

EAST BETHEL PLANNING COMMISSION MEETING

February 22, 2011

The East Bethel Planning Commission met on February 22, 2011 at 7:00 P.M for their regular meeting at City Hall.

MEMBERS PRESENT: Eldon Holmes Lorraine Bonin Glenn Terry
Tim Landborg Dale Voltin Brian Mundle, Jr.

MEMBERS ABSENT: Julie Moline

ALSO PRESENT: Stephanie Hanson, City Planner
Steve Voss, City Council Member

Adopt Agenda Chairperson Terry called the February 22, 2011 meeting to order at 7:02 P.M.

Terry motioned to adopt the February 22, 2011 agenda. Landborg seconded; all in favor, motion carries.

Public Hearing:
Interim Use Permit.
A request by owner/applicant, Stephen L. Van Krevelen, to obtain an Interim Use Permit for a Home Occupation, that being a computer repair and IT support business. The location being 18333 Yancy St. NE, East Bethel, MN 55011, PIN 34 33 23 32 0015. The Zoning Classification Single Family Residential (R-1) District.

Property Owner/Applicant
Stephen Van Krevelen
18333 Yancy Street NE
East Bethel, MN 55092
Deer Path Farms, Lot 5, Block 4
PIN 34-33-23-32-0015

Hanson stated Mr. Van Krevelen is requesting an IUP for a home occupation to allow a home-based computer repair and IT support business known as Anoka Computer Center, LLC. The purpose of the business is to provide affordable personal computer repair, IT, and maintenance services to private parties and small businesses in the area. Mr. Van Krevelen has stated that the majority of the work will be completed off-site; however, some clients may visit the site.

Computer equipment and e-waste recycling will not be an offered service. The small amount of waste generated by hardware replacement parts will be recycled by Asset Recovery Corporation in St. Paul. According to Anoka County Environmental Services, a hazardous waste license is not required for this type of business.

Home occupations are a permitted use in the R1- Single Family Residential District as long as Mr. Van Krevelen can meet the requirements of the City Code and complies with the conditions of the IUP. The proposed home occupation will meet requirements of the ordinance so long as the IUP conditions are met. In the event the conditions are not being met, the IUP would be revoked.

Fiscal Impact:
Not Applicable

Recommendations:

Staff requests Planning Commission recommend approval to City Council for an IUP for a home occupation known as Anoka Computer Center, LLC, located at 18333 Yancy Street NE, Deer Path Farm, Lot 5, Block 4, PIN 34-33-23-32-0015, with the following conditions:

1. Home Occupation shall meet the specific home occupation standards set forth in the City Code Appendix A Section 10-18:
 - a. No more than three (3) persons, at least one (1) of whom shall reside within the principal dwelling, shall be employed by the Home Occupation.
 - b. No traffic shall be generated by any home occupation in a significantly greater volume than would normally be expected from a single-family residence.
 - c. Any sign associated with the home occupation shall be in compliance with the East Bethel City Code, Chapter 54. Signs. Home occupation signage must be no larger than two (2) square feet (City Code Chapter 54-4.3).
 - d. The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.
 - e. A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.
 - f. The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance.
 - g. There shall be no outdoor display or storage of goods, equipment, or materials for the home occupation.
 - h. Parking needs generated by the home occupation shall be provided on-site.
 - i. The area set aside for the home occupation in the principal structure shall not exceed 50 percent of the gross living area of the principal structure and the area set aside for the home occupation in the attached or detached accessory structures or garages shall not exceed total accessory structure space.
 - j. No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation.
 - k. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation.
2. Violation of conditions and City Codes shall result in the revocation of the IUP.
3. All conditions must be met no later than April 16, 2011. An IUP Agreement shall be signed and executed no later than April 16, 2011. Failure to execute the IUP Agreement will result in the null and void of the IUP.

Public hearing opened at 7:10 p.m.

Question was asked as to how many cars would be visiting the location. Applicant stated about one or two. A second question was asked if the applicant owned a home business before, he said no, not on his own. Third question was if the services would be conducted in the house or in the garage? The applicant said they would be done in the house, but the majority of the work would be done at the customer's site.

Public hearing closed at 7:15 p.m.

Holmes motioned to recommend approval to City Council for an IUP for a home occupation known as Anoka Computer Center, LLC, located at 18333 Yancy Street NE, Deer Path Farm, Lot 5, Block 4, PIN 34-33-23-32-0015, with the following conditions:

- 1. Home Occupation shall meet the specific home occupation standards set forth in the City Code Appendix A Section 10-18:**
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 - d. The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.**
 - e. A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.**
 - f. The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance.**
 - g. There shall be no outdoor display or storage of goods, equipment, or materials for the home occupation.**
 - h. Parking needs generated by the home occupation shall be provided on-site.**
 - i. The area set aside for the home occupation in the principal structure shall not exceed 50 percent of the gross living area of the principal structure and the area set aside for the home occupation in the attached or detached accessory structures or garages shall not exceed total accessory structure space.**
 - j. No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation.**
 - k. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation.**
- 2. Violation of conditions and City Codes shall result in the revocation of the IUP.**
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Terry seconded; motion carries unanimously.

This will be heard at the 3/16/2011 City Council meeting.

**Great River Energy
Proposed 69kV
Transmission Line
Project, GRE
Presentation.**

Discussion of work group's recommendation of transmission line location. Make recommendation to Great River Energy of line location.

There were technical difficulties so GRE was not able to show their presentation on PowerPoint, but each Commission member does have the presentation book.

Hanson stated according to Great River Energy, the purpose of the project is to ensure the electric system meets the needs of growing areas including East Bethel, Linwood Township, Athens Township, Cambridge, Stanford Township, St. Francis and others, while also balancing the need to be fiscally responsible. Due to growth in East Bethel and surrounding areas, the region is at risk for interruption of electrical service; therefore, GRE proposes to construct a transmission line to address system deficiencies and proactively ensure the homes and businesses in these communities continue to receive reliable, quality electric service.

Ordinance 15, Second Series (adopted by City Council on January 6, 2010), establishes the requirements and criteria for conditional use permits for transmission lines in the City of East Bethel. The ordinance is attached for your review.

According to the ordinance, Phase 1 includes a work group process in which the work group will conduct an analysis of the proposed routes and present its report to the city's Planning Commission. The work group was established by City Council in September 2010 and has been holding work group meetings with GRE representatives since then.

According to the code, the *“work group will conduct an analysis of the alternatives and present its report to the city's Planning Commission. The city's Planning Commission, based on the work groups' submittals and applicant presentation, will narrow the alternatives for the siting of the transmission line or facility. Following the Phase 1 process, the applicant may submit an application for a conditional use permit.”* On Monday, February 7, 2011, the work group made a recommendation to the Planning Commission for a transmission line location. GRE will be submitting a land use request for a CUP, as required by Ordinance 15, Second Series. The public hearing is tentatively scheduled for the March 22, 2011 Planning Commission meeting and will be considered by City Council on April 6, 2011.

After much discussion, the work group made a suggestion of a route that was not originally presented. It is recommending the location for the transmission line known as Route I (attachment 2). The work group made this recommendation by taking into consideration the minimal impacts to existing ecological areas, including Cedar Creek Natural History Area and the fewer turns and angles of the other routes. The majority of the line would be in Athens Township and Linwood Township, with a small portion affecting the area on the northeast side of Fish Lake/Cedar Creek Natural History Area. This information was conveyed to GRE; they conducted an analysis of this proposed route which is part of Attachment 1.

GRE has a preference for Route A in which the analysis is part of Attachment 1. GRE prefers Route A because it is the shortest viable route, shortest length of new transmission lines to build, fewer easements to obtain, lowest construction costs, etc. GRE staff will discuss the route during the presentation.

On February 16, 2011, GRE presented the proposed project to the City Council. Planning Commission members were invited to attend the presentation. The purpose of the presentation was to educate council and commission members on the project to ensure this particular project continues to move forward in an efficient manner. The presentation included, but was not limited to, a brief overview of the project, site location analysis, and a feasibility analysis.

GRE will give a brief overview of the project at the Planning Commission meeting on February 22, 2011 for the members that were unable to attend the City Council presentation, and also to summarize route features and limitations for recommended Route I and GRE's preferred Route A.

Fiscal Impact:

None at this time

Recommendation:

Staff requests Planning Commission to make a recommendation of a route to Great River Energy of the siting of the 69kV Transmission Line.

GRE staff provided an overview of the project and instructed the Commission if they had questions to ask them as they come up.

Bonin asked what would he be presenting. GRE staff stated they would be presenting information on Route A and Route I. Route A is the preferred route for GRE.

Terry asked why Route I was recommended by the work group, but they do not know what the group's process was to derive at Route I. GRE said if they pursued Route I, they would have to go back to Athens to work that route out. The GRE staff stated members of the work group would be better to state why they wanted Route I. A question was asked as to why the work group recommended Route I. Holmes was on the work group, and he said that basically the U of M personnel said they would not want Route A because of the destruction of the U of M land, there are a lot of issues to resolve and this wasn't an easy decision to reach. Holmes stated Route I affects the least amount of people.

GRE said the University of Minnesota didn't say they didn't want the route there and he doesn't want to put words in their mouth, but like any property owner they don't want it on their land. They are the biggest landowners, they operate something that is pretty unique, and it is for scientific research purposes. GRE has always had the understanding, if they could get a Conditional User Permit from the City, that the U of M would work with them. They were okay with Route A, but the U of M did say if Route B was selected, they would fight them tooth and nail. So just to be clear, Route A is not off the list because the U of M said no to that route.

A question was asked if Route A is a route where there are currently running lines. GRE staff said yes, it is where a route currently is running distribution lines, but these would be transmission lines. Do you need more easement to do

these transmission lines? Yes, they do take a little more easements.

The University of Minnesota thinks they can work with GRE, per the GRE staff. GRE has a forester on staff. The U of M position is like anyone else, if it can be on anyone else's property, put it there. Hanson said that all along the U of M stated GRE needs to work with the City first and then the U of M will back it up.

Bonin asked if the trees would be removed. GRE stated there possibly could be clear cutting, but that is the forester's call. The forester would work very closely with the property owners.

GRE staff stated as soon as they found out the work group recommended Route I, he called and talked to the property owner, the University of Minnesota. As Hanson said, the U of M told him that they want GRE to work with the City, and work something out. He understands that nobody wants this on their property and wishes it could go somewhere else. He stated that they have constituents too; so he has to work with them, explain to them why they will be building something that will cost two million dollars more. That is why they are pursuing the best route and most cost effective route.

Terry asked if there were any other reasons why it shouldn't be Route A, other than environmental. GRE staff stated that the environmental impact was greatly considered. When they look at environmental, Route I would be good from an environmental standpoint, but to single out Route I and say it has less environmental impact may be incorrect. The reason a lot of environmental impacts were listed for Cedar Creek is because researchers are continually studying it so there is much more information on that area environmentally.

GRE staff said if the City would give a CUP to GRE for Route A, the U of M would work with GRE. He has asked the work group to clarify the position. Bonin said aside from the fact that it is a shorter route, she suspects that Route I goes through a great deal of rural area. GRE staff said you are correct it does. Isanti County Road 9 will be doubled in size in the next few years, so that puts GRE in a difficult position for this project. The easements would have to go close to the houses on each side.

Holmes asked what are the future plans? GRE staff said they won't need to do anything more along that route for 20 to 30 years. If they can't put this route in, or it becomes too difficult to put it in, they will have to look at the entire region to figure out what they can do. They may look at higher voltage lines at that point. Holmes said with the higher voltage you won't have to go to the cities. GRE staff said that was correct, they would go to the State and the State would notify the residents and the City. If GRE could have declared this a 115 route, they probably would have done it. It would be much easier for GRE to do that. We have all along maintained this is a 69K project, being that it is a best use of resources. Bonin asked what areas it would serve. The actual area this will benefit will go from Cambridge to Elk River to East Bethel. What it has to do with is accomplishing the goals of hooking up Athens substation and Martin substation. They are trying to minimize the amount of line they have to build and maintain. Holmes said this is actually a back-up route, correct? GRE said the power to the area right now; this is bringing things up to a level that would be

satisfactory. Back in 2007 we came to a point where if we had issues, there could be rolling blackouts. This is not an emergency, but it is bringing things up to speed. Holmes said this is a loop system. GRE said yes, that is correct.

Holmes said the other two members of the Committee should come up and talk about why they suggested Route I. Terry said if the other members have something to state, please come up and address the group.

Lou Cornicelli – He helped write the ordinance and was also on the work group. They put a lot of time into researching this. The U of M helped develop Route I. The group looked at the 14 alternatives that GRE proposed and they took that to heart. The group looked at the environmental impacts, the impacts on property owners, the effect of what the City was getting from this project and they dismissed Route A very quickly. It affected Cedar Creek and also the houses along that route were very close. Route I is all parts of the other routes combined. The group didn't capriciously or arbitrarily come up with Route I. Route I was voted unanimously by the group. Route A comes with the most cost to the residents and the U of M. Route I is the least cost/impact to the residents of the City.

Bonin asked why Route I has to jog south and then west. He stated that there is a wildlife management area and they preferred to miss that.

A commissioner commented, the City has been talking about putting a trail along that whole property, as far as we know, there have been verbal agreements to put the trail in. It would be a 12-15 foot trail along Cedar Creek. It would be about 4 miles of people's direct housing. But on that route you only have one landowner to deal with. We could recommend Route I, but that may not go through any easier.

GRE representative commented that the one issue they have is to try to avoid historical issues. Coming down Typo Creek, just north of there, there are historical and architectural issues that have been raised.

Terry said he utilizes all the places referenced in Route A. He thinks it makes the most sense to go with Route A.

Terry made a motion to recommend to City Council to use Route A for the siting of the 69kV Transmission Line. Voltin seconded; all in favor, motion carries 4-1, Holmes opposed.

A question was asked on what the savings would be on Route A? 1.5 to 2 million. GRE representative said they don't have design done yet, but this is a best estimate compared with other projects of similar scope. There should be a matrix that states the costs for each project.

This will come to Planning Commission March 22 for a Conditional Use Permit.

Approve January 25,
2011 Planning
Commission Meeting
Minutes

Holmes motioned to approve the January 25, 2011 Planning Commission minutes as presented with above change. Voltin seconded; all in favor, motion carries.

Adjourn

Holmes made a motion to adjourn the meeting at 8:15 PM. Voltin seconded; all in favor, motion carries.

Submitted by:

Jill Teetzel
Recording Secretary