

# TAMA COUNTY ZONING BOARD OF ADJUSTMENT MINUTES

Conditional Use Permit Hearings Manatt's Inc (x1) and Salt Creek Wind II LLC (multiple)

Tuesday October 14, 2025. Reinig Toledo Civic Center, Toledo IA.

Board members present: Nancy Yuska, David Sherwood, Nancy Smith, Scott Snyder, John Wagner.

Zoning Administrator: Laura Wilson

Approximately 50 community members were present in the room, with 17 attending via Teams.

Attorneys present: Thomas Henderson (Whitfield Law) and Kelli Orton (BrownWinick Law Firm)

## MINUTES:

The meeting was called to order at 6:02 PM by Yuska, followed by the Pledge of Allegiance.

Motion by Wagner, second by Snyder to approve the agenda. All Ayes, motion carried.

Motion by Snyder, second by Sherwood to approve the Minutes from the previous meeting on 7/16/25. All Ayes, motion carried.

Zoning Administrator Wilson recommended approval of the Manatt's Inc. request, based on application information provided before the meeting. Manatt's Inc representative Bryan Wacha, General Manager, then gave his presentation to the Board for their Conditional Use Permit request for a temporary asphalt plant, planned to be located in the Wendling Quarries (also known as Montour Quarry), to be used for a construction project on E66. There was one public concern from a citizen, relayed by the Zoning Administrator from a Supervisor, regarding hours of operation. No public comments were presented by anyone attending the meeting. The Board members asked questions of the representative, then discussed amongst themselves. One condition was included to have the CUP expire after the E66 project is complete. Roll Call vote to approve; All Ayes, motion carried.

The Board allowed a short recess before moving on to the next hearing topic. The meeting resumed at 6:35 PM to discuss the Salt Creek Wind II CUP Application.

Zoning Administrator Wilson explained that she felt the initial application materials provided by were not sufficient by themselves for an approval recommendation, but also noted that great effort went into negotiations between Salt Creek Wind II and the Tama County Board of Supervisors to create a Development Agreement for the project. Also that the application review process does not only include initial materials but also includes the presentation, the applicant's answers to questions, and public comments that were going to be provided at the hearing. She recommended approval of the application with conditions, if the Board felt that the gaps from the original application materials were sufficiently filled with the Development Agreement and the information provided at the hearing.

Attorney Kelli Orton from the BrownWinick Law Firm gave the presentation for Salt Creek Wind II LLC, for a Commercial Wind Energy Conversion System project in Tama County, planned to be located North of Toledo, South of Highway E29, West of Otter Creek and East of G Avenue. Ten citizens in the room spoke during the public comment time, with no comments from the participants on Teams. The Board allowed a short recess at the request of Ms. Orton after the public comment session was concluded. Salt Creek Wind II LLC owner Sean Roberts joined Ms. Orton after the recess to respond to the public comments and to answer questions by the Board of Adjustment members. Sheriff Schmidt answered one of the questions from the Board of Adjustment regarding the county's E911 system.

The Board of Adjustment attorney Thomas Henderson presented a resolution on behalf of the Board of Adjustment that included conditions that would be voted as part of the Conditional Use Permit approval. The Board of Adjustment continued discussions, primarily surrounding possible height limitations.

At 8:58 PM there was a motion by Smith, second by Wagner, to extend the meeting until at least 9:30 PM. This vote was required per the Board of Adjustment Rules of Procedure. All Ayes, motion carried. Conversation continued between the attorneys and the Board of Adjustment to clarify details of the conditions and the resolution.

Motion by Wagner, second by Smith to combine the Conditional Use Permits for the 27 turbine locations into a single Conditional Use Permit approval or denial. Roll Call vote; All Ayes, motion carried.

Supervisor Mark Doland requested the opportunity to speak up with questions to the attorneys about possibly conflicts between the conditions being presented by the Board of Adjustment and the Development Agreement Resolution that was previously approved by the Board of Supervisors.

Motion by Wagner, second by Snyder, to approve as stated by Attorney Henderson, "the resolution as read by the attorney to the Board of Adjustment". Roll Call vote; All Ayes, motion carried. A copy of this resolution is attached with these Minutes.

Motion to adjourn by Smith, second by Sherwood. All Ayes, motion carried. Meeting adjourned at 9:21 PM.

***\*\*VIDEO RECORDING OF THE TAMA COUNTY ZONING BOARD OF ADJUSTMENT MEETING HELD OCTOBER 14, 2025 IS AVAILABLE ON THE TAMA COUNTY YOUTUBE CHANNEL \*\****

Respectfully Submitted,

Laura Wilson

**RESOLUTION APPROVING SALT CREEK WIND II APPLICATION FOR  
CONDITIONAL USE PERMIT**

Tama County Board of Adjustment Resolution No. 101425

On October 14, 2025, Tama County Board of Adjustment (BOA) conducted a public hearing on the Salt Creek Wind II Application for Conditional Use Permit (CUP). At that time, the BOA received comments from Applicant Salt Creek Wind II, LLC (Applicant) represented by attorney Kelli Orton and Manager Sean Roberts, Zoning Administrator Laura Wilson, and members of the public.

After the hearing was closed, BOA Board Member Wagner moved, and BOA Board Member Synder seconded the following motion:

The CUP application submitted on December 20, 2024, is hereby approved with the following conditions and/or exceptions:

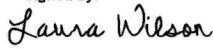
1. **Wind Turbine Approval-** Prior to issuance of a building permit and commencement of construction, the Applicant will submit the manufacturer and model of wind turbine to be used for the Project and an engineering report which certifies the final wind turbine meets county requirements and is within accepted professional standards, given local soil and climate conditions. In addition, should the Applicant wish to use a wind turbine with total height exceeding 520 feet, but no more than 600 feet, the Applicant will submit an updated avian use report or an affidavit from an expert that certifies no significant impact to the bird population by the taller wind turbine. This will be submitted to the Zoning Administrator for approval.
2. **Collection Lines-** Legal rights for a connection for collection lines connecting wind turbines 25 and 26 to the remainder of the Project have not been finalized. As a condition for approval for collection lines connecting wind turbines 25 and 26 to the remainder of the Project, the Applicant must provide the Zoning Administrator with either:
  - a. Evidence of legal property rights for Parcel Numbers 11.18.300.002, 10.13.400.004, 10.13.400.003 and 10.13.300.004 or
  - b. Evidence of legal property rights for an alternative route for the collection lines in the form of easements or property purchase.
3. **Wind Resource Allocation-**Regarding possible impact of the Project on other existing wind turbine operations, the Applicant will not construct a wind turbine within five rotor diameters or ½ mile from an existing wind turbine. Should the Project be shown to have a significant negative impact on the available wind energy to an existing wind turbine, the Applicant will mitigate the impact.

4. **Field Wetlands Report-** In connection with the state certificates, the Applicant will be commissioning a field wetlands report. This report will commence at least 30 days prior to commencement of construction and provided to the Zoning Administrator as soon as reasonably practicable thereafter.
5. **Time Limit of CUP Approval-** This CUP approval shall remain valid for two years from the approval date of this Resolution, unless the applicant substantially commences construction of the wind turbine system or requests an extension from the Zoning Administrator.
6. **Additional Future Applications-** The Applicant filed a conditional use application for an electrical substation on October 10, 2025, and will be seeking a building permit, and that will be considered in the future. It is also anticipated that the Applicant will be filing a CUP application and building permit for LiDAR.
7. **Transfer of CUP-** If the Applicant sells the project, this CUP may be transferred by the Applicant to the purchaser.

Passed by the Tama County Board of Adjustment by a vote of 5 to 0 on the 14<sup>th</sup> day of October 2025.


**TAMA COUNTY BOARD OF ADJUSTMENT**

Signed by:  
  
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Nancy Yuska, Chair

Attested:  
Signed by:  
  
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Laura Wilson, Zoning Administrator

**The CUP conditions and exceptions are acceptable to the Applicant.**

**SALT CREEK WIND II, LLC**

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Sean Roberts, Manager and Member