

EAST BETHEL PLANNING COMMISSION MEETING

May 8, 2012

The East Bethel Planning Commission met on May 8, 2012 at 7:05 P.M for their regular meeting at City Hall.

MEMBERS PRESENT: Brian Mundle, Jr. Lorraine Bonin Tanner Balfany
Lou Cornicelli Eldon Holmes Glenn Terry Joe Pelawa

MEMBERS ABSENT:

ALSO PRESENT: Stephanie Hanson, City Planner
Heidi Moegerle, City Council

Adopt Agenda Chairperson Mundle called the May 8, 2012 meeting to order at 7:05 P.M.

Mundle motioned to adopt the May 8, 2012 agenda. Balfany seconded; all in favor, motion carries.

**Public Hearing/
Preliminary Plat
A request by owner,
Curt Strandlund, CD
Properties North, for a
Preliminary Plat to
create two (2)
commercial lots and
one (1) outlot known as
Classic Commercial
Park 2nd Addition,
187th Lane NE and
Ulysses Ave. NE,
East Bethel, MN
55011. The Zoning
Classification is B-3
Highway Business.**

Property Owner/Applicant:

Curt Strandlund
CD Properties North
18542 Ulysses St. NE
East Bethel, MN 55011

Property Location:

187th Lane NE and Ulysses Street
East Bethel, MN 55011
B3 Highway Commercial District

Mr. Strandlund is requesting preliminary plat approval for the subdivision known as Classic Commercial Park 2nd Addition. The plat is 19.46 acres and is being proposed to be developed into two (2) commercial parcels and one (1) outlot (to be further divided in the future).

All parcels meet the requirements set forth by the zoning ordinance and are as follows:

Lot 2, Block 1

Lot Size: 4.43 acres
Lot Width: 369 feet
Buildable Area: 4.43 acres
Municipal Sewer and Water Availability

Lot 1, Block 2

Lot Size: 6.06 acres
Lot Width: 376 feet
Buildable Area: 6.06 acres
Municipal Sewer and Water Availability

Outlot A

Lot Size: 8.97 acres

Buildable Area: 8.97 acres

Classic Commercial Park is bordered by residential property to the west and commercial property to the north, south, and east. The main ingress/egress from the development is from 187th Lane NE and Ulysses Street. Ulysses will be extended approximately 300 feet to the north to access the new commercial parcels. The existing temporary cul-de-sac easement will be vacated and a new temporary cul-de-sac easement will be recorded. The easement will remain in place until such time as Ulysses is further extended to the north. The street will be required to be constructed to meet City specifications.

The City Engineer has reviewed the preliminary plat. Comments are provided in attachment 10 along with Article III of the subdivision code. All comments will be required to be addressed to the satisfaction of the engineer prior to the submittal of the final plat.

City Staff is requesting the Planning Commission recommend Preliminary Plat approval to the City Council for the commercial development known as Classic Commercial Park 2nd Addition to create two (2) commercial parcels and an outlot (to be further divided in the future) with the following staff conditions:

1. All comments/concerns of the City Engineer shall be addressed to his satisfaction prior to submittal of final plat.
2. All comments/concerns of the City Attorney shall be addressed to his satisfaction prior to submittal of final plat.
3. Development Agreement must be executed after the approval of the final plat.

The City Attorney has just finished the development agreement.

Public hearing was opened at 7:10 p.m. Public hearing was closed at 7:11 p.m.

Balfany stated most of this was gone over a couple of weeks ago.

Balfany motioned to recommend preliminary plat approval to the City Council for the commercial development known as Classic Commercial Park 2nd Addition to create two (2) commercial parcels and an outlot (to be further divided in the future) with the following staff conditions:

- 1. All comments/concerns of the City Engineer shall be addressed to his satisfaction prior to submittal of final plat.**
- 2. All comments/concerns of the City Attorney shall be addressed to his satisfaction prior to submittal of final plat.**
- 3. Development Agreement must be executed after the approval of the final plat.**

Seconded by Cornicelli; all in favor, motion carries unanimously.

This will be heard before the City Council on May 16, 2012.

Site Plan Review. A request by owner, Curt Strandlund, CD Properties North, and applicant, Paul Johnson, Aggressive Hydraulics, for a site plan review for Aggressive Hydraulics. The location being 18800 Ulysses St. NE, East Bethel, MN 55011. The Zoning Classification is B-3 Highway Business.

Property Owner:
Curt Strandlund
CD Properties
18542 Ulysses St NE
East Bethel, MN 55011

Applicant:
Paul Johnson
Aggressive Hydraulics
P.O Box 490665
Blaine, MN 55449

Property Location:
Classic Commercial Park 2nd Add.
Lot 1, Block 2
18800 Ulysses Street NE (preliminary)
East Bethel, MN 55011
Zoning: B3 Highway Business

Mr. Strandlund and Mr. Johnson are requesting a site plan approval to construct a 60,000 square foot commercial building for the business known as Aggressive Hydraulics. Aggressive Hydraulics is the manufacturer of hydraulic cylinders. The business is currently located in Blaine and employs 40+ workers.

The 6.06-acre parcel is bordered by unimproved Buchanan Street and R2 Single Family Townhome Residential to the west and B3 Highway Business to the north, south, and east. The property will be accessed from Ulysses Street NE.

The proposed site plan provides 78 parking stalls; 4 accessible stalls have been provided to meet ADA requirements. Parking stalls are 9' x 20' with a proposed 24' aisle width. The parking lot will be constructed of a bituminous surface with concrete curb. All parking areas will be required to be properly striped.

The proposed lighting plan provides for seven (7) lights around the building. Lights must be downcast and shielded.

The Applicant will be planting a variety of trees and shrubs around the site which meets code requirements. Privacy fencing and approximately 62 lilacs will be planted along the western property line that abuts the residentially zoned property. The grounds will have an irrigation system installed. According to East Bethel City Code, all new plantings, including turf establishment, must be guaranteed for one full year from the time the planting has been completed. A letter of credit or a cash escrow will be required by the owner in the amount equal to at least 150 percent of the approved estimated landscaping cost. The letter of credit must be provided prior to the issuance of a building permit and must be valid for a period of time equal to one full growing season.

Many of the comments of the City Engineer have been addressed by the Applicant. The Applicant will need to continue to work with the City Engineer

until all comments have been satisfactorily addressed.

Staff requests Planning Commission recommend approval to City Council of a site plan review for the construction of a commercial building, located in Classic Commercial Park 2nd Addition, Lot 1, Block 2, with the following conditions:

1. Site plan approval is contingent upon the approval of the final plat for Classic Commercial Park 2nd Addition and the approval of drainage and utility easement vacation.
2. Applicant must continue to work with staff to satisfy all comments and concerns to staffs' satisfaction.
3. Letter of credit or a cash escrow will be required by the owner in the amount equal to at least 150 percent of the approved estimated landscaping cost. The letter of credit must be provided prior to the issuance of a building permit and must be valid for a period of time equal to one full growing season. In addition to the letter of credit or cash escrow, the owner must submit an estimated landscaping cost for plantings and turf establishment.
4. Full set of the site plan must be signed by a licensed professional engineer.
5. Signage must meet requirements according to East Bethel City Code Chapter 54. Signs. Sign permits must be approved prior to the installation of signage on site.
6. Any modifications to the approved site plan shall be submitted to and approved by City Staff.
7. All conditions must be satisfied prior to the issuance of a building permit.

Hanson showed the Commission the renditions of the building. The Commission asked which of the renditions faced what areas/directions.

Mundle asked during construction would there be any special protection for the pond. Hanson said yes there would and that would be part of the building plan. Bonin asked when the road extension would be done – now? Hanson said yes it would be. Aggressive Hydraulics would need it for access. Bonin said it is not going up further? Hanson said no. The City will have the right of way to the bordering property.

Cornicelli asked if they were expanding the business or moving. He stated they are expanding. They explained this allows them about a 50 percent increase in site. The site plan also has provisions for expansions, but they have no immediate plans for that. Bonin asked where the expansion would be. He stated it would be to the north.

Pelawa asked if there should be plans for a secondary access. Hanson said there would probably be an access off of Buchanan at some time. Hanson explained the roads are built to meet the standards. Holmes asked what the area for expansion would be -- graded or bituminous. They explained it would be graded with grass. He also asked about the lighting and if it would be shaded and cut-off type fixtures. **They** explained on the back side the lights will be shaded. He stated they are all downcast lights and the lighting levels get out to the fence to

meet lighting levels. All the lights are mounted on the building. Holmes wanted to know what the minimum foot candles are out to the fence. That is his main concern for security reasons to make it safe. He also doesn't understand how the lighting gets out that far.

Pelawa was wondering about the temporary street and drainage easement that was on the previous drawings. Hanson said no that isn't on there because it is being vacated at the next Council meeting.

Terry was wondering where employees would be stationed in the building for production work. He stated they would be spread out. Terry said there are generous windows on one side, but really nothing on the other sides. They explained there aren't windows on the other side to allow for future expansion. The lower windows are office and common areas. The high windows were done for lighting and security purposes. Bonin asked if Terry's question was concerned with the people inside and their working conditions. Terry said yes, he was concerned about daylight for workers. They explained this plant has more daylight than 95 percent of all production plants he has looked at. Balfany said they need the windows high for security reasons.

Pelawa asked if the building plans are reviewed by the fire department. Hanson stated yes. Terry asked if the smooth face blocks are projecting out. He stated yes, there is some depth. Pelawa asked if it was tip-up panel construction. He stated yes. Holmes wondered how many shifts they run. At this point they only run one shift at this time. Holmes stated they probably wouldn't need a second shift anytime. Pelawa wanted to know about drainage in the back. He stated it is piped out to the street.

Holmes motioned to recommend approval to City Council of a site plan review for the construction of a commercial building, located in Classic Commercial Park 2nd Addition, Lot 1, Block 2, with the following conditions:

- 1. Site plan approval is contingent upon the approval of the final plat for Classic Commercial Park 2nd Addition and the approval of drainage and utility easement vacation.**
- 2. Applicant must continue to work with staff to satisfy all comments and concerns to staffs' satisfaction.**
- 3. Letter of credit or a cash escrow will be required by the owner in the amount equal to at least 150 percent of the approved estimated landscaping cost. The letter of credit must be provided prior to the issuance of a building permit and must be valid for a period of time equal to one full growing season. In addition to the letter of credit or cash escrow, the owner must submit an estimated landscaping cost for plantings and turf establishment.**
- 4. Full set of the site plan must be signed by a licensed professional engineer.**
- 5. Signage must meet requirements according to East Bethel City Code Chapter 54. Signs. Sign permits must be approved prior to the installation of signage on site.**
- 6. Any modifications to the approved site plan shall be submitted to and**

approved by City Staff.

- 7. All conditions must be satisfied prior to the issuance of a building permit.**

Bonin seconded; all in favor, motion carries.

Public Hearing/Conditional Use Permit Amendment and Site Plan Review. A request by applicant, Great River Energy, to obtain a Conditional Use Permit Amendment and Site Plan Review for Route I1 for the placement of a transmission line in portions of the City of East Bethel.

Great River Energy
 12300 Elm Creek Blvd.
 Maple Grove, MN 55369

On June 22, 2011, City Council approved a CUP for the proposed location of a 69 kV transmission line known as Route I1 for the portion of line located within East Bethel city limits (attachment 2). The portion in East Bethel is located along Fawn Lake Drive (County Road 76) easterly to Linwood Township.

Attachment 3 depicts the amended Route I1. The route follows Fawn Lake Drive and travels southerly along Sunset Drive. The transmission line is proposed to cross into Linwood Township and back into East Bethel at various points along Sunset Drive. This is specifically for the portion that is in East Bethel, not in Linwood.

Attachments 4 and 5 show rare features and hydrology along the route.

GRE has submitted some other documents for the City. Great River has staff here that can go over the project in great detail and they also have some 'rare features' documents. The hydrology map of the project will be discussed by GRE. There are a couple items that Hanson wanted to point out such as the public waters wetland and the fresh water emergent. GRE can go into details about that if you have questions.

Staff requests Planning Commission conduct a public hearing to hear public comments. Staff also requests Planning Commission to recommend approval to City Council for a CUP amendment to Route I1 as shown on attachment 3 and recommend approval of the site plan for the location of the 69 kV transmission line with the following conditions:

1. GRE will submit a construction plan prior to commencing the construction of the 69 kV line, establishing both a construction timetable and a progression of construction that shall be reviewed and meet the approval of the City Engineer and staff.
2. GRE must submit easement descriptions and final route determination prior to the execution of the CUP Agreement.
3. A CUP Agreement must be executed no later than December 31, 2012. Failure to comply will null and void approved CUP. The agreement must be executed prior to the start of construction of the project.
4. GRE must obtain city right-of-way permits prior to the beginning of construction of the transmission line within city right-of-way along Durant Street and Sunset Drive.

Hanson advised as part of this discussion this evening the City of East Bethel notified all the property owners within Linwood Township that would fall into the area that the City normally advises so there are many individuals within the Linwood Township that may be here. There is also a letter that was submitted by a resident who couldn't attend the meeting; the Chair of the Commission will read the letter during the public hearing. GRE is here to answer questions.

Public hearing was opened at 7:37 p.m.

The chair advised the public of the rules for addressing the Commission. Please keep your comments to a minimum to allow for everyone to speak. Additionally, please make sure you state your name and address prior to speaking.

The letter the Chair read was from:
Jared Trost, 23016 Sunset Road NE, East Bethel, MN 55005.
The letter was dated 5/7/2012.

Dear Members of the East Bethel Planning Commission and Concerned Citizens,

I apologize for my absence, I am out of town on business this entire week and unable to attend tonight's meeting. I understand the need for this power line; it is necessary to create redundancy and increased capacity for the existing electrical infrastructure. As a citizen that demands electricity, I respect the work that is done to ensure the consistent supply of reasonably-priced energy.

That being said, I would appreciate if the board or GRE could answer the questions listed below. If these questions were addressed prior to the reading of this letter, I apologize for the repetition. The decision about the location of these lines has a very long, interesting history spanning four years. As I understand, the plan being presented tonight is a result of months of mediation between the City of East Bethel and Great River Energy.

To the best of my understanding, there have been several proposed routes for this project. The first favored route was to be run primarily through Cedar Creek Ecosystem Science Reserve, then east along County Road 26. This plan was abandoned following public resistance and political mishaps, and not on the potential for negative ecological affects from a power line. This plan may have benefitted the city residents with a bike trail in cooperation with Cedar Creek Ecosystem Science Reserve.

Another proposed route was to run east of East Bethel altogether, but was unfavorable to GRE because of the small possibility of running into archeologically sensitive areas during construction. There are probably other proposed routes as well that were not selected for a variety of reasons. With that very brief summary, I would appreciate answers to the following questions:

1. What is the cost savings to GRE of this route compared to the other proposed routes?
2. If a different route, though more expensive, were chosen, what is the

increase in cost that would be experienced by customers?

3. Was the Cedar Creek route abandoned for legitimate logistical and cost issues? Or was this plan abandoned based on loud voices and some questionable political decisions?
4. What kind of precedent does this set for future infrastructure?

Thank you for your time.

Mr. Trost.

Mundle asked GRE to approach the Commission to address the questions. Peter Schaub from GRE came up to address the Commission.

Question one: What is the cost savings to GRE of this route compared to the other proposed routes? This is one of the second least expensive routes that they looked at. This route's estimated cost is about \$3.9 million dollars. Things can change those costs, such as length of route, soil conditions. Some of the other routes were much longer. The difference in cost is about \$300,000, between this Route and Route A. The others go up markedly. Two of the other routes would have cut through Cedar Creek and they were about the same costs. Some of the routes were as expensive to \$9 million dollars.

Question two: If a different route, though more expensive, were chosen, what is the increase in cost that would be experienced by customers? They don't have a breakdown on what it will cost customers as they are a coop. They set their rates by all the projects throughout the State and the cost gets spread across to all of the coops. The costs for this project will have a minimal impact on the consumer, but if you add all projects across the State, the rates do go up.

Question three: Was the Cedar Creek route abandoned for legitimate logistical and cost issues? Or was this plan abandoned based on loud voices and some questionable political decisions? It wasn't abandoned. The City denied the Conditional Use Permit after GRE went through the process.

Question four: What kind of precedent does this set for future infrastructure? This is the precedent that we always follow. We follow the guidelines and rules and we abide by their decisions and try to move forward. We didn't get a permit for Route A, but through mediation we are trying to get approval for this route.

The public then took the opportunity to make comments and ask questions.

Paul DeVange, 23331 Sunset Road, Linwood. He asked why GRE is trying to come down a 45 mph road. If you were to use this route, you will be 30 feet from the front of my house. Why not go through the park land? This route makes no sense to him and he is sure this is how most folks feel.

Schaub said the line will be close to his house. DeVange said you will take 30 feet from the road. Schaub said the poles will be 60 feet from your house and they have given the City what they believe is the best route they can follow. The route is subject to some tweaking based on soil conditions, topography and social issues. DeVange said we don't want to work with you, it doesn't make sense and

this is a 45 mph road. It just doesn't make sense.

Janis Wassmund, 22959 Sunset Road, Linwood. After discovering about the lawsuit, why are you denying a route that is the least populated and will affect the least amount of people? She asked why send it up Sunset where you will affect the most people. She doesn't want GRE to answer this question, she wants the Commission to answer it.

Cornicelli said this has been a long process. Route A with respect to homes affected in East Bethel would be 76. On Route I1 in East Bethel there would be 33 homes affected. There are 18 on Route A that would adversely be affected in East Bethel and only 8 on Route I1. Overall there are less affected in East Bethel on Route I1.

Wassmund's other concern is they already own the existing right-of-way. They are forcing this onto people. Mundle said no existing right-of-way exists. He thinks for these lines they need to acquire more right-of-way for these lines. Cornicelli said not for transmission lines. Schaub explained GRE has existing transmission line easement for one mile in the northern part of East Bethel, but they would still need to acquire it for any route. Wassmund stated she does live in Linwood and it will be in her front yard. She just watched them approve permits for another business and the City of East Bethel has more businesses and you don't want to share the benefit of these businesses. You just want to share the burden. She is a little disappointed in East Bethel.

Holmes said for the people in the audiences: Transmission lines are to move power from one area to another. Distribution lines are the ones that provide power to your houses and businesses. GRE is trying to put in a transmission line for back up to Linwood.

Schaub stated this is for everybody and it is for the entire region - Linwood, East Bethel and Athens. It will benefit all. GRE doesn't want to give the impression that it will be for only one community.

Holmes said from previous meetings that they had, they were told it was going to be a back-up route for power for the Linwood substation. He stated this hasn't been an easy decision for any of us. He was a member of the committee that worked on this issue. When other communities are talked to before East Bethel and then GRE throws us into the mix in the end, we don't like that at all. He thinks that GRE was a big problem in this project moving forward.

Randy (Diane) Rengo, 475 Cloverleaf Parkway, Blaine. He and his wife own 40 acres south of Fawn Lake Drive and directly west of Sunset. It is a lot of low land, so it wasn't subdivided. They have a lot of concern about the position of the transmission line. It would run a half mile on their property. Last October when the City Council approved the section of the route, it would go straight on and then bypass Sunset Drive. It was less impact for the City of East Bethel. Now with it being proposed to go down Sunset, it impacts a lot more area and people. Going back to Route A would make a lot of sense. They would only have to improve some of the line. To him it would be a no brainer, when you

drive this route and when you see there is no easement. There are no trees cleared along this route. As you can see from the recent letter, it has to jump back and forth for trees and houses. Route A would be much simpler for GRE. Route II is a total re-modification of everything. He would like to ask Planning Commission to take that into consideration. On his 40 acres, on the east side of his property, he has high ground and they want to build on it for retirement. They only have 160 feet there. Their plans to put in a house to overlook their wetlands and these wetlands benefit the whole area. He stated we have always imagined looking to the west and looking at that area. With this transmission line on the only high property, he wouldn't be able to build on their 40 acres ever. It would take up too much of the high ground. Route A would be the best route and it would go on their property for ½ mile. The line crosses the street and then comes back across to avoid a house. If the line was put on the other side of the street, that would help him be able to build his dream home. He really feels that being that the other route was proposed (Route A) exited on Fawn Lake Drive, and it didn't affect him or the community that bad. He said but now that you are going down Sunset, it really will affect the residents in East Bethel and Linwood. He would like the Planning Commission to reconsider the portion on Sunset because it will affect the residents.

Lucinda Johnson, 4796 Fawn Lake Drive, East Bethel. She stated she lives next door to the property that was just discussed. Just thinking about this plan makes her very sad, disappointed and upset. She doesn't know why the other Route wasn't approved. She stated Cedar Creek was okay with the original proposal. Mundle said they were not okay with the plan but may follow the lead of the City. She said the south side of Cedar Creek, they were more okay with. Now hearing there was another alternative route through Cedar Creek makes her more upset. We all moved out to East Bethel because we wanted nature, trees, etc. The trees will now be taken down. GRE will have another 35 feet in from the road. She thinks 2 of their 3 buildings are within the 35 feet. She works from home and will see the power lines. She will go for a walk down the street seeing the power line. She is concerned about her health, and her property value. She thinks there are better alternatives. Going through Cedar Creek is viable. At this point it seems the City Council is trying to get out from the lawsuit. She doesn't think that those decisions can be made without thinking about all of them. She asked all her neighbors to talk about it and to come to the City Council meeting.

Becky (Gary) Knisley, 23250 Sunset Road, East Bethel. She is in agreement with what Cindy said. We moved to East Bethel to be rural and she knows we need electricity. She did so much research on this, read the summons, complaint and all the legal mumbo jumbo. She thinks Route A is a viable solution and from all the information that she read it was shot down because neighbors were screaming. Why was it shot down? Then GRE ended up filing a lawsuit to make the City approve one route.

Cornicelli responded saying the original route that was considered for approval is essentially the one we are considering today, Route II. GRE wanted this route from day one. GRE went to Route A after they abandoned this route.

Knisley said the City lists Sunset Road as a Rural Residential Street. She asked

where you would expect to see infrastructure, on a county road or highway. This is a residential street and it doesn't have the easements. She said it looks like you hired an outside source, Mr. Schedin. Why aren't we doing what he recommended? At the Planning and Zoning Commission meeting in February 2011 there was an approval. A couple of months later it was a total turn around. Mundle said they were only given a small presentation and didn't get all the information. Most importantly they hadn't received the results of the work group. Becky said she just got the letter a week ago, and the letter was pathetic. How they are supposed to give their opinion, it doesn't tell you what is going on, why it is going on. If those lines go in, they will clear the few trees they have left. If they clear the trees they have left, they won't have any trees left and will look directly at power lines. In order to acquire the right-of-way, what is the process?

Schaub said once GRE gets a permit, they will go and talk to the property owners. They will work with the property owner, but they can use eminent domain if the property owners aren't agreeable, but usually they don't do that.

Knisley said it looks like from the City's perspective that the City doesn't want expansion. She is looking at the different routes and the City has just pushed it so it is not running through the City.

Bonin said this power line has nothing to do with growth within the City. It is transferring power from one point to another. Mundle said this is for power for the Linwood substation. Cornicelli asked Schaub to stay in the room.

Schaub said it is for the entire region. It doesn't only benefit one community. Knisley said if this line doesn't go in, will there be enough power for the Hwy. 65 corridor? Schaub said eventually no there wouldn't be. We have to look ahead and be prepared because we can't be in a position so there won't be reliable electricity. It is for everyone in the area.

Knisley said according to the letter, GRE didn't apply for the CUP for Route I1. They didn't apply for that, but got approved for it. Tell me if I am wrong. It looks like GRE is settling for an alternate route, Route I1. It doesn't make sense. If the last resort is eminent domain, she would say to you guys how you are going to win eminent domain if she refuses to give you her right-of-way. If we all band together, how will you get what you want? This is all because the City is the one who started this mess, they didn't approve the shorter route on the busier road. It is clear the City doesn't want these lines in the City of East Bethel. The City hired an attorney and a specialist and didn't do what they recommended. Mundle said Route I1 was one route the specialist recommended. Balfany said if you were to go south, the preferred south route would be Route A. If they were to come from a different direction then Route I1 is the preferred route. This didn't come to the City of East Bethel as a group discussion - it was decided between GRE and Athens Township before it came to the City of East Bethel. The first option GRE presented to the City was Route A. The alternative route was to cut through the middle of Cedar Creek. They stated that that University of Minnesota wouldn't allow the line to go through the middle of Cedar Creek. They then gave us Route A and B. Route B was cutting through the middle of

Cedar Creek. The City then asked for more alternative routes. There were approximately 20 alternative routes discussed.

Bonin stated you cannot equate "we will cooperate with you" as "we are ok with this Route." That is not the same as saying we are okay with it. Knisley said you aren't affecting the homeowners if you go through that area. Bonin said homeowners are not the only ones that need to be considered. You are not talking like you understand that. Knisley stated nobody wants it. It seems that the City is opposing it going through the City or the City wants it on the perimeter of the City. This public hearing is only for the parts of Sunset Road that is on the East Bethel side. It affects the residents in Linwood and Athens. Knisley stated she didn't receive a notice when there was discussion on the Fawn Lake Drive. Hanson explained you didn't receive it because you were not in the affected area.

Holmes said there is power going down 35W to Linwood. The power company has back-up so if the power goes down there this line would back that up. GRE negotiated with Athens and had an agreement with them before the City of East Bethel was involved. They didn't talk to East Bethel or Linwood. We have had many meetings to discuss the routes. Holmes also explained the reason the line is going down Sunset is Linwood didn't want it in their area. That is some of the history behind this. They do have to have a back-up. He has always wondered why they didn't go along Hwy. 95 and have been bound determined to fight with three municipalities.

Troy Williams, 4423 Fawn Lake Drive. Williams asked if there is a simple answer to why it didn't go down County Road 26. Schaub said that would be Route A. Terry said he could give a couple of answers. The number of homes affected is 76 on Route A. On Route I1 there are 33 homes affected. When we considered Route A, it was a room like tonight, and people were objecting just as loud as you are. It is not as were considering that, but this route has less homes. Public hollered from the audience that the houses sit back farther on Route A and have more front yard. Public stated you aren't counting Linwood homes. Public said she did a count of the homes when you take into account Linwood, East Bethel and Athens. Terry said when they were looking at Typo Creek Route he thought it would be less impact. We were told absolutely not by the City of Linwood. Some of this stuff is beyond the City of East Bethel's control.

Mike Heath, 4762 - 229th Avenue NE. Heath stated he is on Route A and no one wants these power lines. He has made measurements, he has traveled the routes and it is close to double the amount of homes that would be affected if Route A had been approved. Particularly on the south side of County Road 26, the homes are older and less offset than this area. He was heavily involved in fighting four years ago and this was the original proposal. Someone asked for a simple answer and the simple answer double the amount of people affected.

Patrick Schwartzwald, 4516 Fawn Lake Drive. He has made a few of these meetings and has talked to Schaub from GRE. Originally it was approved for Route A, and Route I1 is more expensive than Route A. How do you feel knowing that other communities will be affected and GRE doesn't know what the

final costs will be? They wanted this route and only 8 houses will be adversely affected. Hanson said there are 8 directly affected houses. Terry said for those 8 homes it would directly affect their property. Schwartzwald doesn't understand how you can raise costs more than what it was originally planned for. He doesn't know how they can sleep. It is in black and white. He asked Schaub if he sleeps well at night. Mundle clarified this isn't the final cost, it is an estimate. Public stated you spent money for a consultant and hired Schedin. Schwartzwald said Route A impacted more people. Following a request from the residents and the City, they came up with Route I1 and it will cost more. He doesn't know how they can sleep at night.

Mundle asked how many customers are there with all the different power companies. Schaub said about 1.5 million customers. It was stated \$300,000 is the estimated price difference between the two projects discussed (Route A and I1).

Schwartzwald stated it is your job to decrease costs, not increase costs. Cost is the number one issue. Everyone gets sick and dies from cancer, you don't think about the cost of people to live. Terry said quality of life is important too. Route I1 will affect half the amount of people. He said the City is not the one spending the money. Resident stated you made a decision to increase costs by choosing one route over another. Terry abstained from the motion because there was unresolved and conflicting information presented on both sides.

Resident, 4482 Fawn Lake Drive. She was at a previous meeting and supports what people have said. She thinks the Linwood residents haven't heard about the fall lines. How far away and how your home is impacted if a tornado comes through.

Schaub said he will clarify two issues. The poles are designed to withstand 90 mph winds and designed for 40 mph winds with ice. There was another question that was raised regarding funding for mortgages through the VA. They have guidelines if a house is within a fall area of the electrical structure and if the pole is within the fall zone. We don't put them so they are in the area of eligibility for a VA loan. We will work with the homeowners on value.

Balfany said regarding the gentleman discussing costs. The additional \$300,000 project cost is spread out to all the GRE customers. It goes out to the make-up of their rates. Schaub said they are a wholesaler, whatever our costs are for the year we use it to make our rates for the next year. So it is spread over the entire base. Balfany said it is a fractional cost amongst all customers through the coop. Schaub said all costs are aggregate. Cornicelli said any cost increase could be from another area, not here, correct - and all costs are spread out throughout the cooperative. Schaub said costs are based on all the expenditures throughout the state. Balfany didn't want specific numbers, but just wanted it pointed out that the rates in this area are affected by all items. Schaub said there is about a \$40 million dollar annual budget for transmission lines.

Schaub said this area is almost all within Connexus Energy. Athens and Linwood are also within East Central. Balfany said one could make a similar

argument that this could help East Central in their upgrade costs. That could be a savings for them as well. Schaub said if we overtake a distribution line that is a savings to the local coops.

Ann Jonas, 4525 Fawn Lake Drive, East Bethel. She has lived in her home for 41 years and is 82 years old. Sooner or later she will have to sell her property. She asked if the Commission thought it would help if she loses her trees, her red pines, her spruce at the drive. She will next discuss the neighbors, all of whom she loves. All of whom are upset by this. She said picture this - do you have trees in front of your house? Balfany said no. She asked who here has 40 or 50 foot pines? Holmes said he does and he wouldn't like them cut down. She said that is the most beautiful street, referring to Sunset. It is impossible for her to think what it will look like. She was told that Sunset was too narrow for the transmission lines. So if they are going to be put there, where will the poles go, not on the street. They will be in people's yards. Maybe you think there is room for them to be put in, and that is what Schaub told her. She said Route 11 is now being considered because Linwood wouldn't go along with the deal. Mundle said what deal. Jonas stated the deal that Linwood wouldn't go along with the plan. All of the sudden there wasn't a line going across Linwood. Balfany said there has to be a line going through Linwood to get to the plant. Jonas said all of the sudden the line disappeared and it is coming down Sunset. She doesn't understand it. She simply doesn't understand what is going on. She will tell ya, she was always very proud of East Bethel and she has been here 41 years. It has always been a great place, but she just doesn't know what to think now.

Holmes said you should be proud of East Bethel. We could have rolled over and it would have gone in where they wanted it. We have fought for you. We have worked on it, the Council has and the special Commission has also worked on it. We took into consideration not just cost but the trees, wetlands, burial sites, and we are not the only ones that have done this. Athens has done the same thing and so has Linwood. All three don't want it. Holmes stated his suggestion went by the wayside. He thinks the City of East Bethel has fought for the best of the community and no one is going to be happy. He is not saying he would be happy if it was in his yard. He said to cut down the Council, Commission and Special Commission is pretty bad. It has been four years the City has fought and fought and fought, until GRE took us to court. The public asked what his suggestion was. He said have the lines run on Hwy. 95.

Resident at 4710 Fawn Lake Drive. He asked why GRE doesn't come down Hupp Street. There are really no houses and then you could go down 229th. Sunset is a forested area. We have had oak wilt and the beetles. Now we can see cars go by, due to the loss of trees and now we are going to lose more. Everyone down Sunset has forested lots. That is just his point, go straight down Hupp Street and there are no homes. If you look at the map, there is only one house that will be affected until you get to Jewel Drive or so. You will affect about 4 homes.

Public asked when you were in mediation was this what the City was willing to accept. Schaub said we do want a permit and we have been working on this for three or four years. If this is the permit we can get, we will make it work. Public

asked will you drop the lawsuit. Schaub said yes, if we can get the permits. That was the point of the mediation. So we could find something that everyone would agree on – Athens, Linwood and East Bethel. Public stated if the City of East Bethel would have approved Route A we wouldn't be here today. Mundle said no decisions were made because of a decision. Public said it has to go somewhere, and everyone is upset and mad.

Karen Baldwin, 4611 Fawn Lake Drive. She listened that you did approve Route A, but you changed your mind because you didn't have all the information. Route A (229th) you were in favor of that until you got the results from the work group. Mundle said yes, until we got the information from the work group. Hanson said it was brought to City Council and it didn't come through Planning Commission. Public stated they didn't have all the information. Balfany said the same thing could be said about Athens, because they approved their route thinking their route would be planned in East Bethel and Linwood. She asked what the route of impact is. When she drives Sunset, their houses are right on the road. She said on Route A, their houses are set back and there may be more houses, but not as many as adversely impacted. She doesn't want to see how many were affected but how much they are affected. Our neighbors on Sunset don't have the room for easements.

Mike Falany, lives on Typo Creek Drive, Linwood. He lives ¼ of a mile from the substation and he believes the people that live on Sunset made a fantastic case. One of your criteria was to affect the least amount of people. He has driven down Sunset, it is a beautiful little street and it will be decimated. He can't see how it would make one ounce of difference to GRE and going down Hupp Street would be a beautiful way to go.

Public stated this is going to cost GRE a couple more dollars to go through a swamp. A million more dollars is nothing to them, a million here or a million there, it just isn't logical. There is a straight line that will cost less. You will be taking away all of these residents' front yards.

Marcia Fabrieses, 23017 Sunset Road, Linwood. She asked if a public hearing was held in Linwood about this. It sounds like if you approve this, it will happen.

Schaub said we had been to Linwood about three weeks ago and explained Route II. The Linwood town board members said they had worked with East Bethel, other routes were deemed more objectionable, and this is a route they could live with. He explained Linwood doesn't have the same sort of process that East Bethel does. Fabrieses asked if Linwood requires a conditional use permit. Schaub said no they don't.

Schaub said we looked at Hupp before and he believes the reasons they stayed away from that location had to do with environmental issues. It has been three or four years since we were down that route, so he isn't positive on that. This route, Route II, came about because of conversations with East Bethel, Athens and Linwood after we were in arbitration.

Terry said if a road is smaller than Sunset and has some wetlands and forest how

much different would that be. Schaub said it is always an issue when we have to go through wetlands, It does cost money. When you go through forested wetlands we have to replace them and all of that gets expensive. It is more difficult, there are more issues, and it might even involve protected species.

Bonin said she understands how people along the route feel. She thinks she would feel better about the decision knowing that the Commission looked at all the different ideas. She asked Schaub to look at the Hupp idea prior to meeting with the City Council.

Public asked if Hupp was looked at. Schaub said it was looked at. Balfany said it wasn't brought to the work group. Schaub said he doesn't remember why it wasn't presented.

Public asked when you approached Athens four years ago, did Athens have an ordinance. Schaub said yes. Public asked if East Bethel had one. Schaub said at the time East Bethel had a moratorium.

Public asked who is PEMF. Pelawa explained it is a wetland classification. Public asked about the Blanding turtles and does that factor in to going on the north side or not, does Schaub know or does the City. Is it a concern or an issue. Schaub had Marsha Parlo can answer that question, she is with the Environmental Department of GRE. She explained this whole area has Blanding turtles. The DNR will require GRE to protect the Blanding turtles. They may have us do work in the winters, but we will do what the DNR wants us to do.

Terry said he was wondering if it could go on the other side of the road versus the property. She said we will work with the Army Corp to figure things out. She can't remember the specifics on the alignment of the road. She thinks there would have to be some structures in the wetland. Pelawa said any impacts that you have will have to go through the Army Corp and the DNR to get permits. Parlo stated yes; she will have to work with the cultural resources with the DNR. Right now they are ordering a survey of plant communities.

Darrel Page, 4546 Fawn Lake Drive. He wants GRE to look at the Hupp route. He also wants them to rethink Route A, and the impact of those on Sunset. Where it comes down Durant, would it be just one pole on the corner or three poles, or is there another factor. Schaub said just one structure. Sometimes there will be guide wires. It all depends on the area of availability. Sometimes it can be a metal pole with a concrete pier. Sometimes the metals poles are rust colors.

Public said you are reacting to our emotion. The Linwood people and those of us on Fawn Lake Road heard that the other route was approved, Route A. We had heard from Schaub that Route II is being considered. There are eagles, there are cranes, there are geese, swans, and she can't remember all the different kinds of ducks, loons, etc. We are at an age where we aren't going to be living out here forever. She doesn't know how this will affect her property value. She feels like they are getting the short end of the stick.

Joel (Carole) Awrel, 23515 Sunset Road, Linwood. This is a bad deal for my

wife and me. We have lived here for 21 years and GRE will clear cut about 300 feet of trees for this route. The last power pole will be closer to the length of this room to our house. We don't plan on moving. How will this affect our property value.

Public asked about the no-build option that was discussed and asked the Commission to explain it.

Cornicelli said the ordinance says they have to give an alternative of a no-build. The City wanted to know if no-build was an option. The expert that was hired also said it did need to be built. Public said doing nothing versus not letting go through the City. Cornicelli said no, looking at it if it did need to be built. And it does need to be built.

Holmes said we did look at Viking Road as an option, but they told us that it would cost two times more. Viking will be expanded someday, so they don't want to go through that. The City of East Bethel has so much going for it. It has many wetlands, archaeological sites, etc. Public said would you explore that option of County Road 22 again, and go the route that the City would like to see. What is the overall cost, regardless of what GRE wants. If it goes down Sunset, it is going to diminish our property values. If you are looking at a \$200,000 value house, it will make them valued at \$100,000. We will lose the values of our homes. She is looking for an alternative.

Holmes said we have had to deal with GRE going to Athens prior to going to Linwood and East Bethel. We looked at Sunset in one of our first meetings. We have been to court, spent a lot of money, and now we are in mediation. We will have to go back to court if we don't work something out, and we are trying to work it out. No matter where it goes through, someone is going to be upset. Public asked if the mediator is dictating this route or any route. Holmes said the route that he thinks might be proposed was probably Typo, and Linwood rejected that. We want to be good neighbors. Public asked that the Commission doesn't approve this route.

Mike Fallony, Linwood. He stated he lives about a quarter of a mile from the Linwood substation. He said the big line comes down County Road 22 and goes through the swamps. He thinks the only work done so far is paperwork. It is easy to change it. You just say to GRE we have a new plan, it impacts much fewer people.

Moegerle said she would like the GRE Commission and Planning Commission to address the last mile of 229th and the impact on those houses. Cornicelli said the principal issue is the houses are close to the road. They would have to condemn a couple of houses along that route; there were a couple that were within a hundred feet.

Cornicelli said there are a few people in this crowd that have been here for four years. Someone made the point of pitting neighbor against neighbor. It has also been community against community. It has been very hard, and he has had a lot of sleepless nights. We (the Commission) hadn't seen this map until Friday. He

said he looked at the map and it looked familiar and it was right back where we started. The onus isn't on the community to solve this problem. The utility company came up with a negotiated solution. We asked the question four years ago why they didn't get the communities together and got no answer. They did work with Athens Township and got an agreement and East Bethel and Linwood still don't know what is going on. GRE had a public meeting in East Bethel in 2009 unbeknownst to the City. Who knows if that was by plan or just by accident, Cornicelli will let you make your own determination. It has been very, very difficult. When it comes down to East Bethel, Linwood and Athens, we don't want to pit people against each other and this is the negotiated solution. People get where everyone is coming from. Public said there are less homes going down 85th than Sunset. Moegerle said it is due to an archaeological site. Cornicelli said that GRE was concerned about the archaeological site. He said the work group's concern was that GRE didn't show any data on archaeological significance, so that is why they recommended that route. Cornicelli said GRE never demonstrated the archaeological significance. If we had all three communities working together for a common solution, we would have been better off.

Public said why don't you ask Schaub if the other route would be viable. Hupp was the street they were interested in correct? Cornicelli said Typo Creek. Schaub said he thinks Hupp might have been a route that they wouldn't have contemplated cutting across country and a wetland. Public said we are only at a half mile into the City. If you come straight down there, it is a man-made wetland. He would recommend that this route is possible on Hupp Street. Mundle said it would affect people. Pelawa said it doesn't connect to 229th. You would be cutting across people's property and the wetland which is near Cedar Creek and that won't be approved. Once you get down to 229th is where they would have to purchase the homes. There isn't a connection route in there. Public said he doesn't understand what he meant. Cornicelli said Cedar Creek would probably say no to that. Pelawa said there were lots of issues when this plat came in. They had to work with the DNR. Hanson said the City of East Bethel adopted an ordinance that deals with transmission lines that they can't go cross country and they have to be run down the street.

Public said you are telling us that it won't change. Terry said his opinion is it should go down Typo. The best answer is there are archeological mysteries. But that is the least impactful route. A public person at the meeting agreed with Terry. A Linwood resident asked if it would be helpful to have residents go to Linwood Town Hall. The Commission said yes. Linwood resident asked why no one in Linwood knows about this. Cornicelli said that is a question you should ask the Linwood Town Board. Linwood resident said are you blowing off that question. Cornicelli said you need to talk to Linwood. Bonin said you people that live in Linwood are trying to make East Bethel be the bad guy. If you people don't like the plan as it is, talk to your town board. We have figured out where in East Bethel it is going to go. Don't expect us to make the decision for your City. Linwood resident stated people in East Bethel don't want it.

Balfany asked if Moegerle knows who was involved from Linwood. Moegerle stated she went to a meeting over there and then Bob DeRoche went to the

Linwood Town Hall Meeting. Linwood was positive it would not go down Typo. That has been the problem with Linwood. She has seen the archaeological report and they want to keep it private because people will be there digging up the area.

Balfany said the City has made Linwood aware, and they have been involved in the process. The feelings you are having are very similar to what our feelings were when we were on the work group. We needed to look at routes for our community. We were trying to act as a good neighbor. We looked at all the factors, and came up with Route 11. This is the result of the lawsuit and mediation.

Public asked about the route on County Road 26 (Route A). Terry said for that meeting there were a lot of people. Public stated that was really padded with people who didn't live on the route. He knows everyone here is affected. Balfany said he has been listening. There has been many hours of work on this and many sleepless nights. This is not an easy decision. Cornicelli said if it was easy we would have made the decision four years ago.

Public asked what the next step is. Balfany said we will continue our discussion, possibly with GRE. We may have a motion, if it is approved, then it would go to Council either way. It will be discussed at their meeting on 5/16/2012. The City Council will have to make the final decision.

Public asked if there are health benefits with a transmission line. Schaub said there aren't any health benefits. Resident asked about kids. Schaub said electro-magnetic fields, GRE and the World Health Organization state there is no evidence that indicates that they are detrimental to your health. The State of Wisconsin did a white paper on it in 2008/2009. Schaub said you can either talk to him after the meeting or you can go on the GRE website.

Public asked if the questions were answered for the resident who had written the letter. Mundle said the questions were answered and there wasn't a question about the walking path. He is a neighbor of the resident who was asking the questions. Pelawa said the questions were addressed at the beginning of the meeting. Mundle said Route A has been addressed three or four times.

Terry said Typo seems like the best route. But it comes down to a nebulous thing about an archeological site. You could build around them, because you know where they are. He is wondering why it is such a pressing issue. Resident of Linwood said they have never stated they were opposed to Typo. Moegerle said Linwood was emphatically opposed to Typo. Resident of Linwood asked if Linwood was involved in mediation. Moegerle said no. Resident of Linwood asked if their meeting was secret. Terry said unless the objection to the Typo Creek route is explained and incredibly justified, then he will not vote for this.

Resident of East Bethel asked about the petition process. She wants to know if it is public information. Hanson said she could provide a copy of it since it is public information. Resident of East Bethel wanted to know how to start a petition since the website said to talk to the City. Hanson said she would get it to her. Resident of East Bethel said you should look at the property impact, not the

number of properties affected.

Margaret Gile, 24317 Durant Street. She stated she was never provided notice of the meeting. She wanted to know if Ann Jonas was invited and Hanson said yes she was. There are three other properties down there for sale that would be directly affected by this. Schaub said wherever the road easement ends, we go 35 feet from there. Gile said they have to give up how much from the center line. There will be a lot of people who will lose their homes.

Holmes said we can either approve what we have been dealt with here, what we have control of here. Or we can approve a route that would bring it to Typo. Or we can turn it down completely. The Council also can turn it down. We can be sued again. Or they can say this is where we are going. Public asked if you have been sued. Everyone said yes. She then asked how come we didn't know that. Public asked if you want to sell out the East Bethel residents, spend some more money on fighting this. Holmes said we don't want to spend more money. We can't speak for the Linwood people on Sunset, and Linwood can't speak for the East Bethel people on Sunset. Resident from Linwood said residents from Linwood will go and talk to the Linwood Town Hall Board.

Public asked if GRE has changed any of the setbacks or if they can change Sunset to a 30 mph road. Schaub said we have to follow a setback of 35 feet since these lines can start fires. If a branch touches a transmission line it will start a fire and also shut down power. It is a safety issue. Public said your main concern is safety and clear zone. Schaub said that is a City issue, and we have to comply. Linwood resident asked what do you do when you have a city and town, for example we don't know who will plow our road.

Public asked about the clearing on the site where the transmission line is. Schaub said there would be clearing done where the transmission line is. We are not going to clear cut the road on both sides. Public said the substation on Viking Boulevard, is there a reason that substation couldn't supply the lines to Martin Lake. Cornicelli said it already does.

Public asked about the substation at Coopers Corners. Schaub said we need to keep Athens and Martin Lake Substation and all he can do is tell you what GRE's position is. Pelawa said it provides an alternative route. Schaub said it will improve reliability of power in the area. Schaub said Martin Lake serves East Bethel. This does benefit Linwood since that is the major area it serves. This project benefits from Elk River to Linwood to Cambridge and Isanti. None of you are self-contained and closed. When electricity is beefed up, it is good for everyone.

Public hearing was closed at 10:19 p.m.

Mundle stated there are archaeological sites on Typo and Linwood doesn't want the route on Typo Creek. It would be assumed if it wasn't on Sunset, then it would be on Typo. Schaub said he would say no. The archaeological sites are not the only issues. We submitted all the issues with the different routes. It is archaeological and historical. There are some wetland issues from Fawn Lake to

Typo. He believes there is one of the tightest pinch points too (a home close to the road right across from another home). There is also a cemetery there. Actually there are pinch points along that whole route. Then you also get down on Typo, there are homes right across from the park with a communication tower. The other issues probably go into Linwood Town Board's reason for not wanting there. Especially with East Bethel knowing Linwood doesn't want Typo. They were adamant that we weren't going down there, unless we get a court order saying to go down there.

Holmes said if their City Council says no, then why do we have to say yes. GRE said you don't. As you recall we are in litigation. It seems like maybe we can resolve this. We see this as our duty to finish this project. We need to fulfill our duty to our members. It is the Planning Commission decision. Terry said the Board is speaking on their behalf, and they haven't talked about it with their residents. Schaub said you are only authorized to talk to work on the East Bethel side, not on the Linwood area. Linwood has weighed in on this route. It doesn't put you in a position of dealing with Typo. Terry said it looks like the preferable route. Schaub said it is a preferable route.

Balfany asked how far apart for power poles and poles won't go in everyone's yards. Schaub said distribution lines have to go 200 to 250 lines apart. If it is just transmission lines, they can go 400 to 450 feet. Typical underbuild are 200 – 280. Transmission lines go 350-400. Cornicelli said all of Sunset has distribution lines all the way down. What would the feasibility be to bury the distribution lines on Sunset and have the transmission line at 400 feet and can the poles not have guide wires. Schaub said there are only a couple of guide wires. He said it could be a brown pole, concrete pier, etc., a lot of that will be up to the engineer. We can work with property owners to a certain extent. Sometimes the engineer will say they actually have to have something specific.

Hanson said she wanted to remind the Chair that the meeting needs to be adjourned by 11 p.m.

Schaub said there should only be three lines on the poles and a shield wire. He said the line that runs to Coopers Corner is similar to the line. He said traditionally they are trying to take 70 feet, but in this area, they will be taking the minimal amount. It all goes to the safety.

Bonin asked if separating the two lines is an actual possibility. Schaub said that is a decision Connexus will have to make and your rates are based on their costs. They might have some savings; they will have greater costs if they have to bury everything. It is a little tougher to figure out problems with a line underground.

Pelawa asked what the construction time line is. GRE stated it is a year and a half. Engineering would start now. Construction would occur over the winter of 2013/2014. They would start working with the residents also.

Hanson said one of the conditions states that the date for the CUP being completed had to be done by December 31, 2012. Would you need more time for that then? Schaub stated yes. Hanson said we would change the date to

December 31, 2013.

Holmes asked why is staff recommending approving this. Hanson said this has been worked on by Athens, Linwood, Cedar Creek and East Bethel. All the entities agreed on it. Resident asked if what would happen if the residents on Sunset didn't work with GRE and didn't allow it to happen. Schaub said they would work through condemnation. The company as a whole is tightening up their requirements. This project is an exception. In this instance we would make sure things are cleared the way it is supposed to.

Holmes commented that it is tough for both sides. As a Planning Commission we have to do due justice to the City of East Bethel, not to Athens, not to Linwood. If we make the decision to go down Sunset, we will have 33 people mad at us. If we don't pass it, litigation will keep going. And it will cost all 12,000 residents money. Cornicelli said only East Bethel will assume the court costs. We are the only ones in the court. Terry wants to know more about the Typo route. Pelawa said that isn't for us to determine. Cornicelli told Schaub if you would have gotten all the entities together to begin with, we wouldn't be where we are today. One entity no longer has a choice. The rest of it gets rammed through and it has been handled very poorly. It could have been avoided. Balfany agreed with Cornicelli's comments.

Terry asked why Linwood isn't facing litigation. Cornicelli said they don't have an ordinance. They can put it wherever they want because they don't have a choice in the matter. Terry asked if he was satisfied that the Typo route doesn't have merit. Cornicelli said he doesn't see a better alternative. Given everything that has gone on and based on what he has heard. He doesn't think it is our place to tell Linwood where it would go. Pelawa asked what are the negative aspects of running the line across county. Schaub said it has to do with maintenance, access and cost. Pelawa said he didn't know if it was an engineering issue. Schaub said you also have to deal with budgets. If you take it completely out of East Bethel, there would be issues with maintenance and length.

Balfany motioned to recommended approval to City Council for a CUP amendment to Route I1 as shown on attachment 3 and recommend approval of the site plan for the location of the 69 kV transmission line with the following conditions as stated:

- 1. GRE will submit a construction plan prior to commencing the construction of the 69 kV line, establishing both a construction timetable and a progression of construction that shall be reviewed and meet the approval of the City Engineer and staff.**
- 2. GRE must submit easement descriptions and final route determination prior to the execution of the CUP Agreement.**
- 3. A CUP Agreement must be executed no later than December 31, 2012. Failure to comply will null and void approved CUP. The agreement must be executed prior to the start of construction of the project.**
- 4. GRE must obtain city right-of-way permits prior to the beginning of construction of the transmission line within city right-of-way along**

Durant Street and Sunset Drive.

With the correction of changing the CUP agreement date to December 31, 2013. Pelawa also corrected that number four should also say Durant Street, Sunset Road and Fawn Lake Drive. Mundle seconded.

Roll Call Vote:

Holmes – In sympathy with anyone on Sunset, but our Commission has to look at the full City of East Bethel. Vote Yes.

Balfany – During the public forum he made his experience very clear. Very difficult and long awaited to get to this. He wishes no one would have it. Vote Yes.

Terry – Based on not being satisfied that the best option hasn't been considered and yet understanding the bind the City is in. Vote Abstain.

Mundle – He doesn't like it. It is a tough decision. Vote Yes.

Bonin – She agrees with everyone. Vote Yes.

Cornicelli – This one is tough. Given my closeness to the issue and how my relationship has been with all of this for the past four years. Vote Abstain.

Pelawa – After hearing everything he still feels there is still another alternative. Vote No.

Vote Totals:

Yes – 4

No – 1

Abstain – 2

Motion carries.

This will be heard at the 5/16/2012 City Council meeting.

**Approve April 24,
2012 Planning
Commission Meeting
Minutes**

Holmes made a motion to approve the April 24, 2012 minutes as submitted. Mundle seconded; all in favor, motion carries.

City Council Report

Big meeting over at Cedar Creek as to what their economic development is.

Hanson said on Friday you will get a packet for Lowell. It will be heard in front of a hearing officer.

Adjourn

Mundle made a motion to adjourn the meeting at 10:55 PM. Balfany seconded; all in favor, motion carries.

Submitted by:

Jill Teetzel
Recording Secretary