

CITY OF MARINE ON ST. CROIX

PLANNING COMMISSION

REGULAR MEETING

**Monday February 24, 2020 – 7:30 pm
121 Judd Street – Village Hall**

The City of Marine on St. Croix Planning Commission regular meeting of February 24, 2020, was called to order at 7:32 pm. Mrosła, Brenner, Spisak, Henry and Smitten present. Hagstrom and Sanderson absent.

Citizens Present: Brian Allen of All Energy Solar, John Waugh, Laurie Schmidt, Gwen Roden, Michael Tibbetts, Juli Hagstrom.

Public Hearing – Larry Whitaker – Variance Request

Mrosła opened the public hearing at 7:32 pm.

Larry Whitaker, 625 Pine Cone Trail, has requested a variance to install a ground-mounted solar array in the St. Croix Urban District. Brian Allen of All Energy Solar was in attendance to answer questions about the project.

Commissioners Henry and Smitten visited the site December 9, 2019. The proposed array would be adjacent to the garage, approximately 26.3 feet long, 12 feet deep and 11.5 feet tall, consisting of 16 panels.

Henry reported that the home satisfies the city's criteria for considering a variance. The roof does not provide enough access to sunlight for a roof-mounted array. The proposed structure will not alter the character of the property or neighborhood. It is away from the river bluff. The applicants will install vegetative screening to soften the view from street, and several trees already stand between the proposed structure and street. Eight trees would be removed.

The request is consistent with comprehensive plan's Housing Elements Goals and Policies, and aligns with the city's General Guiding Principles regarding stewardship of natural resources. The structure does not pose a safety risk and is not expected to impact neighborhood property values. It meets national and state codes, and the vendor has installed other arrays in neighborhood.

Smitten noted that she and Henry applied the zoning code's standards for a solar variance. In addition, they considered this as an accessory structure.

Resident Mike Tibbetts voiced his opinion that the city code should be clearer regarding microgrid generating. If the structures are considered equivalent to accessory buildings, it might

provide leverage to someone wanting a larger garage, etc. He also suggested prairie-type plantings beneath the array, with a thick turf that establishes the same kind of carbon capture as the lost tree canopy.

Allen replied, saying these topics come up often regarding codes for solar. They are something to consider but in his experience, there can be something of a double standard. A city wouldn't require prairie plantings for other types of accessory structures.

Tibbetts agreed that the microgeneration put the array "ahead of the game" in terms of carbon.

Gwen Roden asked whether the impervious surface might be overloaded, or whether that is considered on something without a floor or roof?

Smitten noted that, adding together the garage (704 sq. ft.) and panels (315 sq. ft.), the Whitakers remain under the maximum square footage allowed for accessory buildings. Spisak noted that the Minnesota Pollution Control Agency has a requirement that 25% of the ground mount solar array surface area be treated as impervious surface. Based on commissioner Smitten's calculation and comments, the Whitaker array along with existing impermeable surface would not exceed the limits for that property.

The commission asked Allen for more detail on the panels and he explained that it is a 6-kilowatt array, and gave information about the manufacturer. Wires will be guarded at the bottom of the array using a black mesh. Hooking up to the home will require trenching across the private gravel road.

Ron Brenner noted that the array would be visually conspicuous.

Smitten agreed, adding that this was a site-specific evaluation.

Chair Mroska closed the hearing at 7:57 pm.

Brenner moved with Spisak seconding to recommend approval of the variance based on findings listed. The motion was approved unanimously.

Mill Stream Cottages Planned Unit Development

John Waugh updated the commission on plans for the Mill Stream Cottages PUD. Design changes include reducing the target number of houses to 25 (plus renovating the existing home). The question of how to handle wastewater is a top priority. They are making plans for a neighborhood listening session in March, and beginning to prepare materials for a formal application.

Brenner noted that city staff is seeking the city attorney's opinion on whether multi-family residences akin to the Stugas might be allowed.

Roden asked about plans for water and Schmidt answered that they are planning to have a shared water system.

Short-Term Rental Ordinance: Set public hearing date

The commission briefly discussed the joint meeting with council February 19.

Spisak moved to set a public hearing for the April 28 Planning Commission meeting, 7:30 pm. Brenner seconded and the motion was approved unanimously.

Zoning Code progress update

Commissioners agreed to add topics for review to the group's spreadsheet before the next meeting.

Staff will email a note to commissioners with links to the latest version of the zoning code and the spreadsheet, with a reminder to add topics.

Cell Tower

The current plan is for Spisak, Smitten and Sanderson to together and bring a list of priority items to the larger commission.

According to Smitten, various resources are available to the group including a model ordinance and other documents specific to the St. Croix Valley. These were written after the 1996 Telecommunications Act. She also suggested looking at St. Croix County's wireless comm ordinance, which was updated in 2015. She would like the commission to take a step back and evaluate whether a variance is necessary.

Spisak noted that the League of Minnesota Cities also has a resource.

The small group will meet to create a list of topics to address.

Approval of January 2020 minutes

Smitten requested that the minutes be revised to read "sewer" rather than "septic" in the Kennedy public hearing, as the property is connected to city sewer.

Brenner requested a revision to the Mill Stream Cottages section regarding duplexes, change "fatal flaw" to "area of concern."

Brenner moved to approve the minutes with the two requested notations. Spisak seconded and the motion was approved unanimously.

Mrosla will be absent for next council meeting. The assistant clerk will update the council on the planning commission meeting.

Adjournment

Brenner moved and Spisak seconded to adjourn at 8:46 pm. Motion passed unanimously.

Minutes taken by Suzanne Dammann, Assistant City Clerk.