

***PLANNING AND ZONING COMMISSION REGULAR MEETING
FEBRUARY 22, 2022***

The Regular Bi-Monthly Meeting of the Andover Planning and Zoning Commission was called to order by Chairperson Karen Godfrey on February 22, 2022, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Commissioners present: Bert Koehler IV, Mary VanderLaan, Nick Loehlein, Scott Hudson, Wes Volkenant, Jonathan Shafto

Commissioners absent: None

Also present: Community Development Director Joe Janish
City Planner Peter Hellegers
Associate Planner Jake Griffiths
Others

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

February 8, 2022 Regular Meeting

Motion Chairperson Godfrey assumed a motion to approve the February 8, 2022 Regular Meeting minutes as presented. Motion carries by unanimous consent.

PUBLIC HEARING: — CONSIDER CONDITIONAL USE PERMIT AMENDMENT REQUEST – PIN 16-33-24-23-0007; 3017 161ST AVENUE NW – (APPLICANT – PYRAMID NETWORK SERVICES)

The Planning Commission is requested to hold a public hearing and make a recommendation to the City Council regarding a Conditional Use Permit (CUP) amendment to allow Dish Wireless to attach antennas to an existing telecommunications tower at 3017 161st Avenue NW. City Planner Hellegers explained the details of the request as presented in the staff report.

Commissioner Koehler noted that the Commission is asked to consider the health and welfare of the community but cannot consider RF frequencies due to the Federal

Communications Act. Mr. Hellegers stated the Federal Communications Act trumps City Code and RF frequencies cannot be a factor in the health and welfare of the community.

Commissioner VanderLaan asked when the original CUP was issued. Mr. Hellegers stated the original CUP was issued in 1996. She stated the tower is owned by Comcast and asked who owns the property the cell tower sits on. Mr. Hellegers stated Comcast owns the tower and leases the 50 ft x 50 ft compound.

Commissioner Volkenant referred to a letter from a resident against the cell tower and asked Mr. Hellegers to address their concern. Mr. Hellegers stated the original tower was constructed in 1996, an additional tower in 2000, and has no information about the removal of second tower, but it has been removed. Mr. Hellegers noted the carrier can change out antennas, but they need an amendment to the CUP to add antennas.

Motion Chairperson Godfrey assumed a motion to open the Public Hearing at 7:11 p.m. The motion carried by unanimous consent.

Jeff Haley, 15375 Cherry Tree Road, Noblesville, IN came forward and stated he represents Pyramid Network Services.

Commissioner Loehlein asked if the applicant was aware of landscaping requirements to screen the property. Mr. Haley stated he wasn't aware of the condition but stated they can meet the condition.

Commissioner Loehlein stated the City received one public comment from Lee and Deb Packer at 3074 161st Avenue NW. The Packers wrote against having the cell tower due to potential health hazards and are against adding three antennae.

Motion Chairperson Godfrey assumed a motion to close the Public Hearing at 7:15 p.m. The motion carried by unanimous consent.

Commissioner Koehler noted it is outside the Commission's ability to reject the antenna based on the FCC's code that the City cannot override. He stated the Commission recognizes the concerns by the Packers and they can take their concern to the FCC if they choose.

Motion by Koehler, seconded by Loehlein, to recommend approval of a Conditional Use Permit Amendment for the addition of three antennas and related tower-mounted equipment to the existing telecommunications tower at 3017 161st Avenue NW. Motion carried unanimously.

Mr. Hellegers stated the item will go before Council on March 1, 2022.

OTHER BUSINESS

Associate Planner Griffiths updated the Commission on Council actions. Mr. Griffiths announced the retirement of Administrative Assistant Brenda Holmer at the end of March.

Commissioner Koehler thanked Ms. Holmer for her service. Commissioner Koehler congratulated Chairperson Godfrey for her chairing her first meeting.

Chairperson Godfrey congratulated Ms. Holmer on her retirement and thanked her for her work.

ADJOURNMENT

Motion Chairperson Godfrey assumed a motion to adjourn the meeting at 7:21 p.m. Motion carried by unanimous consent.

Respectfully Submitted,

Shari Kunza, Recording Secretary
TimeSaver Off Site Secretarial, Inc.