

**Greenvale Township Planning Commission
Special Meeting – OUTDOOR ADVERTISING SIGNS
Meeting Minutes
Monday, March 20, 2023**

Present: Ken Malecha (Chair); Commissioners Joyce Moore, Scott Norkunas, Victor Volkert; Supervisor Charles Anderson, Board Liaison and Jane Dilley, Town Clerk

Absent: Mark Legvold

Others Present: Tom Wirtzfeld, Duane Fredrickson, Terrance LaCanne, Joe Kalina, Gregory Langer, Carolyn Fott, Linus Langer, Shawn Lorence, Tony Rowan, Mike & Becky McNamara, Dave Roehl, Steve Hansen, Bruce Paulson, Bobbi Bolton, Dean Odette, Dave & Cindy Roehl

The Pledge of Allegiance was recited at 3:00pm.

Agenda: Chairman Malecha asked if there were any changes to the agenda. Being none, Norkunas moved to approve the agenda, Moore seconded. Motion carried 4 - 0.

Opening of the Meeting: Malecha called the Special Meeting of the Greenvale Township Planning Commission to order. The Planning Commission is appointed by the Board to make recommendations on planning and zoning issues. The Planning Commission's recommendations are advisory only; the final decision on any planning and zoning matters is made by the elected Township Board of Supervisors.

The purpose of today's Special Meeting is to make a recommendation regarding the matter for which the Public Hearing was held, an Interim Use Permit (IUP) request regarding outdoor advertising signs from Terry LaCanne and Duane Fredrickson of Circle City Outdoor Advertising.

Attendees were asked to sign the attendance sheet and to silence phones and other electronic devices.

Malecha asked if there were guests who wanted to be introduced. There were none.

Duane Fredrickson and Terry LaCanne were invited to speak with the Planning Commission to go over the IUP application. Malecha invited questions from the PC members. Norkunas asked what the MNDOT rules are for putting up an advertising sign. Fredrickson said the requirements are so many feet away from an intersection, from a school, from a church. MNDOT requires the approval of the local authority before proceeding. Malecha asked if he had worked with MNDOT on his other signs. Approximately 60 times. Volkert asked how far off the right of way the proposed signs will be for sight lines. Fredrickson said the proposed signs will be at least 12' off the ground to reduce sight line issues. By comparison, the billboard on County Road 86 & Cedar Ave is 14' off the ground. Norkunas asked how much land space the signs take up. Fredrickson said the hole is 36" in diameter, and 11 feet deep depending on the soil. A 20" tube goes inside the hole and approximately 3 yds of concrete (reinforced) is used.

Malecha said he requested an opinion from Township Attorney Mike Couri. This was approved by the Board. We have not received that opinion. Moving forward, Malecha said he reviewed our ordinances and the previous IUP issued to Fredrickson 12 years ago for the billboard on County Rd 86 & Cedar Ave, under the same zoning ordinance we have now. A Public Hearing was held August 2, 2011. In attendance were Bob Winter, Greg Langer, Edith Nelson, Barb Swenson, Dave Mittelstaedt, Duane Fredrickson and Anne Ochitto. No mention of ag or commercial use. The Public Hearing was closed. The minutes of the Town Board meeting of August 16, 2011 show that: *The Public Hearing was held and Fredrickson came before the Board with the IUP request for the sign. All setbacks required by Dakota County were met. The IUP was for a 20 year period for advertising for local businesses or residents. Fredrickson will maintain and get advertisers for the sign. Has a 20 year lease from the property owner. Greg Langer moved to approve the IUP, Richard Moore seconded. Motion passed.*

As we look at our ordinances (Section 5.04) yes, this is in the ag preservation district. What is permitted? Outdoor accessory building or structure. We allow cell phone or communications tower, but there is no definition. We allow wind turbines but don't define it. What should be done – to be fair to the people who want the signs, to those that don't want the signs?

Looking at what's happened in the past, Malecha said he could find no record of any complaints against Fredrickson. He asked Fredrickson if he had received any complaints – no. Malecha asked if there were any issues with the County – no.

Going through all the permitted uses in the ordinance manual, at the end is the phrase "other proposed uses that are determined to be similar in nature to the interim uses listed." As there are no definitions to the permitted uses, it's ambiguous. When the

township brings its ordinances into alignment with the Comprehensive Plan, definitions can be established.

One of the questions that came up is could a property owner sell – the current IUP Fredrickson has for the sign on County Road 86 & Cedar has a provision the permit does not transfer to a new property owner. If we approve this request, Malecha suggests we add that condition to this IUP. Also add the township can rescind the IUP if there are complaints, and the IUP cannot be assigned to any other party. If use is discontinued for one year, the IUP ends.

Malecha asked Fredrickson if he ever had to take down a sign – no. Fredrickson added that to suggest outdoor advertising will be made obsolete by the internet is incorrect. The opposite is true. As market segmentation grows the most effective way to reach consumers in a local market is through outdoor advertising.

Norkunas asked about the proposed length of the IUP – 20 years. He also asked if one billboard, rather than two, would be acceptable. Fredrickson requested that two billboards be approved. LaCanne also confirmed they are requesting two signs.

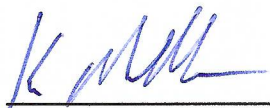
Malecha made a motion to recommend approval of the application to the Board of Supervisors. Norkunas seconded. Following a discussion, the vote was called. Motion carried 3 – 0, with Volkert abstaining.

Malecha made a motion to adjourn, Moore seconded. Motion carried 4 – 0.

Norkunas made a motion to adjourn, seconded by Moore. Motion carried 4 – 0.

APPROVED – May 11, 2023

Prepared by:



Ken Malecha, Chair



Jane Dilley, Town Clerk