



Doc No. A- 1511276  
OFFICE OF COUNTY RECORDER  
OLMSTED COUNTY, MINNESOTA

I hereby certify that this document was filed in this office  
for record on --September 18, 2020 1:34 PM

W. MARK KRUPSKI - Co. Recorder by deputy: ms

Well Certificate: \_\_\_\_\_ Abstract: \_\_\_\_\_

Fee: \$46.00

TCPA  
4111 - 11TH AVENUE SW, RM 10  
ROCHESTER, MN 55902

*pt NW-SE > 05-107-14  
pt SW-SE >  
94.05.43.030800*

**CASCADE TOWNSHIP  
CONDITIONAL USE RESOLUTION  
NUMBER CUP 20-02**

**WHEREAS**, an application has been submitted by Underwire Consulting Inc. Tower for a Conditional Use Permit to allow for the construction cellular communications tower. The property is located within an A-2; Agricultural Protection District and is legally described as follows:

Olmsted County Parcel #: 75.05.43.030800  
The East Half of the West Half of the Southeast Quarter (E 1/2 W 1/2 SE 1/4) of Section Fiver (5) Township One Hundred Seven (107) North, Range Fourteen (14) West, Olmsted County, Minnesota.

Tower lease site is one hundred (100) foot square located fifty (50) feet north of 65<sup>th</sup> Street NW right of way and twenty-five (25) feet west of the east property line of parcel described above.

**WHEREAS**, the applicant(s) are asking the Cascade Township Planning Commission of the County of Olmsted, State of Minnesota, to be granted an Conditional Use Permit per Articles IV and X of the Cascade Township Zoning Ordinance and;

**WHEREAS**, the matter has been reviewed by the Zoning Administrator and thus submitted a report to the Board concerning the Conditional Use request with recommendations and;

**WHEREAS**, a public hearing on the proposed Conditional Use was duly noticed and held by the Cascade Township Planning Commission at the Cascade Town Hall, 2025 75<sup>th</sup> Street NE, Rochester, MN on Tuesday, May 19<sup>th</sup> 2020 after 6:00 p.m. at which time all interested persons were given the opportunity to be heard.

*TCPA  
9-18-20  
2-2  
ms*

**NOW, THEREFORE,** be it resolved by the Cascade Township Planning Commission that Underwire Consulting Inc. Tower be granted a Conditional Use Permit to construct cellular communications tower upon the above described property with the following conditions:

1. The applicant must obtain all applicable permits that are required by federal, state, and local agencies.
2. Outside lighting shall be diffused or directed away from adjoining properties or public roads.
3. A fence at least six (6) feet in height with an additional foot consisting of three strands of barbed wire must surround the tower and cabinets.
4. That there will be no signage, other than that necessary to safely operate the tower.
5. That there is a locked gate and a "No Trespassing" sign posted at the entrance.
6. That there be no vehicle or unused equipment storage on the site with the exception of a generator.
7. That any additional height to the tower would require a new conditional use permit.
8. Any new driveway access to the tower will require permission from the road authority
9. Abandoned or unused towers and associated facilities shall be removed within 12 months of the cessation of operations at the site unless zoning administrator approves a time extension. In the event that a tower is not removed within 12 months of the cessation of operations at a site, the Township may remove the tower and associated facilities and the costs of removal assessed against the property.
10. Tower shall not be illuminated by artificial means and shall not have affixed or attached to it in any way, except during time of repair or installation any light, reflector, flasher, or other illuminating device, except as required by FAA or FCC or state agency.
11. Tower and the accessory structures shall conform to Cascade Township Ordinance standards.

12. The tower shall be a monopole design beige in color.
13. The commercial wireless telecommunications provider shall be required to provide a copy of the FCC license application and the information on the frequencies and power levels of the proposed services to the Olmsted County Sheriff's Office, City of Rochester Police and Fire Departments.
14. If a building is constructed on site Bufferyard "C" shall be required on all four sides of the project.
15. During construction of the tower, best management practices shall be used to protect against groundwater pollution. If dewatering is required the applicant is responsible to contact the Minnesota Department of Natural Resources and obtaining a dewatering permit.
16. A geologic analysis must be completed prior to construction and submitted with the construction documents showing the underlying geology will support the tower structure.
17. Review of Conditional Use Permit. This Conditional Use include, at the discretion of the Town Board, a periodic review to determine compliance with the conditions of the permit and whether changed circumstances or conditions require changes to the permit. The Town Board may also elect, upon adoption of an appropriate resolution following verification of a complaint that a condition has been violated, to conduct a review of the permit. Said review shall only take place following written notice to the owner of the subject property and a duly noticed public hearing. Following such hearing, the permit may be amended based on changed conditions and experiences with the site.
18. The property owner of record shall provide written notice to the Township that the tower is still in operation once every two years.

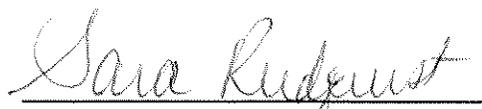
A motion was made by Dean Hegrenes and seconded by David Lucas to approve the application with conditions as listed above, the motion carried with all votes in favor of said motion. The Cascade Township Planning Commission hereby grants a Conditional Use Permit per Article IV of the Cascade Township Zoning Ordinance

day of May 2020.



  
\_\_\_\_\_  
Brad Brech, Chair

Attest:

  
\_\_\_\_\_  
Sara Rudquist, Clerk

DISTRIBUTION:  
County Recorder  
Township Clerk  
County Planning  
Zoning Administrator  
Applicant

Drafted and return to:

TCPA  
4111 11<sup>th</sup> Ave SW, Room 10  
Rochester, MN 55902