

**WAYZATA PLANNING COMMISSION
WORKSHOP MEETING MINUTES
November 3, 2014**

AGENDA ITEM 1. Call to Order, Roll Call and Approval of Minutes.

Chair Gonzalez called the meeting to order at 7:00 p.m.

Present at roll call were Commissioners: Pearson, Gonzalez, Tyacke, and Gnos. Absent and excused were Commissioners Ramy, Vanderheyden, and Iverson. City Planner Gadow was also present.

Chair Gonzalez stated the minutes to be reviewed are from the October 6, 2014 meeting.

Commissioner Tyacke stated on line 33, page 2, "owner's" should be changed to "owners." He stated Chari Gonzalez's last name was misspelled throughout the minutes and should be corrected.

Chair Gonzalez stated she had sent minor changes to Staff.

Commissioner Tyacke made a motion, Seconded by Commissioner Gnos, to approve the October 6, 2014 meeting minutes as amended. The motion carried unanimously.

AGENDA ITEM 2. Workshop Items:

a. Alternative Energy Ordinance Discussion

City Planner Gadow stated at their September 3, 2014 meeting, the Planning Commission expressed interest in discussing the topic of alternative energy and to review local ordinances on wind turbines and other forms of energy. He provided the Commission with an article from the Star Tribune regarding a case in Orono and it involves wind turbines. He stated Wayzata would like to put together one ordinance that would address alternative energy sources including wind turbines and systems, geo-thermal systems, and solar systems.

Chair Gonzalez stated the sample ordinances provided were from large area cities and semi-rural cities and the setbacks in these samples would not be possible in Wayzata. She asked if there were any State Laws that address wind turbines and if there were any sample ordinances from smaller communities.

City Planner Gadow stated State Statute 216.F.02 states that Cities cannot ban or prohibit small energy wind systems or large-scale wind turbines but they can put parameters and regulations around the citing and construction of these through their zoning codes. He stated he would research smaller communities that would be more comparable to Wayzata and review their alternative energy ordinances.

Commissioner Tyacke stated the League of Minnesota Cities has a model ordinance available.

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2 Chair Gonzalez stated she would like to see an ordinance that would be flexible enough to
3 include new technologies. She asked if the City had any feedback from residents regarding the
4 geo-thermal system at Presbyterian Homes.

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6 City Planner Gadow stated that there have not been any issues or concerns brought to the City.
7 Staff would contact Presbyterian Homes and get additional information regarding their geo-
8 thermal system.

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10 Chair Gonzalez asked what the Planning Commission expected to accomplish with this
11 ordinance.

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13 Commissioner Tyacke stated there were several solar systems and more than one geo-thermal
14 system being permitted currently. Builders are interested in using these systems.

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16 Chair Gonzalez stated Ramsey's Ordinance requires that for wind farms there needs to be a 500-
17 foot setback from residence and a noise level less than 50 decibels for 54 minutes every hour.
18 She asked if the City was trying to allow wind turbines and the sale of this electricity or limit the
19 use to individual properties.

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21 Commissioner Tyacke stated the Ordinance refers to individual use and if there is excess this
22 could be sold to Xcel Energy.

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24 Commissioner Pearson stated a model Ordinance was available in State Statute 216.F.06.B.

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26 Chair Gonzalez asked if it was a good idea to have access to this type of energy production in the
27 City of Wayzata.

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29 Commissioner Tyacke stated it would be a good idea because people are interested in
30 sustainability and if they can produce energy and lower the carbon imprint of the plant then they
31 should have the right to do so. It would also be good public policy that the City should support.

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33 Chair Gonzalez stated solar systems would be something that the City would support but she did
34 not know if wind turbines would be something the City could allow.

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36 Commissioner Gnos stated the City should find a middle ground for allowing alternative energy
37 sources and the visual and noise impacts these could have on the City.

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39 City Planner Gadow stated there is language from the State that is included in the City's
40 Comprehensive Plan that talks about opportunities for people to use solar systems but it does not
41 reference wind or geo-thermal systems.

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43 Chair Gonzalez asked if there were any environmental concerns when considering solar energy.
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1 City Planner Gadow stated Staff would look at these items more closely as the process moves
2 forward. He did not see the same challenges for small-scale residential systems as there would
3 be for larger uses.

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5 Chair Gonzalez stated solar use on private properties would be acceptable to the Commission.

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7 Commissioner Pearson stated he would not be objectionable but because of lot sizes and lack of
8 wind in the City, he did not believe the question of when turbines would not be something the
9 City would face going forward.

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11 Chair Gonzalez asked if the City should allow wind turbines.

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13 City Planner Gadow stated this would be something that would be dependent on size and
14 location.

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16 Chair Gonzalez stated the wind turbines are dangerous to birds and bats.

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18 Commissioner Tyacke recommended when looking at areas that could support alternative energy
19 sources City properties should also be reviewed. This could help to conserve energy and save
20 the City money.

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22 Commissioner Gnos asked if the City would want to look at these systems on a case-by-case
23 basis rather than trying to create an ordinance that would cover all potential applications. He
24 asked if these could be done through a Conditional Use Permit process.

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26 City Planner Gadow stated the CUP process could be used and if an application meets the
27 established criteria the City could approve the application.

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29 Chair Gonzalez asked how the City would change the language to include geo-thermal
30 technology.

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32 City Planner Gadow suggested some version of the CUP process for the approval of geo-thermal
33 systems could be used. There may be systems, such as nuclear fusion, that the City would not
34 want to allow.

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36 Chair Gonzalez suggested restricting the Ordinance to the systems that are known now and when
37 there are new technologies the Ordinance could be amended to address these.

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39 Commissioner Tyacke suggested the City consider restricting the use of outdoor wood burning
40 furnace systems.

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42 Chair Gonzalez asked if the Planning Commission had any questions on the definitions presented
43 by Staff.

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45 Commissioner Tyacke suggested he City start the process with the State parameters and
46 definitions of systems so the City is consistent with what is currently being used.

Chair Gonzalez asked if the Tree Ordinance would be brought back to the Commission.

City Planner Gadow stated Staff is currently working on getting answers to the legal questions asked by the Commission. Once these have been answered then it would be brought back to the Planning Commission for discussion and possible approval.

AGENDA ITEM 3. Other Items:

a. Review of Development Activities

City Planner Gadow stated the Planning Commission would review the 253/259 Lake Street application in December. The November 17 meeting would include the 151 Westwood Lane project. This meeting may also include the 165/213 Central Avenue subdivision. The 313 Central Avenue South subdivision would be meeting with the City Council for feedback. The Planning Commission would also discuss the 240 Minnetonka project in December or January.

b. Other Items

Commissioner Gnos reviewed the City Council meeting and actions taken by the Council including the Bushaway project, the approval of the McCormick's Restaurant expansion, and having delinquent utility charges added to the property tax rolls.

Chair Gonzalez stated there were several large trucks at McCormick's that were blocking the sidewalk.

City Planner Gadow stated they had talked about putting up a barrier to prohibit this.

AGENDA ITEM 4. Adjournment.

There being no further business, Commissioner Pearson made a motion, seconded by Commissioner Tyacke, to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 8:04 p.m.

Respectfully submitted,

Tina Borg

TimeSaver Off Site Secretarial, Inc.