

Becker County Planning Commission
August 18, 2009

Present: Members Dan Schlauderaff, Ray Thorkildson, John McGovern, Jim Kovala, Harry Johnston, John Lien, Commissioner Larry Knutson, Zoning Administrator Patricia Swenson and Zoning Staff Debi Moltzan.

Vice Chairman John Lien called the meeting to order at 7:00 p.m. Debi Moltzan took minutes.

Kovala made a motion to approve the minutes from the July 2009 meeting. Johnston second. All in favor. Motion carried.

Lien explained the protocol for the meeting and explained that the recommendations of the Planning Commission would be forwarded to the County Board of Commissioners for final action on Tuesday, August 25, 2009.

FIRST ORDER OF BUSINESS: First International Bank and Trust, Greg Mastrud. Request approval of a certificate of survey to subdivide 6.6 acres into three (3) lots and request approval of a change of zone from High Density to Residential. This is a re-plat of the multi-unit development known as Blackhawk Country Estates. PID Numbers 17.0505.501 thru 17.0505.505. The property is located on Leif Lake in Section 5, Lake Eunice Township, near the intersection of County Highway 6 and Blackhawk Road.

Scott Walz, surveyor, explained the application to the Board. The 5 unit multi-residential development would be abandoned and the property split into three single-family lots. The three lots would have lake access within the 200 feet approved in the CIC. Lot A would have its own access and Lots B & C would share an access on Lot B.

Jeff Stevenson questioned the lake access and if they would be sharing a well and septic system. Stevenson was also concerned about the spawning area. Walz explained that the lake access is in the same location as originally approved in the CIC, that each lot would have their own well and septic system and the Bank would construct an access path from Lot C thru Lot B and to the lake access.

Knutson stated that the Environmental Review Technical Panel recommended approve with Lot B and Lot C sharing an access and Lot A having its own access because it was in the 200 feet originally approved.

There was no written correspondence either for or against the application. At this time, testimony was closed and further discussion was held.

Lien felt that this would be an improvement over what was originally approved based on the fact that the number of houses was being reduced from five to three. Knutson stated that anytime density is lowered, it is a plus.

Motion: Kovala made a motion to approve a certificate of survey to subdivide 6.6 acres into three (3) lots and request approval of a change of zone from High Density to Residential, this is a re-plat of the multi-unit development known as Blackhawk Country Estates, which would be abandoned, based on the fact that the density would be decreased. Knutson second. All in favor. Motion carried.

SECOND ORDER OF BUSINESS: Verizon Wireless for the Kevin Mickelson property. Request a conditional use permit to build a 257 ft communication tower with a lightning rod and 12 ft by 20 ft equipment shelter for the property described as: SW ¼ SW ¼, Section 17, TWP 138, Range 37, Spruce Grove Township. PID Number 31.0110.000. The property is located at 13863 Co Hwy 43.

Christopher Coughlin explained the application. The tower is necessary to expand coverage. This site has been identified as the likely candidate because it is close to the road and will be camouflaged by an existing 125 ft feed mill. The application meets the criteria of the Zoning Ordinance in regards to setbacks, fall zone, and no other towers within two miles.

Kovala questioned when the tower would be constructed and when the power would be turned on. Coughlin stated that it is not in the budget for 2009 and would likely be constructed in 2010 and that it should be powered up as soon as it is built. Kovala stated that Verizon obtained a conditional use permit for six towers in the past, but it took three years to construct and longer to power up. Coughlin stated that he could not speak for what happened in the past.

LaRaye Anderson spoke against the application. Anderson was concerned about the health of her family since there is not enough data out there regarding cell towers and linkage to cancer. Anderson also stated that she did not want a tower across the road from her house and the applicant could find a better location. Knutson asked Anderson if they had spoken to the Mickelson's about the location. Anderson stated that they had not.

Kovala and Johnston questioned if the tower could be moved further south. Coughlin stated that the application does meet the criteria of the Ordinance.

There was no written correspondence either for or against the application. At this time, testimony and further discussion was held.

Lien questioned the 60-day rule. Swenson stated that the Board could table the application.

Motion: Knutson made a motion to table the application until the September 2009 meeting. Johnston second. All in favor. Motion carried.

THIRD ORDER OF BUSINESS: Buell Consulting for the Dennis Dodge property. Request a conditional use permit to construct a 295 ft guyed tower with an 11.5 ft by 20

ft equipment shelter on the property described as: SW ¼ SW ¼, Section 15, TWP 140, Range 36, Osage Township. PID Number 21.0090.000. The property is located at 25155 Witter Avenue.

Mark Hemstreet, agent for AT & T, explained the application. This tower would improve coverage in the Osage area and north of Highway 34. The existing tower west of Osage is too far away to co-locate. The application meets the requirements of the Zoning Ordinance and there are no nearby neighbors to interfere with. The access to the tower would be from Frazier Street.

Speaking in opposition to the application was Karen Zwirtz. Zwirtz was concerned with the location of the tower in reference to her house and did not want to look at a tower and felt there were enough towers in Osage. Speaking in favor of the application was Dennis Dodge. Dodge stated that this location was chosen because there is a grove of trees to help camouflage the tower and that the tower would be one-half mile from a residence. There was no written correspondence either for or against the application. At this time, testimony was closed and further discussion held.

Kovala stated that he talked to seven or eight people in the Osage area, along with one Town Board Member and they were all in favor of the application. Johnston questioned the location of the houses in question and the proposed tower site and asked Dodge to identify the locations on a map. Lien stated that he visited the location and felt that it was a good location and that the tower would not be seen unless you were specifically looking for it. Knutson stated that most of the towers in the Osage area were approximately 190 feet monopoles.

Motion: Kovala made a motion to approve conditional use permit to construct a 295 ft guyed tower with an 11.5 ft by 20 ft equipment shelter based on the fact that it would not be detrimental to the surrounding area. Thorkildson second. All in favor. Motion carried.

FOURTH ORDER OF BUSINESS: Final Plat of The Woods on Lake Maud II.

The applicant tabled this application.

FIFTH ORDER OF BUSINESS: Informational meeting.

The next informational meeting is scheduled for Thursday, September 15, 2009 at 8:00 am in the Third Floor Meeting Room of the Original Courthouse.

Since there was no business to come before the Board, Kovala made a motion to adjourn. Schlauderaff second. All in favor. Motion carried. Meeting adjourned.

John Lien, Vice Chairman

ATTEST

Jeff Moritz, Secretary

Patricia Swenson, Zoning Administrator