

**MINUTES  
PEQUOT LAKES PLANNING COMMISSION/  
BOARD OF ADJUSTMENT  
REGULAR MEETING  
JANUARY 16, 2020**

PRESENT: Andrew Birch, Laura Larson, Nathan Norton, Tom Paulbeck and Wesley Wilson. ABSENT: Mark Hallan and Christopher Savino.

CITY PLANNER: Justin Burslie, Sourcewell

ZONING SPECIALIST: Dawn Bittner

COUNCIL LIAISON: Scott Pederson

The meeting was called to order by City Planner Burslie at 6:00 PM.

**ELECT A CHAIR AND VICE CHAIR:**

**Planning Commission Member Paulbeck nominated Andrew Birch as Chair. Planning Commission Member Wilson seconded the nomination. All members voted “aye”.**

**Planning Commission Member Norton nominated Wesley Wilson as Vice-Chair. Planning Commission Member Paulbeck seconded the nomination. All members voted “aye”.**

**PUBLIC HEARINGS:**

**APPLICANT: Nathan Walberg**

**Applicant requests a Conditional Use Permit Amendment to Remove Condition #4**

Mr. Burslie explained the Staff Report. Applicant was represented by Danelle Walberg.

Mr. Burslie explained the request is to remove Condition #4 requiring a floor drain/sediment trap. No other conditions can be discussed unless requested by the applicant.

**PUBLIC COMMENT OPENED:**

No public comment.

PUBLIC COMMENT CLOSED.

**A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Paulbeck, to remove Condition Number 4 requiring a floor drain/sediment trap. All members voted “aye”. Motion carried.**

**APPLICANT: Curt Johnson, on behalf of Jerry and Lois Akerson  
Applicant requests an Ordinance Amendment to allow Ground Mounted Solar**

Mr. Burslie explained the Staff Report. Applicant was present. Mr. Burslie noted the Ground Mounted Solar is listed as Excluded in the Patriot Development on the Matrix; this could be a Permitted use instead.

Curt Johnson stated he is the representative for Jerry Akerson for this solar project and is working with John Vaughn of Rural Renewable Energy Alliance (RREAL) out of Pine River. This project would be very similar to the project next to the Pine River School. This project would be ground mount solar which may encompass 20 to 30 acres. The reason the project is that magnitude is that the substation near the Akerson property is a Minnesota Power substation, which is a prime energy generator and distribution of power out of that. Minnesota Power is interested in renewable energy. He further stated he has reviewed the proposed ordinance and supports it.

Chair Birch reminded the Planning Commission that this project is not being approved; this is for an ordinance amendment to allow ground mounted solar which could affect future projects as well.

Mr. Johnson stated he would encourage this be included in the Patriot Development zone.

Chair Birch stated he had concerns with the proposed amendment creating unnecessary burdens for small, ground mounted backyard solar and the requirement for permits and fees. One goal of putting permitting on these would be to ensure we don't have a massive industrial scale solar farm next to a residential home. One tool we have built into our ordinances is impervious coverage. Even without permitting, someone wanting a solar farm would need to come to the Planning Commission for a variance to increase their impervious coverage. Another tool to consider would be the zoning classification and the size of the solar project.

Planning Commission Member Wilson stated screening had been included in the proposed amendment. He is familiar with the area for this project. Mr. Johnson stated the property is zoned Agriculture. Mr. Johnson stated screening of solar projects is

tricky; you need to consider shading, etc. Planning Commission Member Wilson noted he was concerned as viewed from the highway. Mr. Johnson stated he would prefer not to use a 12-foot chain linked fence with slats. Lilacs bushes would be nice, with a fence for security as there is high voltage on the ground. The developer of this project would be a competent electrical developer of projects of this type and size.

Planning Commission Member Paulbeck stated solar farms in a more rural/residential area could intrude on the quality of life. Screening could be a factor in those areas.

Council Member Pederson asked if this project would be a residential or commercial farm. Mr. Johnson stated it would be a commercial grade utility. Council Member Pederson inquired the size of the project. Mr. Johnson stated approximately 20 acres, with 14 to 16 acres of panels. Mr. Pederson stated a lot of projects require screening. Mr. Johnson pointed out the solar farm between Clear Lake and Clearwater is distracting. Council Member Pederson stated they can be made aesthetically pleasing.

Mr. Burslie stated the definition for Ground Mounted Solar doesn't state the size, whether it is 1 panel or 100 panels. The commercial solar arrays could be permitted as conditional uses, with strict conditions on screening. You could require a detailed screening plan, go through the public hearing process. That process is probably not what we would want to do with a residential unit. There could be a commercial category and a residential category.

Planning Commission Member Larson stated commercial suppliers should be required to go through the permitting process. Mr. Johnson stated the City is not unreasonable requiring a conditional use permit for a solar garden.

Mr. Johnson stated he was hopeful the City would be open to looking at ground mounted solar. These types of projects take a long time to plan and complete.

Chair Birch asked if this could be tabled and have the proposed amendment rewritten to include residential and commercial language. Mr. Burslie stated it sounds like we have time to amend the ordinance. Mr. Burslie asked Mr. Johnson if he has seen other ordinances that break it down by size, kilowatt, or residential and commercial. Mr. Johnson suggested the default could be size of panels. Mr. Burslie asked if it could be written on the amount of electricity the panels provide. Chair Birch stated that shouldn't matter; it is the aesthetics and livability next to them that is important.

Mr. Johnson and RREAL will provide additional information for the next meeting.

**PUBLIC COMMENT OPENED:**

No public comment.

PUBLIC COMMENT CLOSED.

**A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Paulbeck, to table this Ordinance Amendment request to gather additional information. All members voted “aye”. Motion carried.**

**APPLICANT: City of Pequot Lakes**

**Applicant requests an Ordinance Amendment creating the Patriot Development Zone**

Mr. Burslie explained the Staff Report. This amendment was discussed most of last year and it has been online.

PUBLIC COMMENT OPENED:

No public comment.

PUBLIC COMMENT CLOSED.

**A motion was made by Planning Commission Member Paulbeck, seconded by Planning Commission Member Larson, to recommend the City Council approve the Ordinance Amendment creating the Patriot Development zoning classification. All members voted “aye”. Motion carried.**

**APPLICANT: City of Pequot Lakes**

**Applicant requests an Ordinance Amendment regarding Lighting in the Public Zone**

Mr. Burslie explained the Staff Report. This amendment came about regarding lighting of the American Flag. He pointed out the email on the table from the Public Works Director and that the suggested 2 candles is not adequate to light a 30-foot flagpole. When asked for clarification, Mr. Burslie stated this revision is only for the Public zone.

Planning Commission Member Wilson brought examples of downward directional lighting where you wouldn't need to worry about vandalism and safety. The examples include hard wiring and would provide the necessary LED light; prices ranged from \$180 to \$2,500. There is no need to have upward lighting. He had spoken with a maintenance person from Flagstaff, Arizona and they have been delighted with the downward lighting and have had no issues with it. Their lights are solar, not 110. They can get up to 3' of snow and have occasionally had to use a boom truck to clear them off.

We should look into this; it would be more attractive. One of the 12 volt actually turns with the flag.

Chair Birch is in favor of the downward facing options. The Bobber Tower lights are very bright. Any of the upward facing options will contribute to light pollution. It is very difficult to see any stars in town; it is a quality of life issue. It is not in our best interest as a Planning Commission to allow upward facing lighting in the Public zone only. He is very hesitant to allow the City to do something the citizens can't do.

**PUBLIC COMMENT OPENED:**

Dan Ronning, Chair of Park Commission – Mr. Ronning stated he planned to propose up-lighting but was unable to find suitable up-lighting. The proposals provided by Planning Commission Member Wilson sound like they would work. Light pollution is not an issue for him. He asked how the addition of lighting on the top would affect the 30 foot flagpole.

Chair Birch strongly recommended not using solar lighting unless there are strong testimonials to support it. Discussion ensued regarding the different hard-wired examples Planning Commission Member Wilson had provided.

Mr. Ronning suggested a light on the pole 8 to 12 feet from the ground. That would be easy to maintain and too high for vandalism. Maintenance at the top of the pole during the winter is an issue. He is in favor of an up-lighting system on the pole.

**PUBLIC COMMENT CLOSED.**

It was the consensus of the Planning Commission that alternatives to up-lighting should be researched.

**A motion was made by Planning Commission Member Paulbeck, seconded by Planning Commission Member Larson, to table the public hearing to research alternatives to up-lighting. All members voted “aye”. Motion carried.**

**Public Hearings closed.**

**ADDITIONS OR DELETIONS TO AGENDA: None.**

**OPEN FORUM: None.**

**NEW BUSINESS:**

**a. 2019 Year End Report**

Bittner pointed out the increased number of applications; 71% of the applications are handled by Staff as over-the-counter applications.

**b. 2020 Liaisons to City Council**

Bittner explained at times the City Council may have questions for the Planning Commission Member or that she may need support from the Planning Commission Member when explaining recommendations to the City Council. This also gives the Planning Commission Members an idea of what takes place with their recommendations. Chair Birch stated he would likely be available to attend Council meetings should the scheduled liaison be unable to attend.

Bittner noted the City Administrator has requested the Planning Commission hold a December meeting, if necessary.

**OLD BUSINESS:**

**a. Downtown Plan Update – Neighborhood Evaluation**

In an effort to move the Neighborhood Evaluation along, Chair Birch suggested holding a Special Meeting devoted to that purpose. It was agreed 6:00 PM was a good time and that the meeting would not last more than 2 hours. He requested an editable format be emailed to all Members. Each Member volunteered to take certain streets or sections of town. In addition to Incremental Repair, a category would be added for Future Design Considerations. The Executive Summary will be reviewed when the Neighborhood Evaluation is completed.

The Special Meeting will be held Tuesday, January 28 at 6:00 PM.

**b. Downtown Plan Update – Executive Summary**

This will be reviewed when the Neighborhood Evaluation is completed.

**APPROVAL OF MINUTES:**

**A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Paulbeck, to approve the November 21, 2019 Minutes. All members voted “aye”. Motion carried.**

**P & Z ADMINISTRATOR’S REPORT:**

Bittner pointed out the 3 permits issued in November and December and the 8 letters or emails sent. The following Potential Violations/Enforcement Actions were discussed:

1. Nathan Walberg – Bittner presented the photographs from the drone flight.

**ADJOURNMENT:**

**A motion was made by Planning Commission Member Paulbeck, seconded by Planning Commission Member Larson, to adjourn the meeting. All members voted “aye”. Motion carried.** The meeting was adjourned at 7:47 PM.

Respectfully submitted,

Dawn Bittner  
Zoning Specialist