City of Shakopee

Shakopee Planning Commission Meeting

July 11, 2024

7:00 PM

City Hall, 485 Gorman St

1. Roll Call Present Commissioners: Schleck, Sandhu, Forsythe (Chair), Ranua, Sepulvado Staff Kerski

2. Approval of Agenda Moved by Sandhu, Sepulveda seconded

3. Call for Notarized Affidavits, Proof of Neighborhood Meeting and Sign in Sheet for appropriate Public Hearing Have

4. Recognition by Planning Commission of Interested Citizens None

5. Consent Business - None

6. General Business

6.A. PUBLIC HEARING - Planned Unit Development (PUD) Overlay District #24 Amendment to the Dean Lakes PUD

Commissioner Sepulvado moved to Open Public Hearing, seconded by Commissioner Schleck.

Staff presented the case. Applicants completed work without a permit and without the Planning Commission approval since it requires a PUD amendment. They are installing satellite dishes for Starlink on the current data center property. They are not using the data center but only using it as a pipeline to their facilities and fiber network in Minneapolis. The property owners were notified by certified mail and the provider has now applied for a PUD amendment along with electrical permits for work done by a party not licensed in Minnesota.

The applicant was there along with two parties via Zoom. Lena Strauss from Dewberry Engineers was retained after the fact to bring the property into the property. Their clients felt they were exempt because of FCC regulations. Working with bringing property into compliance. The chair noted that Starlink would have just moved forward had the city not red tagged the property. Ms. Strauss repeated that their client believed they were regulated by any local regulations.

The chair noted that Starlink was used in more rural locations. Was the site intended as a hub. Carlos from Starlink said the site where the antennas had a range of 300 kilometers. Satellites need to provide connections to the customer so they will serve all of North America. The Radomes are connected by fiber which means the users just need power to

connect to satellites and then they connect to the internet through fiber. Materials for this area are stored on servers in Minneapolis, place of presence POP. The round trip takes less than 20 milliseconds. This location will serve as a "central office." User, satellite, gateway, like a triangle. Nothing is really stored on satellite. Serves as a connection for satellites to the ground. Content lives on earth. The cloud is really a data center. The chair asked if there were other areas. There are 13 gateways in the country. Improves the entire global experience of Starlink.

Mark Sorenson lives about 100 yards from the satellite installation. The question he had was originally KA band based which is a microwave facility which can actually burn you bigger question is if they will use E band on microwave lengths scanning horizon to horizon. Is approved by the FCC but is Shakopee first and who is monitoring and what are the safety precautions. Concerned about first installation.

The chair noted that we defer to the FCC regulations. Commissioner Ranua asked if the distances are being followed as required by the FCC? The chair asked about radiation. Kayla from Starlink said the FCC was contacted at the very beginning of the project. They have a blanket KA license. They do not operate on any unlicensed bands. Are they planning to go to E band. Starlink said they would only go to E band if they were to receive an E Band license. Commissioner Ranua asked if they had any active request with the FCC for E band at the site. They have a request for E band, but it is not licensed. E band would not be turned on unless approved by FCC and licenses are granted location by location. They are required to work with operators that might cause interference. There is cooperation with the parties that are in that band but not the city.

Emanuel Pappaderous lives in Savannah Point. Concerned about how the project moved forward without permitting. Now asking about wave bands. He does not believe that the company is asking for a transparent matter. Why isn't there an environmental impact statement. Concerned about that the project is operated in secrecy. Starlink requires their equipment. He currently has cable that can be used by many providers. Finds the entire project disgusting. Concerned about the impact on nature, the lake, animals.

Motion made by Commissioner Sepulvado to close the public hearing; Commissioner Schleck seconded. Commissioner Sandu asked if they had done any environmental studies previously anywhere. Kayla noted that when they work with the FCC for licensing, they do work with them on environmental review. Commissioner Sepulvado asked why they originally did not contact the city of Shakopee. Kayla noted at the inception they felt that they had federal preemptions in place. As soon as the city asked to be brought into the loop, they wanted to work cooperatively. Commissioner Sepulvado suggested that they should be asking the cities in advance.

The public hearing closed unanimously.

The chair was not happy about doing it and asking for permission later in process. Still need to go through the permitting. This was done poorly. When Dewberry was brough on it was to fix a bad situation. Starlink and SpaceX need to change their process. Commissioner Sandu mentioned that they would be double fees. They need to be concerned about the

community. The Chair noted not here to make rules for the FCC and was rely on those federal agencies.

Commissioner Sepulvado made a motion to allow the installation of ground-based satellites as an amendment to the PUD.

No second. The chair noted that needed more discussion. Commissioner Sandu asked about it going to the city Council. Chair noted that the amendment stops here since it is minor. Commissioner Ranua noted we have no permit for microwaves. Staff noted that the city does not regulate the FCC. Staff noted we regulate the land use. Planning Commissioners don't regulate satellites. Commissioner Ranua seconded. Passed unanimously.

7. Other Business **TOUR IS AUGUST 15th 6-8PM in front of city hall.**

8. Adjourn to Thursday, August 8, 2024 at 7:49PM Motion to adjourn by Sepulvado seconded by Schleck.