

**CARVER COUNTY PLANNING COMMISSION**  
**Regular Meeting – June 18, 2019**  
**Minutes**

**Members Present:** Jim Burns, Gabrielle Theis, Scott Smith, , John P Fahey, Mark Willems

**Members Late:** None

**Members Absent:** Jim Ische, Frank Mendez

**Staff Present:** Jason Mielke, Kathleen Russell, Jennifer Tichey

Pursuant to due call and published notice thereof, the June 18, 2019, regular meeting of the Carver County Planning Commission was called to order by Chairman Burns at 7:00 p.m.

**Minutes** – A motion was made by Smith and seconded by Theis to approve the minutes from the May 21, 2019, meeting. All voted aye. Motion carried.

**File #PZ20190027 – Minnesota Valley Electric Cooperative** – Chairman Burns called the public hearing to order at 7:01 p.m. to consider a request by Joseph Green, representing Minnesota Valley Electric Cooperative. The purpose of the public hearing was to consider a request for reconstruction/upgrade of a public utility service pursuant to Chapter 152 of the County Code. The property is located in Section 27 of Waconia Township.

The following were present: Joe Green, Lisa Rudd, Jim Carlson, Bob Krautbauer

The following items were entered into the record:

Exhibit A – Legal Description

Exhibit B – Proof of Publication of the Hearing Notice

Exhibit C – Proof of Mailing of the Hearing Notice

Exhibit D – Site Plan

Exhibit E – Letter from the applicant dated May 23, 2019

Exhibit F – Letter to the Planning Commission and Waconia Township dated June 11, 2019, and attachments

Russell stated the applicant is requesting to reconstruct and upgrade their electrical substation located in Waconia Township. The need for the upgrade is to improve electrical distribution and reliable service to the area serviced by this substation. Two plans for the project have been submitted, one incorporating the use of soon-to-be vacated right-of-way of Orchard Rd and the other illustrating an effort not to encroach into the road vacation. Neither plan addresses the northern landowner's (Jim Carlson) concerns with the 2<sup>nd</sup> access from his property. Plan A shows significant grading changes to manage flow of runoff and Plan B does not include a grading plan. Screening for the proposed upgrade will be addressed through landscaping with trees and shrubs

and privacy slats in the mesh fencing. The flow of traffic to the site is not anticipated to change after the upgrade. Public Works Department has been working with Waconia Township and is considering vacation of the right-of-way at the substation. At this time, there are no objections to the proposed request, as long as the affected property owners and Waconia Township approve the new access location. A decision is anticipated at the June 24<sup>th</sup> Township meeting. Waconia Township recommended approval of the request at their June 10<sup>th</sup> meeting, after public hearings concerning the upgrade were held on May 13<sup>th</sup> and June 10<sup>th</sup> with neighboring property owners. Questions concerning access were raised concerning the property north of the substation. Due to the unresolved issues of the vacation of Orchard Rd, access to the neighboring property north of the substation and needing additional information on both Plans A and B, staff would recommend continuation of this public hearing to the July 16<sup>th</sup> meeting.

Mr. Green confirmed the information presented by staff was correct and offered to answer any questions.

Bob Krautbauer, 9750 Orchard Rd, expressed concern of the impact on his property value with the increased size and improvements of the substation and additional wiring. He asked to have a statement from an authority to the effect that there are no know health risks with these improvements.

Mr. Green stated he would work with the landowner to achieve a satisfactory resolution. He has addressed the concern of overhead wiring with their electrical engineer and stated there are no plans in the foreseeable future to add overhead wiring. All new developments are serviced with underground wiring. The request is for upgrading the substation for future growth and reliability and to service some of the area substations.

Jim Carlson, 5685 Wood Duck Cir, stated he is working with Waconia Township and Carver County Public Works to obtain an easement for access to his property. The relocation and realignment of Orchard Rd left his 5-acre parcel landlocked without any access to Orchard Rd. He further explained the meetings and progress so far but stated there has been no legal document produced to date to satisfy and secure legal access.

Mr. Green confirmed there have been documents drafted which the attorneys for both parties are examining and reviewing for accuracy on the legal description. He acknowledged that Mr. Carlson currently does have access to his property and will continue to be able to access it after the substation expansion. It is mostly a legal process that they are waiting to have approved. The current access may be improved with the upgrades and drainage concerns are also being addressed.

A motion was made by Fahey and seconded by Willems to continue the public hearing to July 16th. All voted aye. Motion carried. The public hearing was concluded at 7:15 p.m.

### **Adjournment**

A motion was made by Smith and seconded by Willems to adjourn the meeting. All voted aye. Motion carried. The meeting was adjourned at 7:16 p.m.