic safety.
 - Vegetative screening would be used at the project site. It would include a mix of native and regionally appropriate shrubs and trees, as well as deciduous and non-deciduous plants, so even in winter, some screening would be present.
- Next, several third-party consultants provided details on vegetation management, health and safety, property values, and legal compliance.
- Steve, with Conservation Blueprint LLC, spoke about the Vegetation Management Plan.
 - Various seed mixtures will be used throughout the project site. When considering what mixture to use, they consider how tall the vegetation will grow, that it can provide pollinator health and habitat benefits, that it can withstand mowing, and how it can help reflect more light off the ground to increase the amount of energy that the bifacial solar panels generate.
 - The vegetation can also improve soil health. It can reduce soil erosion and will also be designed to grow quickly to minimize weed growth.
 - Chris, Ph.D. in Environmental Sciences, spoke next about the health and safety of the project.

- The proposed site plan will meet the required setbacks for neighboring dwellings and roads.
- An analysis for solar glare was completed, and a report was submitted with the application.
- For extreme weather events, the panels are engineered to withstand up to 140 mph winds. The panels are also tested and designed to withstand damage from small hail of 1-4 inches. The system will be managed through a technology that will track incoming weather and can tilt the panels based on the storms predicted impact (wind, hail, etc.) to help them withstand damage.
- The solar panels are mostly silicon based with aluminum on the sides and some metals. If the panels were damaged, all materials would be contained within the panels. There would be nothing that would get into the soil or ground water.
- Melissa, with Kimley-Horn and Associates, Inc., spoke about the Flood Plain Development Permit for the project.
 - As some portions of the project are in the Flood Plain, a Flood Plain Development Permit would be obtained, The project will meet the requirements of the Muscatine County Floodplain Management Ordinance.
 - The panels and equipment will be raised above the 500-year flood elevation level, which would be equal to about 10" of rain in one day. The panels and equipment will have an additional 2-3' of clearance above that flood level.
 - In addition to the Iowa DNR's modeling, Orion had additional modeling completed to verify the flood levels.
- Andrew, with CohnReznick LLP, spoke next about property values and how they do not expect the new solar farm to have a negative impact on surrounding properties.
 - There have been various academic studies completed on how property values are impacted for properties located near solar farms. Overall, the studies found little to no impact on property values.
 - A study that CohnReznick completed looked at sale values of homes that were adjacent to solar farms. They analyzed dozens of solar farms across the country and did not find a measurable or consistent difference in property values or the length of time the home was on the market.
 - They completed before and after studies that looked at home appreciation rates for sales that occurred before a solar farm was developed and then tracked the appreciation rates with the FHFA Federal Home Prices Index.

- CohnReznick also contacted various assessors in Iowa to ask if they were seeing any trends associated with solar farms. The assessors reported that they had no data indicating a negative impact caused by the solar farms and that there have been no requests by property owners to have their assessed value reduced due to the proximity to a solar farm.
- Kristy, with Dentons Davis Brown, spoke about the legal compliance of the proposed project.
 - The Muscatine County Code of Ordinances allows solar systems as a permitted use in industrial zoned areas and as a special permitted use in agricultural zoned areas. The Special Use Permit is being requested for the areas of this project that would be on land zoned agricultural.
 - The Muscatine County Ordinance for Utility-Scale Solar Energy Systems has various requirements for new projects including setbacks, that utility lines for the project are placed underground, fencing, signage, maintenance and decommissioning plans and floodplain restrictions that would all be adhered to.
 - The project would also enter into a road use agreement. Most of the materials can be delivered using standard sized trucks so there would be a small number of oversized or overweight loads.
 - Orion also provided a Conditions of Approval proposal for any ordinance requirements that will need to be met in the future, for example requirements for when construction occurs. If the Special Use Permit is approved, Orion would have to meet these conditions.
 - In addition to the Muscatine County Ordinance requirements, there are several other requirements that must be met. The EPA, clean Water Act requirements will apply throughout construction. At the state level, the project will have to comply with requirements from the Iowa DNR, the Iowa Department of Transportation, the State Historic Preservation Office, and the Iowa Utilities Commission.
- Sazzy Gourley, with Orion, shared details about some additional project benefits.
 - The project will generate an estimated \$9.6 million in taxes.
 - The project will also provide jobs for construction and a handful of permanent positions for operations.
- Eric then provided the Board with his comments. He noted that the proposed project meets or promises to meet all the solar ordinance requirements. Orion was aware that some of the details can't be precisely laid out on the front end due to some moving pieces and the length of the process, so they offered the Conditional Approval Agreement as a part of their application and that would make all the

terms of that agreement enforceable if the Special Use Permit is approved. There may be changes with the entrance locations, as there are still some discussions occurring with the County Roads Department.

- Next, Board of Adjustment members asked questions.
 - Michael S. asked Orion to provide more details on why they were speaking with local beekeepers. Sazzy responded that they have some areas where they cannot place panels, so they were considering other compatible uses, including bees and honey production. The beehives would take advantage of the pollinator habitat and would provide ecological benefits for the ag land nearby.
 - Michael S. asked for additional details on the taxes that would be generated from the project. Michael, with Orion, responded that the state outlined a generator tax that replaces property taxes for the footprint of the facility.

- Next, public attendees provided comments. The following attendees spoke:
 1. Wayne Tompkins
 2. Cassie Miller
 3. Bob Nowak
 4. Lynsey Krusie
 5. John Shepard
 6. Phil Wiese
 7. Jacob Ewart
 8. Jessica Brackett
 9. Amanda Elliott
 10. Lee Roudybush
 11. Rosy Eichelberger
 12. Tom Langan
 13. Jason Curry
 - In Summary, 12 attendees spoke in favor of the project, and 1 attendee spoke about their concerns.

- After the public comments, the Board of Adjustment members asked some additional questions.
 - Carol asked if the project would meet all required setbacks and fencing requirements. Eric responded that the proposed site plan does appear to meet the setback requirements and that a fence is a part of their plan. Sazzy then clarified that the fence would be seven-foot-tall woven wire mesh that would be code compliant and will contain gaps in the bottom for animals to be able to pass through.
 - Janelle asked Orion if they could address Mr. Nowak's concerns about the increase in traffic on Crimson Avenue. Sazzy responded there is a portion of the project that they would like to use Crimson Avenue to access, as

- there is no alternative access point. Outside of construction, there will be very little traffic. During construction, Orion plans to be very sensitive to the community's concerns and will obtain road use agreements that will identify roads that can be utilized, traffic safety procedures, speed limits, etc.
- Mr. Nowak asked how close the project would get to his property. Eric measured that the project would be approximately 360 feet to the fence line and an additional 15 feet before you reach the solar panels.
- A motion was made by Tom Harper to close the Public Hearing at 7:44 p.m. and was seconded by Carol Schlueter.
 - Ayes: Tom Harper, Carol Schlueter, Michael Smock, and Janelle Spies
 - Opposed: None
 - Motion approved.
 - A motion was made by Tom Harper to grant the Special Use Permit to allow a utility-scale solar energy system and was seconded by Michael Smock.
 - Ayes: Tom Harper, Carol Schlueter, Michael Smock, and Janelle Spies
 - Opposed: None
 - Motion approved.
 - Tom asked if the two-year time frame would be long enough for construction. Orion staff asked if the Board would consider granting an extension to allow them five years.
 - A motion was made by Micheal Smock to allow the start of the construction deadline to be extended from 2 years to 5 years from the approval date (10/30/2025) and was seconded by Tom Harper.
 - Ayes: Tom Harper, Carol Schlueter, Michael Smock, and Janelle Spies
 - Opposed: None
 - Motion approved.
- The meeting was adjourned at 7:48 p.m.

MUSCATINE COUNTY BOARD OF ADJUSTMENT
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Community Attendees:

1. Wayne Tompkins
2. Cassie Miller
3. Bob Nowak
4. Lynsey Krusie
5. Nancy Sorensen
6. Caitlin Costigan
7. Sean Last
8. John Shepard
9. Phil Wiese
10. Jeff Sorensen
11. Danny Chick
12. Jacob Ewart
13. Justin Winter
14. Greg Wilson
15. Jessica Bruckett
16. Amanda Elliott
17. Lee Roudybush
18. Rosy Eichelberger
19. Tom Langan
20. Jason Curry