



Shakopee Board of Adjustments and Appeals

Minutes

February 4, 2021

7:00 PM

City Hall, 485 Gorman St.

1. Roll Call

Chair Forsythe called the meeting to order.

Commissioners present: Josh Forsythe, Daniel Olson, Brandon Pike, Noreen Reding, Kent Robbins, Ashlee Sepulvado

City staff present: Director of Planning & Development Michael Kerski, Senior Planner Mark Noble, Senior Planner Kyle Sobota

2. Approval of Agenda

Commissioner Kent Robbins made a motion to approve the Agenda, seconded by Commissioner Noreen Reding and the motion passed.

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

Staff has received.

4. Recognition by Board of Adjustment and Appeals of Interested Citizens

No one responded.

5. Consent Business - (All items listed in this section are anticipated to be routine. After a discussion by the Chair there will be an opportunity for members of the BOAA to remove any items from the consent agenda for individual discussion. Those items removed will be considered following the Public hearing portion of the agenda. Items remaining on the Consent Agenda will not be discussed and will be approved in one motion.)

5.A. Approval of December 3, 2020 Meeting Minutes

5.B. Approval of January 7, 2021 Meeting Minutes

Commissioner Brandon Pike made a motion to approve the Consent Business, seconded by Commissioner Kent Robbins and the motion passed.

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6. General Business

A. PUBLIC HEARING - Conditional Use Permit for an Overheight Electrical

Distribution Substation

Commissioner Kent Robbins made a motion to open the Public Hearing, seconded by Commissioner Daniel Olson and the motion passed.

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Senior Planner Mark Noble presented the staff report.

Mr. Pike asked Mr. Noble for a summary of the proposed lighting in the draft resolution for the substation and Mr. Noble clarified this. Mr. Pike asked why this location was chosen and Mr. Noble stated that the applicant was present and could answer this question.

Ms. Sepulvado asked for clarification on the annexation details for this parcel and Mr. Noble explained this in detail.

Mr. Robbins asked about the building materials and if the applicant agreed with the city about the conditions in the draft resolution. Mr. Robbins also asked what area this substation would cover, and Mr. Noble explained that the area the substation would serve includes southwest Shakopee and the newly annexed Jackson Township area as well as some areas in the future that will be annexed on the west end, south of Highway 169 and west of Marystown Road.

Mr. Olson asked Mr. Noble to point out existing towers onscreen and how they would tie into this new substation and Mr. Noble did so.

Mr. Joseph Adams, Shakopee Public Utilities Planning & Engineering Director, addressed the Board. He introduced Mr. Kevin Favero of Ledios Engineering, who was participating virtually. Mr. Adams clarified that the large substation mentioned earlier is known as the Scott County substation and is owned by Excel Energy. He stated that this substation serves mainly as a switching station for high voltage transmission lines and is not a distribution substation like the one they are proposing this evening. Mr. Adams explained in detail the reasons that this location was chosen, including input from the community, connection access, a willing seller because of the odd-shaped parcel, and that it is on a transmission corridor. Mr. Adams stated that SPUC will work with all the conditions in the CUP and would follow all recommendations from city staff regarding the landscaping and building materials. Mr. Adams added that the new substation will serve existing areas in Shakopee as well as growth areas and future planned annexation areas to the west.

Mr. Forsythe asked what the 75-foot communication tower would be for and Mr. Adams answered that it would strictly be for SCDA (Supervisory Control and Data Acquisition) systems to communicate back to their service center and will enable SPUC to do remote operations. Mr. Adams added that once the substation is constructed, he did not expect to have more than one daily trip by a company pickup truck, unless there were emergency situations. He stated that the emergency lighting at the substation would allow them to work at night, if needed, and explained this in detail.

Mr. Tom Weckman, no address given, addressed the Board. He stated that he and his neighbors were concerned about the proximity of this substation to their homes and that they were concerned with buzzing noises.

Mr. Olson asked if Mr. Adams could address this concern and Mr. Adams and Mr. Favero did so.

Commissioner Kent Robbins made a motion to close the Public Hearing, seconded by Commissioner Daniel Olson and the motion passed.

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Commissioner Kent Robbins made a motion to approve Resolution No. PC2021-001, a resolution approving the conditional use permit for an over-height utility structure (electrical distribution substation) at 2022 Colburn Drive (located east of Colburn Drive and west of County Highway 69/Old Brick Yard Road) in the proposed Light Industry (I-1) Zone, as recommended by staff, seconded by Commissioner Olson and the motion passed.

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B. PUBLIC HEARING: Variances to Maximum Impervious Surface and to the Minimum Lot Width Requirement in the Shoreland Overlay Zone

Commissioner Noreen Reding made a motion to open the Public Hearing, seconded by Commissioner Kent Robbins and the motion passed.

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Senior Planner Kyle Sobota presented the staff report.

Mr. Robbins asked for clarification on the impervious surface issue and Mr. Sobota did so.

Mr. Forsythe asked about the front facing parcel and if there would be any negative impact if it became a driveway and Mr. Sobota answered that city staff did not believe so and explained this in detail. Mr. Sobota also clarified the other lots about maximum

impervious surface.

Commissioner Kent Robbins made a motion to close the Public Hearing, seconded by Commissioner Daniel Olson and the motion passed.

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Commissioner Noreen Reding made a motion to approve Resolution No. PC2021-002, a resolution approving a variance to the minimum lot width requirement and maximum impervious surface percentage in the Shoreland Overlay Zone for Lots 86 and 110 in the proposed Whispering Waters Subdivision, seconded by Commissioner Brandon Pike and the motion passed.

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7. Other Business

None.

8. Adjourn to Thursday, March 4, 2021 at 7:00 p.m.

Commissioner Kent Robbins made a motion to adjourn the meeting at 7:54 pm, seconded by Commissioner Noreen Reding and the motion passed.

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