July 10, 2007

The City of Scandia Planning Commission held their regular monthly meeting on this date. In attendance were Chairman Chris Ness, James Malmquist, Peter Schwarz, Kevin Nickelson, Christine Maefsky, and Planner Richard Thompson. Malmquist made a motion to approve the agenda. Ness seconded the motion and the motion carried. Malmquist made a motion to approve the minutes from the June 5 meeting with corrections. Schwarz seconded the motion and the motion carried.

Mining Ordinance Public Hearing

Chairman Ness opened the floor to public comment. *Paul Hand*, 185th Street, asked what it means on page 12, section 5, "The City may require a blacktopped road if deemed necessary." *Planner Thompson* indicated this referred to an access road, not a city road. *Larry Engstrom*, 185th Street, asked about p. 10, Sec. 7.1 (E) and where it applied. *Thompson* replied that the only contiguous mining operations were Dresel and Tiller Corp. He also complained about the speed of dump trucks on the road. The Commission responded that was a police enforcement issue and the legal speed is 55 mph, unless posted. *Nan Fitzpatrick* from Bracht said she will contact drivers about the speed complaint, and they do have a sign at the exit asking trucks to go 35 mph. *John Lindell* presented written comments with four points that he addressed. First in Sec. 6.2 he recommended that the mining operator be required in its application a list of all violations charged against the operator during the past year. Second in Sec. 8.3(7) he suggested that bodies of water created in reclamation not be assigned a shoreland designation automatically which would allow higher densities than the normal AG zoning would allow. Third in Sec. 7.1(1) (A) the setback should be 100 feet and define what is allowed in the setback. Fourth in Sec. 7.1(19) (B) (1) suggests that there be a 1,000 foot setback from property lines and groundwater for asphalt and remix plants. *Steve Kronmiller*, Carnelian-Marine-St. Croix Watershed District, referred to the letter from Watershed engineer Dan Fabian and requested permitting is coordinated with the City to save time and money. *Paul Hand* asked how often the mines are inspected. It is proposed that they will be inspected annually by a City engineer. *Kirsten Pauley*, Tiller Corp. consulting engineer referred to Tiller Corp.'s letter of July 10 for their written comments. Also, *Pauley* said to have a 1,000 foot setback for an asphalt plant would require a bigger operation to meet that setback. *Fred Heinonen*, Lakamaga Trail, suggested the City ask what would be the benefit to allow mining in the groundwater versus the problems it could cause. *Natalie Fitzpatrick* asked if a licensed landscape architect referred to on page 12 is really necessary to prepare the Screening Plan, or could an engineer do it. *Thompson* said an engineer doesn't know plants and is probably more expensive than a landscape architect.

In Planning Commission discussion, Commissioner Schwarz, referring to page 8, Sec. 5.5, who would monitor protection of groundwater. Thompson said they've gone round and round with this and have no good answer. Schwarz suggested criteria be established. Commissioner Nickelson said he thought the City was going to disallow dewatering to protect the water table. It was suggested that the reference to dewatering be stricken, but then specifically state no dewatering would be allowed. Kronmiller suggested that

monitoring wells would measure water table as well as quality of the water, and a plan for monitoring wells (where, how many, how monitors) be in place as part of permit. Nickelson said the PCA provides some monitoring. Mike Caron, Tiller Corp., said they have secondary containment requirements on their asphalt/remix plant, and that the stuff is only liquid when heated. They also have storm water pollution control plans for the PCA. Planner Thompson will review the monitoring requirements.

Chairman Ness brought up the setback issue. Administrator Hurlburt relayed comments received from Mayor Seefeldt. These included considering increasing the 50-foot setback and defining what is allowed within the setback (screening, berms, etc.); making it the responsibility of the gravel business to apply dust control when necessary; disposal of tree waste and debris – making it clear that burying the waste is not an option; improving the restoration language in Sec. 8.2 – is progress continual, such as a restore as you go operation. Commissioner Maefsky said she would like the relationship with the Watershed District clarified. Thompson asked Kronmiller how they could work the Watershed's requirements/rules in with the City's process. Kronmiller stated that one way this coordination could be done is through a formalized "Memo of Understanding" between the city and the district. Planner Thompson will revise the ordinance per the comments received. The Planning Commission continued the hearing to the August 7, 2007 meeting.

Swanson Concept Plan for Major Subdivision "Old Marine Estates"

The Planning Commission reviewed a concept plan presented by John and Sandra Swanson for a major subdivision to be known as Old Marine Estates, located at 11980 Lakamaga Trail. The Swanson's propose to divide a 13.5-acre lakeshore property into four lots ranging in size from 2.6 acres to 4.4 acres. There is one existing home on the property. The Planning Commission discussed improving on the layout of the property, so that the configuration does not create a flag lot. Administrator Hurlburt stated that although Lot 4 does have a right angle configuration, it is not a typical flag lot as it does meet the 150-foot lot width. The use of a shared driveway was discussed, as the presence of a wetland across Lots 3 and 4 does make a driveway connection off the front of these lots difficult. The Planning Commission recommended that this wetland be delineated so that a more thorough view of the property can be worked with. The Swansons will get the wetland delineated and come back with a revised concept.

Building Height

Commissioner Maefsky recommended a review of the definition of building height, as its interpretation has been a confusing issue. It is different that the State Building Code definition. Administrator Hurlburt drew several examples to demonstrate different definitions of building height. Hurlburt said our codes result in higher peaks and that to follow the state building code would simplify things. Attorney Hebert said new codes were coming out. The consensus was to wait on proceeding with any Development Code

amendment to the building height definition until the updated State Building Code can be reviewed.

Architecture of Churches

Planning Commissioner Nickelson recommended a discussion on the architecture of churches, as Willowbrook Community Church was sent a letter in May asking them to consider that the new building they are proposing reflect the community's character. It was hoped that a standard could be decided on prior to the Willowbrook submission. The consensus was that the building be appropriate to a rural setting and fit the area's architectural style. City Planner Thompson recommended to the Planning Commission that they make observations on what their subjective ideas are and continue the discussion next month.

Malmquist made a motion to adjourn. Ness seconded the motion and the meeting adjourned at 9:40 p.m.

Respectfully submitted,

Colleen Firkus
Planning Commission Secretary