

**HAMPTON TOWNSHIP**  
**Public Hearing Minutes**  
**March 20, 2012**  
**7:00 P.M.**

Attendance

CaSondra Schaffer  
Mike Tix  
Larry Runyan  
Dave Peine

Dave Fischer from Buell Consulting (representing Verizon Wireless and Don Halepaska) was also present.

The purpose of the meeting is to grant permission for a cell tower to be erected on Don Halepaska's property at 5000 222<sup>nd</sup> Street Hampton, MN 55033

The meeting was called to order by Larry Runyan at 7:00 p.m. Larry requested from Dave Fischer, plans along with the setbacks of the tower. Dave stated that it will be 372'2 feet from the north property line, 100' from east property line, 851.5' from west property line and 200' from south property line. The tower will be a total height of 199 ft. There will be an equipment shelter which will be 12x30' in size with a generator inside. Dave had a letter from his tower vendor that stated that if it collapsed, it was collapse half of the distance of the height of the tower which would be 100 feet.

Dave Rother along with his father, Richard Rother was present. Their properties are the neighboring properties which they have lived there all their lives. He was wondering why the tower was going to be in front of his house instead of the back of this house. He had informed the board that he was not notified by mail that this public hearing was called. He states that his father lives across the street at 4995 and when he looks out his front window, he will be looking at a tower. He said if he would put the tower behind his house, he would not have a problem with it but since it will be closer to the road, he has a concern. Dave Fischer stated that the proposed site of the tower meets all the setbacks and the zoning criteria. Dave Rother said that it doesn't meet the criteria of the neighbors and that Don Halepaska owns 30 acres of land and could put it somewhere else on his property. Dave Rother brought a picture of the view from his father's property looking towards Don's property where the tower will be. The tower will be right in the middle of Don's field in the front. Dave Fischer stated that he has two different parcels. Dave Rother asked the distance from the gravel road to the tower. Dave F stated it was 372 feet. Dave R added that his father's house is around 100 feet from the gravel so he will have a tower approximately 500 feet from his house. Dave R feels that Don can put this tower on his back lot instead of the front of his father's house. He wants to see some more site planning to see if the tower could be placed in a different location. Dave F explained that the tower was first proposed to go onto Jim Rother's land on the east side of 52 but since it was placed in AG preserve, they were not allowed to erect it there. He stated that this land will fit the best and it's not in the AG preserve program. Dave R stated that he wished the landowner would have talked to the neighboring homeowners when they were deciding on the site. Dave R feels that there are other places on Don Halepaska's property he could put this tower. Dave F responded that it is Don's land and his decision on where the tower goes.

Dave Rother stated that the land is zoned agricultural and wanted to know if this is an ag use. Dave Peine stated that is it not ag use but is allowed. Dave R stated that his brother, who is a realtor stated that when there is a cell tower on neighboring land, it was harder to sell the property. Dave F stated that some people like it so close for the service. Dave stated that this was a main tower, not a sub-tower.

Dave R. asked the board about notification. Larry read the ordinance that stated that a letter should be sent to the neighbors in a quarter of a mile or the nearest 10 properties, whichever is greater, but in failure to do so, the proceedings will continue. Dave Rother asked the board to deny the request due to the failure to be notified. Dave Peine stated that if we start this whole process over again, and notify Dave Rother by mail, it won't change his feelings on the issue. Dave Rother stated that he wants to be involved in the decision of where the tower will be placed. He does not get the Cannon Falls Beacon and was unaware of this. Larry Runyan stated that the public hearing was published in the paper, on the outside board and on our township website. Dave R. stated that he wanted to be notified by mail.

Larry Runyan asked if there are any other comments. He stated that the board will have to talk about it. Bob Leifeld asked if there would be a solution on planting an evergreen in front of the tower. Larry stated if they put it where it was proposed and there was evergreens planted around it, would Swed be okay with it. Richard Rother stated that he does not want the tower at all and that he would like to see the tower on the other side of the house. Dave Peine asked is it possible to move the tower. Dave F. stated that he wants an approval of the proposed site. He also stated if Don sells his property and they put it on the back side, they will have to be driving through a residential property to get back to the cell tower. Dave Fischer stated that this site is the preferred site of the landowner.

Larry stated that the board will have to discuss this further. Richard stated that there is room behind Don's house where the field it's not planted. Dave F stated that he thought it won't meet the setbacks and would like to get an approval for the proposal tonight or a denial with the reason for it. He also stated that his house is residential and the tower is not allowed on residential zoning.

Larry stated the board will have to have further discussion. Larry asked to adjourn the meeting. Mike Tix made a motion to adjourn the meeting, seconded by Dave Peine. Doug Wille spoke and asked if the board has given a recommendation to the board on this issue. Larry stated they have not and they will let everyone know when the next meeting will be. Larry stated to Dave Fischer there will be no decision made tonight. The motion was desindered. CaSandra Schaffer made a motion to continue this meeting at a later date and Dave Peine seconded depending on the date, and it unanimously passed. Larry stated that he will talk to the other board members and will come up with a date and to remind the residence to check the website. Dave Peine was questioning the time frame on posting the continuing of the public hearing. Dave F. was wondering if we could do it on the same night and to if it could be approved tonight at our regular board meeting. Larry stated that there will be no approval at the regular board meeting without the Planning Commission's recommendation.

Date Signed: \_\_\_\_\_

3/22/2012

Chair: Larry Runyan: \_\_\_\_\_

Larry Runyan