

**City of Lake Elmo
Planning Commission Meeting
Minutes of July 13, 2009**

Chairman Van Zandt called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Anderson, Bidon, Britz, Fliflet (7:04), Hall, Pearson, Van Erem, Van Zandt, Williams, Ziertman. Absent: McGinnis. STAFF PRESENT: Planner Matzek, Planning Director Klatt.

Introduction of New Commissioner – Todd Williams.

Mr. Williams provided his background and experience to the commission as he introduced himself.

Agenda

M/S/P, Hall/Anderson, to approve the agenda as presented. Vote 9:0.

Minutes – *None.*

Public Hearings – *None.*

Business Items – *Wireless Telecommunication Tower Ordinance*

Planning Director Klatt provided a summary of what work had been done to date and raised some questions for the Planning Commission to consider and provide feedback. Mr. Klatt introduced consultant Garrett Lysiak with Owl Engineering.

Mr. Lysiak described his work experience and his thoughts on city requirements for wireless tower applications, placement, search areas, and setback requirements.

Commissioner Bidon asked if companies pick locations that make the most economical sense for their coverage as the towers are expensive for the company to build. He believed it was important to provide service in parks.

Mr. Lysiak said a clear ordinance is necessary to identify the city's priority in placement of the towers. He also said that monopoles in which the technology is located inside the structure results in more towers as it limits the ability to update the antennas. He stated that a height requirement of 199 feet or less would not require lighting under current FAA guidelines.

Commissioner Hall asked if there was a threshold of service reduction that the city could not or should not ask of the applicant if requesting them to move their proposed tower to another location.

Mr. Lysiak said that if he helps to write the ordinance, it will be fair with possible wording added such as "reasonable accommodation."

Commissioner Williams asked if Mr. Lysiak could provide a table of coverage based on tower height to help evaluate how many more towers would be required based on the height requirement.

Mr. Lysiak said he could provide some general information, but it depends upon vegetation and elevation as well. He did not recommend that the City study individual sites as it would be very costly and provide little benefit to the City versus responding to individual applications from wireless carriers. He said that generally, at one hundred feet, four towers would be needed to substitute one tower at 199 feet.

Planning Director Klatt asked the commission to discuss the current minimum lot size requirement of 10 acres.

Commissioner Fliflet said properties less than 10 acres could be suitable, but her opinion would be to maintain a drop zone setback requirement. She suggested leaving a minimum acreage requirement out of the code.

A straw vote was held: eight in favor of fewer, taller towers; seven in favor of removing the minimum acreage (Pearson and Ziertman was against because they believed there should be some minimum acreage required).

Commissioner Fliflet said she would like to see performance standards for the associated equipment building located on the ground. She suggested they maintain a rural appearance.

Chairman Van Zandt took a straw poll to suggest expediting this item despite a moratorium until the end of the year. 8:1. (Fliflet against as she wanted to ensure everyone was heard.)

A five minute break was taken at 9:00 p.m.

Business Items – *Buffer Setback in Open Space Preservation Developments*

Planner Matzek introduced the item by saying that staff has found that a number of non-conformities have been created by the 2001 revision to the Buffer Setback in Open Space Preservation developments. In most cases, it appears this was unintentional as the older developments now have entire lots that would be considered unbuildable. Unfortunately, many of the newer developments also do not have reduced setbacks, thereby making vacant, platted lots unbuildable as well.

Commissioner Williams suggested adding the buffer setback information to the setback chart and not providing a City Council with too much authority in reducing or eliminating a buffer setback requirement in any future change to the ordinance.

Commissioner Fliflet said she would prefer to view each OP development individually to address non-conformities rather than providing a generic setback.

Commission Ziertman expressed a concern in reducing the buffer setbacks for existing OP developments and suggested taking into account the neighbors of those living adjacent to OP developments.

Business Items – *Recommendation on Economic Development Activities* – Tabled.

Business Items – *Special Event Permit Ordinance* - Tabled

City Council Updates

Planning Director Klatt stated that the City Council tabled the sign ordinance and approved the Storm Water Management and Erosion and Sediment Control Ordinance at the June 16th Council meeting. He said that the buffer setback was discussed at the July 7th Council meeting which resulted in the withdrawal of an appeal application from Mr. Pelletier for the denial of a building permit due to the setback and the approval of a setback reduction in the Tana Ridge and Parkview Estates developments.

Meeting adjourned 10:14 p.m.

Respectfully submitted,

Kelli Matzek
Planner