



**CITY OF LONG LAKE
PLANNING COMMISSION MEETING MINUTES
JULY 14, 2009**

CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Chair Crump.

Present: Committee Members Hultmann, Crump, Skjaret, and Hoen; City Councilmember Olson; City Administrator Post.

Absent: Committee Member Loosen

APPROVE AGENDA

Commissioner Hultmann moved to approve the agenda as presented. Commissioner Skjaret seconded. Ayes: all.

CONSENT AGENDA

A. Minutes of the June 9, 2009 Planning Commission Meeting

Commissioner Skjaret moved to approve the Consent Agenda as presented. Commissioner Hultmann seconded. Ayes: all.

OPEN CORRESPONDENCE

None.

NEW BUSINESS

A. Land Use Application for Freestanding Sign Variance – Upcoming August Agenda Item

City Administrator Post reviewed the staff report for the Planning Commission. He stated that a land use application was received and would be reviewed at the August meeting. He stated that it would be located in the Town Center.

B. Green Technologies Relationship to Existing Zoning Ordinance Continuing Discussion

Ann Perry prepared a report in response to issues brought up at the previous month's meeting. She reviewed the items discussed. She brought up the issue of property owner

rights in regard to solar technology. She advised that the City Attorney advised that it would be viewed as a public nuisance matter. There has not been the type of legislation seen in other states in Minnesota and language is currently trying to be developed on the state level to provide rights to the property owner installing that type of technology and the property owner that neighbors the property.

Commissioner Hoen stated that he read an article in regard to a homeowner in California where a homeowner had planted trees and then neighboring property owner then installed solar panels. He questioned which property owner would have the rights in that situation.

Ann Perry stated that issue had not been resolved at this time. She explained that the City would just want to make sure that the regulations were rational and reasonable in regard to that type of technology.

Chair Crump believed that the City is looking at a balance between the green technology and liability, or the ability to protect themselves in court should that be needed. He did not think that the ordinance should state which neighbor would have rights over the other.

Ann Perry moved on to wind turbines and advised that in a suburban setting you would need height to obtain the wind needed for the turbine. She was not convinced that the suburban area of Minneapolis would have the wind available for a turbine. She stated that turbines could be placed on roofs, light poles, etc. She thought that the Commission should continue to study the wind turbines and technology to determine how it would impact the ordinances. She advised that in terms of noise the State noise requirements would supersede the local regulations. She advised that there were impacts to migratory birds from the large turbines, but impact was not known for local birds. Impact was substantially less for the smaller residential turbines. She suggested some ordinance standards for wind turbines, such as requiring a conditional use permit and a greater setback.

Commissioner Hultmann thought the main issue would be regarding height.

Chair Crump thought that the issue of setback and minimum one acre lot would remove about 90 percent of the residents of Long Lake from the ability to install wind turbines. He thought that it was not the Commission's position to determine whether or not it would be viable for residents. He made a recommendation regarding the setback issue.

Commissioner Hoen stated that he was recently in Canada and visited a community with a huge array of solar panels and wind turbines. He thought that the Commission should take into account the fact that multiple units could come into play in the future as technology advances.

Chair Crump thought that the statement regarding the electric engineer should be applied to solar technologies as well.

Commissioner Hultmann advised of new technology he had heard of regarding green technology and he was concerned that inexperienced people may try to install the technology themselves.

Ann Perry stated that there are so many new manufacturers developing products of this nature and residents should be aware of the product they are buying since the technology and regulations are so new. She questioned if the Commission wanted to treat this as a conditional use permit.

Chair Crump thought that it should be treated as an accessory use unless the unit is over a certain height.

Commissioner Hoen thought that the one year removal if not used should include the antennae as well.

Ann Perry moved on to the dark sky techniques. She stated that all lights could be directed downward and thought that should be incorporated into ordinance. She advised that the State is trying to lead by example but the State and County do not always follow those regulations. She thought that through the roadway improvement program they could encourage MnDOT to cap lights. She questioned if the cap and degree of cutoff should be included in the ordinance.

Chair Crump thought that the language should be incorporated, even to the point of residential lighting.

Ann Perry reviewed the exterior building materials and items discussed at the previous meeting. She questioned if the Commission would also like flexibility in the language to allow for additional materials.

Chair Crump thought that flexibility was allowed in the downtown district through the building process and did not know that he wanted any more flexibility in the residential district.

Commissioner Hultmann thought that a green roof should be an option for new construction buildings, and that an existing building would be tolerable to that amount of weight.

Chair Crump did not think that anything in the current ordinance would prevent a green roof and thought that an engineer would need to review any building to ensure that it would hold that amount of weight.

City Administrator Post questioned if the timetable provided was sufficient for the Commission.

Chair Crump thought that the City Council could push publicity and support of this item and the use of green technology to help market the City.

City Administrator Post advised that a firm was scheduled to present to the City Council in a work session next week the topic of branding and thought that incorporating various green technologies into the zoning code may be discussed at that time.

OTHER BUSINESS

Council Liaison Report

Councilmember Olson stated that the Lakeside Park has begun to be dug up.

Administrator Post confirmed that the contractor would like to finish the surface water management project by August 31st.

Councilmember Olson confirmed that the branding meeting would be held next week. She hoped for improvement in the appearance of the Wayzata Boulevard hillside landscaping on the east end of town.

City Administrator Post gave a brief update on the gateway landscaping project.

Commission Member Business

Commissioner Hoen stated that there were street improvements scheduled at Wolf Pointe that had been held off due to all the water main repair project and questioned the timetable for the MnDOT mill and overlay project.

City Administrator Post hoped that by the end of August the water main break repair project should be completed and also advised that the City seal coat project that would be completed in August.

Commissioner Hoen commented that he wanted to wait until the water main break construction repair was done before chip sealing the Wolf Pointe private road to prevent damage from occurring after the chip seal was finished.

City Administrator Post advised that the mill and overlay project would begin in September for Wayzata Boulevard / Old Hwy 12.

Chair Crump questioned if the roadway would be biker/pedestrian friendly and what could be done to encourage that.

City Administrator Post stated that MnDOT is doing the mill and overlay because they were pushed by both the cities of Long Lake and Orono in addition to Hennepin County. He was unsure that MnDOT would be willing to add shoulder widening to the project scope as there is a fixed project expenditure outlay and the County is primarily interested in a clean surface for plowing and adding to the life expectancy of the roadway. He

explained that the County would be reconstructing the road in the future using state turnback funds.

Commissioner Hultmann commented that he understood that MnDOT is doing this as a temporary fix to obtain a clean surface for plowing and that the County would then reconstruct the road in the near future.

Staff Business

City Administrator Post stated that another project, the Wayzata Blvd / Old Hwy 12 water main replacement, should be finished by the time the mill and overlay occurs. He advised that in the Lakeside Park storm water project the creek would be relocated to a more meandering design. He advised that the 2010 preliminary budget and levy needs to be submitted to the County by September 15th.

ADJOURN

Commissioner Hultmann moved to adjourn the meeting at 7:26 p.m. Commissioner Skjaret seconded. Ayes: all.

Respectfully submitted,

Terry Post
City Administrator