

BECKER TOWN PLANNING COMMISSION

7:00 P.M.

MAY 11, 2020

PLANNING COMMISSION

MEETING MINUTES

Board Members Present: Brad Wilkening, Brian Kolbinger, Ryan Peckskamp, Cole Petroske,

Absent: Frank Kasowski

Staff Present in person: Damien Toven – Township Attorney, Ben Wikstrom – Township Planner, Lucinda Messman - Clerk

Staff attending remotely: Jacob Sanders – City of Becker Planner

Others present remotely: Tom Hyne for RD Offutt

Tuesday, April 7, 2020 The Becker Town Board passed Resolution 2020-15: A Resolution Establishing The Ability Conduct Open Meetings By Telephone. The Town Planning Commission of Becker Township, Sherburne County, Minnesota, will conduct meetings having remote attendance possible through video and/or telephone so long as a health pandemic exists or an emergency is declared under Minn. Stat. Ch. 12. This meeting was held providing attendees to be in person or use the video/teleconferencing system.

Chair Wilkening called meeting to order at 7:00 p.m. Quorum verified present.

Motion to approve March 2020 minutes as distributed by Peckskamp, second by Petroske. Motion carried, all voting in favor.

Motion to approve Agenda by Kolbinger, second by Peckskamp. Motion carried, all voting in favor.

Public Hearing RD Offutt – Conditional Use Permit Application
Private Communications Tower

Wikstrom reviewed Staff Report with Planning Commissioners. Full text on file.

- 14639 137th Street SE
- Application is for antenna tower for farming related uses.
- Aerial showing fall zone viewed. Fall zone is entirely on the parcel.
- Findings:
 - The following have been met
 - The use or development is an appropriate conditional use in the land use zone.
 - The use or development, with conditions, conforms to the comprehensive land use plan.
 - The use with condition is compatible with the existing neighborhood.

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- The use with conditions would not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity of the Town.
- The following were also considered:
 - The conditional use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted on that property, nor substantially diminish or impair values in the immediate vicinity.
 - The conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
 - The conditional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
 - The conditional use will have vehicular approaches to the property which are so designed as not to create traffic congestion or an indifference with traffic on surrounding public thoroughfares.
 - Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use.
 - Adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so none of these will constitute a nuisance and to control lights and signs in such a manner, that no disturbance to neighboring properties will result.
 - The conditional use will not result in the destruction, loss or damage of a natural, scenic or historical feature of major significance.
 - The conditional use will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrients.
- Additional Findings from Section 17 of Becker Joint Planning Board Zoning Ordinance:
 - A new tower may not be built, constructed or erected in the town unless the tower is capable of supporting at least two telecommunications facilities comparable in weight, size, and surface area to each other.
 - A tower must comply with the following setback requirements:
 - A tower must be located on a single parcel and must be set back from the parcel boundaries a distance

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equal to or greater than the height of the tower unless an engineer specifies in writing that the collapse of the tower will occur within a lesser distance under reasonably foreseeable circumstances.

- Setback requirements for towers are measured from the base of the tower to the property line of the parcel on which it is located.
- Engineer certification. Towers must be designed and certified by an engineer to be structurally sound and in conformance with the Uniform Building Code, and any other standards set forth in this code.
- Height restriction. A tower may not exceed the lesser of 185 feet in height or a height equivalent to ten feet more than the distance from the base of the tower to the nearest point of any property line. Measurement of tower height must include the tower structure itself, the base pad, and any other telecommunications facilities attached thereto.
- Tower height is measured from grade.
- Towers may not be artificially lighted except as required by the Federal Aviation Administration. At time of construction of a tower, in cases where there are residential uses located within a distance that is three times the height of the tower from the tower, dual mode lighting must be requested from the Federal Aviation Administration. Notwithstanding this provision, the town may approve the placement of an antennae on an existing or proposed lighting standard, provided that the antennae is integrated with the lighting standard.
- Exterior finish. Towers not requiring Federal Aviation Administration painting or marking must have an exterior finish as approved in the site plan.
- Fencing. Fences constructed around or upon parcels containing towers, antenna support structures, or telecommunications facilities must be constructed in accordance with the applicable fencing requirements in the zoning district where the tower or antenna support structure is located, unless more stringent fencing requirements are required by Federal Communications Commission regulations.

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- Landscaping. Landscaping on parcels containing towers, antenna support structures or telecommunications facilities must be in accordance with landscaping requirements as approved in the site plan. Utility buildings and structures accessory to a tower must be architecturally designed to blend in with the surrounding environment and to meet setback requirements that are compatible with the actual placement of the tower. Ground mounted equipment must be screened from view as required by the screening standards in the Zoning District in which it is located
- No more than one accessory building is permitted per tower. Accessory buildings may be no more than 300 square feet in size. Telecommunications facilities not located on a tower or in an accessory building must be of stealth design.
- Towers must be reasonably posted and secured to protect against trespass. All signs must comply with applicable sign regulations.
- Towers must be of stealth design as approved in the site plan unless the town determines that such design is not feasible due to the lack of comparable vertical structures in the vicinity of the proposed site.
- Most of the items above – especially the Section 17 items – pertain to large towers for cellular or other use. For a small tower to be used as proposed, the approvals are more of a procedural matter. The critical components are approval of the CUP and site plan, which have been submitted. There is a condition in the resolution for approval that the tower requires approval of a building permit, which will cover the other component – approval by an engineer and conformance with any building codes.
- Staff recommends approval of the conditional use permit to allow construction of a private communications tower at 16439 137th Street Southeast.
- Draft Resolution 2020-12 presented to the board.

Tom Heyne – tower is engineered with wind and ice load information

No further comments.

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**Motion to close public hearing by Kolbinger. Second by Peckskamp.
Motion carried, all voting in favor.**

No further discussion

Motion to approve Resolution 2020-12: A Resolution Recommending Approval Of A Conditional Use Permit For The Property Located At 14639 137th Street Southeast by Petroske. Second by Peckskamp. Motion carried, all voting in favor.

Application moves to the Joint Planning Board for a final determination on May 26, 2020. Back in this building, 7 pm..

**Public Hearing – Sherie Kolbinger and Brian and Bonnie Kolbinger
Boundary Adjustment Application**

Planning Commissioner Kolbinger excused himself for this discussion/decision.

Wikstrom reviewed Staff Report with Planning Commissioners. Full text on file.

- 16270 and 16394 92ns Street SE
- Application is move boundary to the east.
- Parcels are located in the General Rural Zoning District
- Findings
 - The Zoning Ordinance requires the following minimums in the General Rural District:
 - Lot Size: 2.5 acres
 - Width: 200'
 - Depth: 300'
 - Buildable Area: 40,000 s.f.
 - Setbacks: Front - 67'; Side - 10'; Rear - 25'; Wetland - varies/determined by County
 - All of these standards are met with the proposed subdivision, as can be seen on the attached survey. These properties were previously platted, so no additional dedications are necessary, and easements along property lines will move with the boundary adjustment.
 - The adjusted parcels will be 5.02 acres (-0105) and 8.77 acres (-0110).
- RECOMMENDATION

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- o Staff recommends acceptance of the Certificate of Survey and approval of the Boundary Adjustment Subdivision.
- o Draft Resolutions 2020-10 and 2020-11 were presented to the board

No Discussion - All seems in order and fits with ordinance.

Motion to close public hearing by Petroski. Second by Peckskamp. Motion carried 3 -0-1. Wilkening, Peckskamp, Petroski for, none against, Kolbinger abstained (Kasowski absent)

No further discussion

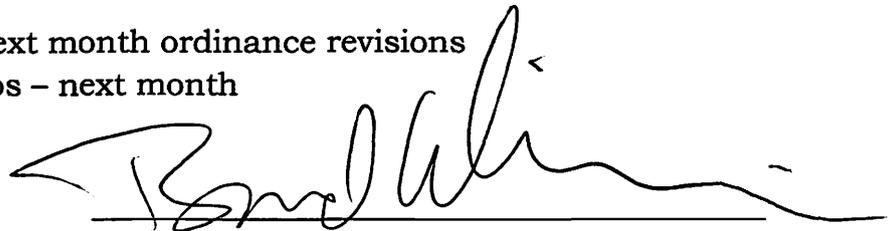
Motion to Approve Resolution 2020-10: A Resolution Recommending Acceptance Of A Certificate Of Survey Of The Properties At 16270 92nd Street Southeast And 16394 92nd Street Southeast by Petroski. Second by Peckskamp. Motion carried 3 -0-1. Wilkening, Peckskamp, Petroski for, none against, Kolbinger abstained (Kasowski absent)

Motion to Approve Resolution 2020-11: A Resolution Recommending Approval Of A Boundary Adjustment Subdivision Of The Boundary Between The Properties At 16270 92nd Street Southeast And 16394 92nd Street Southeast by Peckskamp. Second by Petroski. Motion carried 3 -0-1. Wilkening, Peckskamp, Petroski for, none against, Kolbinger abstained (Kasowski absent)

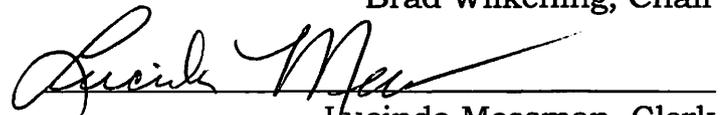
OTHER BUSINESS

- Shipping Containers – next month ordinance revisions
- Front width for w/d ratios – next month

Adjourn 7:14 p.m.



Brad Wilkening, Chair



Lucinda Messman, Clerk