



**PLANNING COMMISSION MEETING AGENDA
TUESDAY APRIL 15, 2025**

7:30 PM REGULAR MEETING

1. Call to Order

Pursuant to due call and notice thereof, a work session of the Independence Planning Commission was called to order by Chair Thompson at 7:30 p.m.

2. Roll Call

PRESENT: Steve Thompson, Tearse, Volkenant, Dumas, Story & Alternate Usset (vote counted in Gardner's absence).

ABSENT: Butch Gardner

STAFF: City Administrator Kaltsas, Administrative Services Director Simon

VISITORS: Karl Berber

3. Approval of Minutes:

- a. February 18, 2025, Planning Commission Meeting Minutes (no meeting in March).
- b. March 4, 2025, City Council Meeting Minutes (For Information Only).

Motion by Tearse, seconded by Volkenant to approve the minutes. Ayes: Thompson, Volkenant, Dumas, Tearse, Story and Usset. Nays: None. Absent: Gardner. Abstain: None. Motion Approved. 5-0

4. PUBLIC HEARING: Buell Consulting, LLC – on behalf of Verizon (Applicant) and Larry and Susan Vensel (Owner) requests that the City consider the following action for the property located at 87 McCulley Rd., Independence, MN (PID No. 36-118-24-44-0009):

- a. A Conditional Use Permit to allow a new telecommunications tower on the subject property.
- b. Site plan review and conditional use permit to allow a new 180-foot-tall telecommunications tower on the subject property.

Discussion:

Kaltsas – NW corner – rolling terrain, zoned AG, RR, 4 acres in size. Seeking CUP and site plan approval that would allow a new 185 ft telecommunications tower. All Telecommunication

towers are considered CUP. 5ft lightning rod, required setback is equal to height of tower or fall zone will occur within lesser distance than setback. Sealed engineer opinion. Proposed tower would meet setbacks. Gravel access drive from existing driveway. Fence in 50x50 equipment area and 2 future lease sites that could be utilized at a future date. City has criteria in ordinance listed. Setbacks required and proposed. Meets applicable setbacks with engineer certification. Applicant including lightening rod. Driveway shared with residential driveway that would provide for parking area outside. Verizon and can support two additional carriers. Cabinets at base of tower. Tower would have to be a monopole type of structure. How can you screen base equipment? Screening of cabinets and base level equipment. Landscape plan was provided, fence and evergreen trees. Fence went from 6 to 8ft. Landscape plan we have discretion as well. Lighting doesn't meet our requirements. Any recommendations would need to be changed. May be permits from Minnehaha watershed for permitting erosion control. They would have to obtain all applicable terms. Will not affect surrounding properties or adverse effects. Must be adequately mitigated. They need to provide that there is a gap in services. They did show the location and gap in service around that location. In Independence we have 4 other towers so with the area we cover, we have seen a demand for additional towers for the topography and gap. We have the discretion with the CUP if it is affecting surrounding properties. No comments from residents so far on this one.

JP Story– is this typical to come?

Mark Kaltsas – we did have one that was relocated to another parcel because it was too close to a property owner.

There is definitely a valley in that area where you don't have much service.

Leith Dumas – put slats in so you can't see through it?

Mark Kaltsas – Ostvig tree has them. They are proposing black slats. Maintenance of slats deteriorate and crack. Its harder to keep the look nice long term. We try to look for a better solution. Cedar, metal, vinyl. We don't have a fence ordinance that relates to that.

JP Story – everyone drives by there and can see it. It should be off the beaten path more.

Leith Dumas – how tall is equipment inside? Line of sight is 7ft plus 12 in of barbwire. Does that screen?

Mark Kaltsas – it won't screen. Its about 20 ft below McCulley Rd. If you go to the point right across, it is 20 ft below. If you go S to County Rd 19, its only 13ft below. You are going to see down. Evergreens will mitigate that down the road, but only fence for a while.

Leith Dumas – generator associated? Test once a week or once a month.

Mark Kaltsas – yes, only a couple min. They noted specs that the generator would be inside a sound box. We require them to be in an acoustic box.

JP Story – cedar fence looks bad above a certain height.

Steve Thompson – barbed wire

Mark Kaltsas – we don't prohibit barbed wire.

Steve Thomson – last tower?

Mark Kaltsas – I don't think it did. It has a berm around it fully up to 8 or 10ft. Some cities outlaw barbed wire.

Public Hearing Opened

Story seconded by Volkenant to close Public Hearing

Steve Thompson – cedar fencing or something besides chain link with slats?

JP Story – berming or cedar. Higher landscape density

Leith Dumas – after a while cedar looks like hell, no one keeps it up. You can get slats in lots of colors.

Tim Usset – brown seems better than black.

Steve Thompson – you mentioned Minnehaha Creek watershed district.

Mark Kaltsas – they have jurisdiction. They have a threshold for disturbed, soil and erosion control. We have a little more involvement if it was Pioneer Sarah Creek WM. They need to communicate with Minnehaha for permitting.

Tamarack like to be wet but doesn't help with coverage. Anita Volkeant

Leith Dumas – poplar grow 8-10ft a year. Lives 50-70 years.

Mark Kaltsas – spruce on 10 ft spacing. You could add a staggered layer and no slats.

Leith Dumas – it is down in a hole

Hal Terse – do people try to break into these things?

Mark Kaltsas – I don't think so.

Steve Thomson – delete barbed wire. Brown slats, 8ft, delete barbed wire.

Anita Volkenant – double layer with deciduous vs evergreen.

Mark Kaltsas – good recommendation. Swamp white, river birch. Deciduous staggered layer with evergreens

Motion by Story, seconded by Dumas to approve. Ayes: Thompson, Volkenant, Dumas, Tearse, Story and Usset. Nays: None. Absent: Gardner. Abstain: None. Motion Approved. 5-0

5. **PUBLIC HEARING:** Christine Parr (Applicant/Owner) requests that the City consider the following action for the Property located at 3850 County Line Road Independence, MN (PID No. 07-118-24-22-0006):

- a. An interim use permit (IUP) to allow a non-commercial kennel (five personal dogs) on the subject property.

Discussion:

Mark Kaltsas – East side of County Line Road on w side of city. AG, AG, 19.5 acres overall. Kennel for personal dogs. They just built this home. City defines kennel of 4 or more dogs obtain CUP or IUP. Situations vary from person to person for IUP. Applicants just built, reside inside house, fencing property to contain those dogs. Use would not impact surrounding properties or if there are any conditions needing for mitigation needs to be mitigated. Not boarding, just personal dogs. With kennels, we see issues with noise or roaming of dogs outside of enclosed area. Would contain dogs in fenced area. Number of dogs should be limited to 5, within fenced areas only with exhibit to show areas, would not increase noise, terminate on sale. City has received comments, written and verbal related to the use by applicants. Dogs are not currently contained and have been seen on other properties. Concerns related to this being a commercial use.

PUBLIC HEARING OPENED

Tony Parr – we graduated from Orono, 5 rescue dogs in our path. Dogs spend their time in our bed. Fence is approaching 6 figures, and we are fencing in an acre. We respect our neighbors and want to have a good relationship with them. One dog has about one year left to live.

Steve Thompson – more concrete restriction on your property. It would say within the fencing or in the house.

Hal Tearse – what happens when you go down in dogs, do more appear?

Mark Kaltsas – it would allow 5 but it doesn't say which 5 dogs.

Brad Spencer – there was a letter you received from neighbor to the South and they asked that dogs might be roaming on their properties. This is the Gabriel and properties. Just making sure that the fencing is a part of the CUP/IUP.

TP – cedar is in the front yard and it is staining tomorrow. Going in tomorrow.

Motion by Story, seconded by Volkenant to close public hearing Ayes: Thompson, Volkenant, Dumas, Tearse, Story and Usset. Nays: None. Absent: Gardner. Abstain: None. Motion Approved. 5-0

JP Story – met all dogs and Christine is a great pack leader. It shouldn't be a problem.

Motion by Story, seconded by Tearse to approve an interim use permit (IUP) to allow a non-commercial kennel (five personal dogs) on the subject property. Ayes: Thompson, Volkenant, Dumas, Tearse, Story and Usset. Nays: None. Absent: Gardner. Abstain: None. Motion Approved. 5-0

6. **PUBLIC HEARING:** Robert Youngquist (Applicant/Owner) requests that the City consider the following action for the Property located at 6625 Fogleman Road Independence, MN (PID No. 10-118-24-43-0010):

- a. A minor subdivision to allow a lot line rearrangement to shift a portion of the north/south property line that divides the two properties approximately 80 feet to the east.

Discussion:

Mark Kaltsas – wants to build a detached accessory structure. Setbacks, etc. Determined that since he owns both properties, he could adjust the property line so he could build in a location he wanted. Applicant owns both properties. RR. In 2021 owner split this into these two parcels. New owner wants to build detached accessory building. Can't build across property line and can't build on the other parcel because no principal structure. Maintain frontage, taking out back corner. We like straight lines ideally. Applicant will likely come to ABRC due to height of building. He did talk to her owners, and they all supported. If it is approved, we need D & U easements.

JP Story – subdivided prior?

Mark Kaltsas – old owner brought it in 2021 and now new owner asking for this.

JP Story – why not make it all one parcel?

Mark Kaltsas – costly, we could take away an entitlement if we change it.

Steve Thompson – 2.5 is min so we are far enough away from minimum.

Mark Kaltsas – yes.

PUBLIC HEARING OPENED

Motion by Tarse, seconded by Volkenant to close public hearing Ayes: Thompson, Volkenant, Dumas, Tarse, Story and Usset. Nays: None. Absent: Gardner. Abstain: None. Motion Approved. 5-0

Motion by Tarse , second by Story to approve a minor subdivision to allow a lot line rearrangement to shift a portion of the north/south property line that divides the two properties approximately 80 feet to the east. Ayes: Thompson, Volkenant, Dumas, Tarse, Story and Usset. Nays: None. Absent: Gardner. Abstain: None. Motion Approved. 5-0

7. Open/Misc.
June date good

8. Adjourn.

Motion to adjourn at 8:20PM by Story, seconded by Volkenant. Ayes: Thompson, Volkenant, Tarse, Story and Usset. Nays: None. Absent: Gardner Abstain: None. Motion Approved. 5-0

Respectfully Submitted,

Carrie Solien/Recording Secretary