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2 **WINONA COUNTY PLANNING COMMISSION MINUTES**
3 **RING CENTRAL VIRTUAL MEETING**
4 **MAY 20, 2021 at 7:00 PM**
5
6

7 **Members Present:** Commissioners Mark Clark, Steve Jacob, Patrick Byron, Michael Flynn, Lynn
8 Carlson, Arlie Herber, Lewis Reiman, Kelley Stanage and Board of
9 Adjustment Liaison Jordan Potter

10
11 **Absent:** None

12
13 **Others present:** Kay Qualley, Planning & Environmental Services Director; Stephanie Nuttall,
14 Assistant County Attorney; Eric Johnson, Zoning Administrator; Megen Kabele,
15 Planner/Feedlot Officer and Anne Schwertel, Administrative Specialist
16

17 **1. Call to Order:** Chair Mark Clark called the meeting to order at 7:00 p.m.

18
19 **2. Pledge of Allegiance:** The Pledge of Allegiance was recited.
20

21 **3. Approval of Agenda:** On motion by M. Flynn and seconded by A. Herber, the Planning
22 Commission voted to approve the agenda. Vote: Yes – All.
23

24 **4. Approval of Minutes – April 15, 2021:** On motion of A. Herber and seconded by
25 M. Flynn, the Planning Commission voted to approve the minutes.
26 Vote: Yes – All.
27

28 **5. Docket # PC 05-20-21-01**

29 To consider the petition of Wisconsin Department of Transportation (WDOT)
30 in regard to the following Interim Use/Conditional Use Permit request:
31

- 32 • To allow for replacement of 260' guyed wire tower with a new 280' self-support tower
33 along with new radio equipment building and a back-up generator system pursuant to
34 Chapter 10.4.6 (6) of the Winona County Zoning Ordinance.
35

36 Chair M. Clark introduced the petition.
37

38 Staff member M. Kabele gave a power point presentation that included overview maps of the
39 parcel, existing facility and proposed upgrade, deconstruction plan considerations, project
40 overview details and township acknowledgement. She explained that MnDOT places similar
41 equipment on the Wisconsin side of the river for safety and communication purposes. Ben
42 Klinger, Winona County Emergency Manager, was contacted about the project and stated his
43 support.
44

45 Planning Commission members asked questions about Federal Aviation Administration (FAA)
46 regulations, the area the tower will service and road setback requirements. Edge Consulting
47 Engineer, Arlan Ostreng, and Wisconsin Department of Transportation Director, Logan Zinsli,
48 explained site history and tower use and construction.

49
50 Chair M. Clark asked if the petitioner wished to speak on behalf of the application.

51
52 Petition representative Arlan Ostreng, an engineer from Edge Consulting, explained the safety
53 reasons for the CUP request, the upgraded tower's intended use with minor modifications from
54 the old tower. He added that a soils and geotechnical investigation is completed for each tower
55 they design.

56
57 On motion of P. Byron and seconded by K. Stanage, the Planning Commission voted to open
58 the public hearing. Vote: Yes – All.

59
60 Chair M. Clark asked three times if anyone wished to speak for or against the petition; no
61 response.

62
63 On motion by S. Jacob and seconded by P. Byron, the Planning Commission voted to close the
64 public hearing. Vote: Yes – All.

65
66 On motion by K. Stanage and seconded by L. Carlson, the Planning Commission voted to
67 adopt the Findings of Fact as presented and recommend approval of the CUP to the County
68 Board with the conditions as recommended. Vote: Yes – All

69
70 **Findings of Fact:**

71 1. The use will not create an excessive burden on existing parks, schools, streets/roads and other
72 public facilities and utilities which serve or are proposed to serve the area.

73 *The applicant proposes access to the tower site from an existing driveway. Anticipated visits to the*
74 *site, other than the initial construction phase, will be infrequent. During the construction phase*
75 *traffic control will be needed, which may temporarily impact traffic flow. However, the*
76 *construction will augment emergency services and impact will be temporary and not excessive.*

77 2. The use will be sufficiently compatible or separated by distance or screening from adjacent land so
78 that existing properties will not be depreciated in value and there will be no deterrence to
79 development of vacant land.

80 *There are 14 dwellings within ½ mile of the existing site, which predates most of the homes and*
81 *indicates that development will not be deterred. The adjacent land is agricultural in nature, limited*
82 *by topography, or has not been hindered by the existing tower. Other similar towers exist in the*
83 *County and though screening cannot be accomplished due to the height, the County Assessor's*
84 *Office is not assigning additional depreciation to existing properties due to influence of proximate*
85 *telecommunications towers.*

86 3. The structure and site will have an appearance that will not have an adverse effect upon adjacent
87 residential properties.

88 *The tower is similar to others seen every day in the County. Though it has a utilitarian appearance*
89 *that cannot be screened, the additional emergency communications services for residences of*
90 *Minnesota and Wisconsin will mitigate any visual concerns. There has been a tower in this location*
91 *for decades, the new one would just be 20 feet taller.*

92 4. The use is reasonably related to the overall needs of the County and to the existing land use.

93 *The ability to have this updated emergency communications network in Winona County is an*
94 *important communication link for the safety and welfare of area residents and part of overall*
95 *communication needs in the area. The use has been established at this site since the mid-1960's,*
96 *and will continue to provide services once upgraded.*

97 5. The use is consistent with the purpose of the Zoning Ordinance and the purposes of the zoning
98 district in which the applicant intends to locate the proposed use.

99 *Chapter 10.4.1 of the Winona County Zoning Ordinance defines the Agriculture and Resource*
100 *Conservation District as areas established "to protect the working landscape of Winona County as*
101 *a means to ensure the continued viability of this resource as called for in the Comprehensive Plan.*
102 *The District also recognizes the unique bluff lands of southeastern Minnesota where dense tree*
103 *growth sustains commercial forestry, and numerous public lands afford residents and visitors alike*
104 *with recreational opportunities." Cellular Communication Towers and auxiliary equipment sheds*
105 *are an identified conditional/interim use in the District.*

106 6. The use is in conformance with the Comprehensive Plan of the County.

107 *The 2014 Comprehensive Plan supports improving emergency response system capacity, speed,*
108 *and response through use of modern technology, coordination across jurisdictional boundaries,*
109 *and the provision of adequate equipment, staff, and facilities.*

110 7. The use will not cause traffic hazard or congestion.

111 *Outside the initial construction phase a low volume of traffic is anticipated.*

112

113 **With the following conditions:**

114 1. *The owner(s) of the property to which this Conditional Use Permit is issued will abide by all*
115 *representations and commitments made during the permitting process as well as before the*
116 *Planning Commission, in accordance with all conditions to the conditional use permit, taken as a*
117 *whole, as approved by the Planning Commission and the County Board.*

118 2. *The site shall be available for Winona County Staff review and inspection as needed.*

119 3. *Owner(s) shall comply with all applicable federal, state, and local regulations.*

120 4. *The site will be maintained for use as an emergency management response facility.*

121 5. *The facility will be limited to a telecommunication tower not to exceed 300-feet in height (310-feet*
122 *with a lightning rod).*

123 6. *All tenants using the tower shall be subject to Federal Communication Commission (FCC)*
124 *regulations and licensing requirements.*

125 7. *All tenants using the tower shall be subject to Federal Aviation Agency (FAA) requirements, such as*
126 *lighting.*

- 127 8. *The owner(s) shall install filtering devices to correct any interferences documented by the FCC*
128 *within thirty (30) days of the interference occurrence.*
- 129 9. *Any interference caused by the tower and/or its services shall be corrected at the owner(s)*
130 *expense.*
- 131 10. *The tower must be dismantled and removed at the owner's expense after one continuous year of*
132 *vacancy.*
- 133 11. *The attachment of advertising devices to any part of the structure shall be prohibited.*
- 134 12. *The proposed driveway shall adhere to the standards described in Chapters 9.7 and 11.6 of the*
135 *Winona County Zoning Ordinance, to include receiving a permit from the County Highway*
136 *Department if needed.*
- 137 13. *The owner(s) shall obtain the required Development Certificate prior to preparation work or*
138 *commencing construction and shall submit engineering plans to address how limited soil suitability*
139 *ratings will be mitigated during installation to avoid runoff, and address maintenance of the tower*
140 *and site facility.*
- 141 14. *The owner(s) shall submit a deconstruction plan for approval prior to removal and*
142 *disposal/recycling of the existing tower, building, and equipment.*

143
144 **6. Solar Development Topics**

145 Kay Qualley, Planning & Environmental Services Director, gave a PowerPoint presentation
146 that included a summary of recent solar discussions at the County Board. It contained some of
147 the solar installation topics that have created challenges here and in several other Minnesota
148 counties due to the solar industry evolving quickly. She stated that a comparison of other
149 counties is underway with types/methods and dollar amounts used for financial surety for
150 decommissioning conditions, for instance. A recommendation to increase solar conditional use
151 permit fees for 2022 was made due to the much greater preparation and inspection staff time
152 involved, as well as a need to allot time from the SWCD. Ms. Qualley summarized the process
153 for the petitioners' engineers to prepare Stormwater Erosion Pollution Prevention Plans
154 (SWPPPs). Although the responsibility for maintaining and inspecting erosion control practices
155 lies with the developer and owner, PL &ES staff members are trained to review these plans and
156 can compare what has been installed with what was specified in the plan.

157
158 Staff and the Planning Commission discussed certificates of completion and the potential to
159 add phased inspections (e.g., formal inspections at end of Year One, and again in Year 5, etc.),
160 to ensure continued compliance and maintenance. A discussion ensued about who is ultimately
161 responsible for the project – landowner or developer and if the potential for increased
162 substation capacity in Xcel areas can be obtained from the state. Planning Commission
163 members provided suggestions and input. J. Potter, who has industry experience and L.
164 Carlson, offered help (photographing sites, sharing industry contacts, etc.). Staff will return at a

165 future Planning Commission meeting with research information in order to continue the
166 discussion toward refining conditions for permitting.

167

168 **7. Updates**

169 • Board of Adjustment – Board of Adjustment Liaison Jordan Potter shared that the BOA
170 approved a setback variance for a dwelling for Ronald and Jane Shritz and a prime soils
171 variance for a dwelling for Mark Daley but tabled a feedlot setback variance request for
172 Mark Daley until the June 2021 Board of Adjustment meeting to allow for more exact
173 measurements for the placement of a future residence.

174

175 • County Board – Per Steve Jacob, the County Board approved the Spies CUP, the Low
176 CUP, the Yoder IUP and the Glawe IUP.

177

178 **8. Adjourn**

179 On motion by L. Carlson and seconded by P. Byron, the Planning Commission adjourned at
180 8:00 p.m.

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182

183 Respectfully Submitted By,

184 Anne Schwertel

185 Administrative Specialist

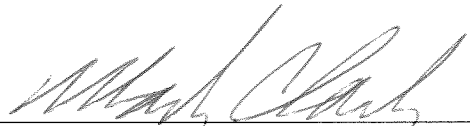
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Signed By:



Planning Commission Chair

6-17-21

Date

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