

November 7, 2012

The Scandia Planning Commission held their regular monthly meeting on the above date. Chair Christine Maefsky called the meeting to order at 7:00 p.m. The following were in attendance: Commissioners Jan Hogle, Steve Philippi, Peter Schwarz and Commission Chair Christine Maefsky. Absent: Commissioner Tom Krinke. Staff present: City Administrator Kristina Handt, City Planner Sherri Buss and Deputy Clerk Brenda Eklund.

APPROVAL OF AGENDA, MINUTES

Schwarz, seconded by Hogle, moved to approve the agenda as presented. The motion carried 4-0.

Schwarz, seconded by Philippi, moved to approve the October 2, 2012 minutes as presented. The motion carried 4-0.

PUBLIC HEARING: AMENDED CONDITIONAL USE PERMITS, 15072 OLD MARINE TRAIL AND 21560 NOVAK AVENUE. POWDER RIVER DEVELOPMENT SERVICES, APPLICANT (RESOLUTION NO. 11-07-12-01 PC AND 11-07-12-02 PC)

Powder River Development Services has requested amended Conditional Use Permits to allow for replacement of panel antennas and addition of microwave dishes and Remote Radio Units (RRUs) on two existing cell towers owned by Sprint Communications. The tower at 15072 Old Marine Trail, a guy wire tower, was first granted a Conditional Use Permit in 1997, and a CUP for antenna collocation in 2007. The tower at 21560 Novak Avenue, a monopole tower, was granted a Conditional Use Permit in 2001.

City Planner Sherri Buss addressed the two requests together due to the similar issues. Buss explained that the new equipment will be located at the same elevation as the existing antennas so that there will be no increase in the height of the towers. The new equipment will be required to match the color of the existing towers. The applications also indicated that there would be no exterior alteration of ground-level facilities on the sites.

Buss found both applications to be in compliance with the existing CUPs, which were originally approved by Washington County.

Dale Runkle, Powder River Development, described the technology updates to the towers. Three existing panel antennas will be replaced by new panel antennas with two RRUs behind each new antenna. Two microwave antennas, 2½ feet in diameter, will be added to the tower at Old Marine Trail, and one microwave antenna will be added to the Novak Avenue tower. There will be an interim design period of up to six months when all equipment will be in place. Once it is determined that the new antennas are working properly, the old equipment will be removed.

Planner Buss recommended both applications for approval with findings and conditions as listed in the draft resolutions. The conditions of the original CUPs will remain in effect, but Buss asked the Commissioners to consider Condition #3, requiring that the driveway gate be secured with a lock at the Old Marine Trail site. Buss stated that the gate was not locked at the time of her site

visit. Washington County may have required the lock to prevent vandalism.

Commissioner Schwarz asked if proof of insurance for the tower at the Novak Avenue site should also be required, as this is a condition of the CUP for the Old Marine Trail tower. Buss recommended that this condition be included in draft Resolution No. 11-07-12-02 PC.

Commissioner Schwarz asked if the cables will be run inside the pole, as it appeared in the plan diagram that the cables are on the outside of the tower. Mr. Cladell, a representative of Sprint, confirmed that the wires will run inside the tower and not be visible.

Chair Maefsky requested that the original conditions of the CUPs be read. Planner Buss addressed these for each site, and determined that the conditions are being met, including those for fencing and landscaping. The conditions included annual monitoring by County staff, which the County discontinued.

Chair Maefsky asked if additional shrubs could be added to the base of the tower at the Novak Avenue site, as the landscaping appears minimal. Mr. Cladell explained that cattle within the site have been damaging the shrubs and it would be difficult to maintain new landscaping.

Chair Maefsky opened the hearing for public comments at 7:42 p.m.

Chris Ness, 18440 Norell Avenue: Mr. Ness stated that a locked gate at the Old Marine Trail site would not keep people out, as there is a rutted road alongside the driveway for access to the tower.

There were no more comments and Chair Maefsky closed the hearing.

Commissioner Schwarz noted that staff would not have the expertise to monitor the quality and operations of the cell towers, and it should be in the interest of the owner/operator to inspect the sites and keep the equipment in good working order. Buss added that staff monitoring is typically not a requirement of recent permits. Schwarz suggested that the proof of insurance would be a means to monitor the use of the tower. If use of the tower ceases, the ordinance requires removal of the tower and all structures within 120 days.

Commissioner Philippi stated that no one likes the appearance of cell towers and therefore the addition of new equipment should be spread as far apart as possible to visually minimize the impact. Philippi noted that the monopole tower at the Novak Avenue site is in a remote, agricultural area and less visually intrusive. The lattice tower at the Old Marine Trail site is on display from William O'Brien State Park, so it's important to minimize the clustering of equipment at the top of the tower.

Mr. Runkle explained that the installation of the antennas will comply with the plans as submitted to the city. Pictures and diagrams of similar installations were shown.

The Commissioners were in consensus that the condition of having the driveway gate locked could be removed from draft Resolution 11-07-12-01 PC.

Hogle, seconded by Philippi, moved to adopt Resolution No. 11-07-12-01 PC, Approving Amended Conditional Use Permit for 15072 Old Marine Trail, with removal of Condition #3 requiring the driveway gate be secured with a lock. The motion carried 4-0.

Hogle, seconded by Philippi, moved to adopt Resolution No. 11-07-12-02 PC, Approving Amended Conditional Use Permit for 21560 Novak Avenue, with the addition of Condition #10 requiring proof of insurance for the tower and equipment. The motion carried 4-0.

The recommendations for the Amended Conditional Use Permits will be considered by the City Council at their November 20, 2012 meeting.

PUBLIC HEARING: COMPREHENSIVE PLAN AMENDMENT, CAPITAL IMPROVEMENT PROGRAM (CIP) UPDATE, 2012-2017. CITY OF SCANDIA, APPLICANT

City Administrator Kristina Handt presented the Capital Improvement Plan for 2013-2017. The CIP includes all projects that cost at least \$10,000 and have a useful life span of five years or longer. The CIP Committee was disbanded in 2012, and the City Council discussed the CIP during the budget process this year.

Commissioner Philippi, a member of the former CIP Committee, suggested the Council reconsider using the input of a CIP Committee for citizen and advisory recommendations. Philippi stated that it would be in the best interest of the city to establish a road committee to publicly debate the future condition of the city's aging roads. The current funding level of \$300,000 per year is only half the recommended level recommended by the City Engineer to extend the life of the roads.

Handt provided an overview of the updates to this year's plan. The study of city meeting and office space needs has been removed from the CIP for 2013 at Council direction. The Fire Department requested a change to the project for civil defense sirens from one new siren to six new sirens, to meet FEMA grant requirements. The CIP will change from \$200,000 to \$30,000 annually for six years starting in 2013, with grants expected to cover 75% of the cost. The Council directed the sidewalk projects (209th Street to the South Ballfield and from the Wayne Erickson Ballfield to Olinda Lane) be moved to 2014. New projects included in the Public Works Department for 2013 include a lift for the garage (\$15,000) and the purchase of an F-550 work truck (\$50,000). A new dump truck is proposed in the CIP for 2014.

Chair Maefksy opened the hearing for public comments.

Chris Ness, 18440 Norell Avenue: Mr. Ness stated his approval of the document.

There were no other comments and the hearing was closed.

Maefsky, seconded by Philippi, moved to accept the Capital Improvement Program Update for 2013-2017, and recommended its approval to the City Council. The motion carried 4-0.

The City Council will act on this recommendation at the December 18, 2012 meeting when adopting the 2013 Budget and Final Property Tax Levy.

DISCUSSION REGARDING DEFINITION OF ATTACHED GARAGE

Planner Buss explained that a resident had questioned the distance a garage can be from the house to be considered as an attached garage. Their property has the maximum area of accessory structures allowed and they would like to build a garage. Buss noted that the state building code allows for a structure to be within six feet to be considered as attached. Scandia's code states that when any portion is completely separated from every other part, the building shall be deemed as a separate building. On behalf of the resident, Buss questioned the Commissioners if they would consider putting the state building code definition back into the city's code.

The Commissioners were in consensus not to change the definition based on this one request. The City Attorney had recommended the current definition based on past experiences. It appeared to be an economic condition that the requestor is not able to attach the proposed garage, and not based on a clear practical difficulty.

UPDATE ON CITY COUNCIL ACTION ON MATT VARIANCE

Planner Buss provided an update on Joseph Matt's application for a variance for an accessory structure at 13440 182nd Street. The Planning Commission voted to deny the request at their August 7, 2012 meeting. On August 21, the City Council requested Mr. Matt to downsize the structure, remove the deck and submit a survey of the property to confirm the actual structure distance from the OHWL of Big Marine Lake and the lot coverage.

At their October 16th meeting, the Council did approve the Matt variance with significant changes to the site plan. A storage structure of 146 square feet was allowed, creating a lot coverage of 24.5%.

Chair Maefsky stated that she was pleased that Mr. Matt was able to work out a way to address the difficulties of his application.

TILLER CONDITIONAL USE PERMIT FOR ZAVORAL MINE

A public hearing for the Tiller Conditional Use Permit for the Zavoral Mine is scheduled for the December 4, 2012 Planning Commission meeting. The Commissioners set a second meeting for December 12, 2012 at 7:00 p.m. to continue the hearing due to the complexity of the project.

ADJOURNMENT

Maefsky, seconded by Schwarz, moved to adjourn the meeting. The motion carried 4-0.
The meeting adjourned at 8:20 p.m.

Respectfully submitted,
Brenda Eklund, Deputy Clerk