

APPROVED
Minnetonka Beach Planning Commission Meeting Minutes
May 15, 2023 – 7 pm

1. Call to Order

Chair Breazeale called the meeting to order at 7:00 pm.

2. Roll Call

Present: Commissioners Anderson, Blodgett, Breazeale, Finnegan, Steinfeld, Swanson, Wortman and Council Liaison Halverson

Absent: none

Staff in attendance: City Administrator Heidi Honey, Zoning Administrator Phil Carlson, City Engineer Alan Offerman, Public Works Superintendent Jason Hilgers

3. Approve Agenda

(Anderson motion, Steinfeld second to approve the agenda; all ayes.) Motion passed.

4. Approve Minutes

4.1. Regular Meeting of April 24, 2023

Wortman asked to switch “AMBS” and “AMLS” on page 3 of 17.

(Steinfeld motion, Wortman second to approve the Regular Meeting Minutes of April 24, 2023 as amended; Ayes: Blodgett, Breazeale, Finnegan, Steinfeld. Abstained due to absence at previous meeting: Anderson and Swanson) Motion passed.

5. Public Hearing – MN Shoreland Rules and City Code Amendments for DNR

5.1. Building Height, Water-Oriented Accessory Structures, Impervious Surfaces, Lot Width, Septic Systems
Breazeale opened the public hearing at 7:04 and closed at 7:04 pm. No comments.

Breazeale reviewed the process stating the Planning Commission should discuss any additional comments on Ord. 140 and recommend approval of the ordinance by council. He reminded commissioners that conditional approval of the code amendments was received from the DNR and Planning had addressed their comments on impervious surfaces and boulder walls at the last meeting. He asked if anyone wished to discuss the ordinance any further before sending it to council for final approval. No comments.

(Steinfeld motion, Blodgett second to recommend City Council approve Ord. No. 140 as titled - An Ordinance Amending the Zoning Ordinance Regarding: 3.3 Common District Requirements – Building Height and Septic Systems; 3.4. Lot Size; 3.7.(F) Shoreland District – Water-Oriented Accessory Structures and Hardcover; and 8.4. - Definitions; all ayes.) Motion passed.

6. New Business

6.1. Water Treatment Plant – Introduction of General Concept for future Conditional Use Permit (CUP)

Breazeale stated this is information for the Planning Commission and they would not be providing a recommendation at this point but will brief council on the discussion and provide comments on what is being presented. Honey added that Planning will need to make a recommendation on a conditional use permit (CUP) in the future to build the water treatment plant. She added that they did the site visit prior to the meeting to get an understanding of the land and they are looking for feedback because a CUP will be required to be reviewed and want to address concerns before they get too far in the design phase.

Breazeale then asked commissioners to think of any questions or comments while they listen to Offerman. Offerman stated they wanted to get feedback from the Planning Commission because a CUP will be required for the project, and they do not want to be too far into design at the time of the CUP public hearing road. He added if something is not agreeable to Planning or Council, they want to address any concerns early. Offerman then provided history that Stantec and staff have been working on the water treatment plant since before the water tower project. When the water tower was being discussed, there was also discussion about the potential water treatment plant and the city went through exercises on determining the best path forward for water treatment. When the water tower location was decided, the water treatment plant was earmarked for the location as presented. In December 2022, council approved design of the water treatment plant. Since that time, there have been some discoveries about possible additional treatment that may be needed (PFAS), and they can incorporate that into the design.

Offerman then discussed access and reviewed two figures in the packet. One is an aerial photo which shows the entire area and the proposed location of the plant, driveway, and potential tree removals. The other shows the impact of potential removal of trees 4 inches or larger. Offerman went on to explain that the drawings provided are conceptual with general but, not exact, size or locations of the plant or driveway. The plant size and shape may change through the design process. The driveway as proposed is accessed via Arcola and Woodbridge. Large heavy trucks will be needed to build the plant and afterwards for filter material and chemical delivery. There is no place to turn around. It is dangerous to exit via Woodbridge Rd on to 15 in a car and extremely difficult for a large truck. For safety, the vision is a one way in at Woodbridge and out on Arcola. Stantec will review the size of trucks to ensure this route will work. By using a pull through driveway, it minimized the impact on the size of the building site. Offerman then discussed that the existing plant would likely be demolished, has exceeded its life expectancy and needs repairs. It would continue to treat water until the new plant is operational.

Offerman stated the construction site is limited by many conditions like changes in elevations, pond locations and trees. The plant is shown generally in size but will be confirmed in location and placement with the design process. The solid green area on the map shows minimum trees required to be removed to build the approximate 50 x 50 plant but excavation is much further beyond the walls of the building. The green hatch marks are additional areas that may be disturbed and trees removed for dirt, materials, trucks, supplies, etc needed during the building of the plant. There is an option to stage and store materials on Woodbridge Road and Arcola which would put undue stress on the road, the road will need to be reconstructed and it would be costly. The build would take approximately 2 years.

Offerman then discussed that per city code, the city would need to mitigate increased hardcover with a stormwater BMP and the hope is to keep the existing backwash pond as a BMP so another one will not have to be built. The alternate BMP as drawn is a backup plan in the event they cannot design as they currently plan. Once the plant is built, the green hatched area could house public works storage for woodchips and other items that are currently housed near the area where the plant is proposed to be built. There was also discussion about replanting in that area. Offerman stated they are only removing trees needed to build the plant.

Offerman discussed water and sewer connections. The desire is to connect near the water tower closer to the water main which would be located under the driveway off Woodbridge. This would minimize tree removals. Connection at Arcola would require additional tree removals and directional drilling. They also need to connect to Arcola for three phase power.

The city has 2 wells: #1 is in the current plant and #2 is located outside - north of the water tower. Both wells will be connected to the new water treatment plant. The location of well #2 dictates access to the plant and driveways. The location of Well #2 doesn't allow a driveway to go from the current plant to the

new plant. Nothing can be built within 50 feet of a well and the new plant can't be built in the current plant location because they need to treat water during construction, they also can't excavate that close to an existing well, and the new plant is larger. The current plant was inspected and there were numerous deficiencies noted in the building and its treatment equipment. Treatment of emerging contaminants would also not fit in the existing building. There was discussion about removing the old building to offset an increase in hardcover even though the property would be under the 30% standard. Per code, any increase of runoff must be mitigated. Breazeale stated the building is very small, would not mitigate much and may be useful. Trees cannot be planted within 50 feet of a well so they cannot be planted there. Offerman stated the driveway will be built to use the utility corridor, but a 30 ft wide area is needed to properly install utilities. Offerman reviewed the project schedule and stated that they have been talking about this with council and staff for a long time but had not presented this level of detail. He asked that before they get too far into design that they address any comments, questions, or concerns on the preliminary site plan so when they come back with the CUP, they are addressed.

Carlson stated a Conditional Use is a permitted use to which reasonable conditions can be attached. Conditions can be attached to the CUP which typically would be things such as landscaping, lighting, parking, traffic flow or other things that would impact the neighborhood. It is very unusual to deny a CUP. Planning recommends and city council makes final approval.

Breazeale then stated Stantec is in design phase and are looking for comments that may help guide the design and they will see more details later. Wortman expressed concerns about the Arcola Woods and stated although this is commercial, there are homes built nearly the same size and may not impact the area as much as this seems it will. She stated that people in the area may be ok with staging and storing things along the roads to save some of the woods. Ashe also expressed concerns about the width of the driveway and maybe they could make it narrower since the width shown is for construction. She suggested possibly paying additional expenses to retain some of the woods. Offerman stated their goal is to save as many trees as they can. The temporary driveway would not be any wider than the permanent driveway. Breazeale stated they should make sure the driveway looks like a driveway and possibly gate it off, so it does not turn into a cut through to drivers. Hilgers stated they will work on that design. Hilgers stated the location of the driveway is important to the design of the building because the inside of the structure is designed so the chemical area would need to connect to the driveway. Breazeale discussed there are many standards required for delivering liquids and solids. Wortman suggested they make the driveway as close to the building as process. Offerman stated they will have it as close as possible with the design. Finnegan asked if there was a way to do this without having semi's needing to access the plant by dropping things at Woodbridge and using a bobcat to bring them in to the plant. That would not work. Breazeale explained the area needs to hold all of the supplies for building including 50 ft tresses and other materials. There will be excavated dirt stockpiles for use in grading later. He stated that 2 to 3 times the size of the building is needed. The north side shown with green hatch is currently used for chips, leaves, gravel and sand. Swanson stated she also has concerns about loss of trees and suggested everyone read the Comprehensive Plan which states the goal is to retain the wooded village atmosphere. She thinks this plan looks to remove one third of the trees. The city is working hard to come into compliance with the model ordinance and they try to work to reduce run off to the lake, but this project increases hardcover. The city told the DNR that the city has a lot of open space and this would convert a large part to hardcover. She found it to be sad. She encouraged the city to consider alternatives that are less destructive such as using the current plant. Wortman stated she understands the plant is needed but wants to make sure they are doing everything they can to minimize tree removals and if it is not possible, it's not possible. Hilgers stated there is very little space to put the plant. Breazeale suggested clearing the minimum area they think they will need to build and clear additional trees if needed after that instead of clearing a large area right away. He stated they would like to try to save the trees to the east of the proposed driveway. Hilgers stated when you walk in the area, there is a lot of open space without many trees. Offerman stated there will still

be a significant buffer between the road and the plant. It would not change the character of the neighborhood. Existing trees on Arcola would remain. A majority of trees they are talking about are in the interior. Swanson asked when residents on Arcola and Woodbridge would be notified of the plan. Honey stated there is a section on the website with the information. Breazeale stated when the water tower was discussed, there was a lot of public input and resistance on it being located on the west side, and there was a lot of council discussion. The resistance and discussion is what determined the plant in the location as presented. Offerman added they are just following what was decided by council a few years ago.

Breazeale summarized the comments:

It's a big impact on the woods, would have liked to see a different plan but based on previous decisions there isn't one.

With location as proposed is there way to minimize impact on the trees?

Can we minimize or reposition the driveway to reduce impact of tree removals?

How much can the city replant the other side of public works and the impacted area to screen and plan for the future?

Minimize the driveway to minimize hardcover and to make sure the it looks like a driveway and not a road.

Carlson stated a 30 ft wide trench is required on the south side for utilities from Woodbridge to the plant and a 16 ft wide driveway is needed from the plant to Arcola.

Swanson does not see how this aligns with city goals and DNR codes for a lake adjacent community.

Breazeale stated it is difficult to provide safe water and also minimize impact to trees.

Wortman again suggested short term construction alternatives be considered to minimize long term effects on the woods. It may be less expensive to repair the roads from storing and staging materials than replanting trees. Offerman stated staging area and staging along the road creates a lot of issues with having to replace infrastructure with roads and also traffic issues and it would be significantly more expensive to repair than replant. Breazeale stated it would be a long way to go for trips to get materials. OSHA requires 18 ft wide trenches plus each utility requires 10 ft distance apart. It only impacts from the plant to Woodbridge. A landscape architect would be involved in the planning.

Breazeale summarized again

1. Swanson expressed concerns about location and exploring a new one. Location already decided. There was not consensus on this concern and discussion that there are really no other options.

2. Minimize impact on the woods during construction

3. Design driveway to be minimum width that is required for one way vehicle access. It would be wider at the access points and can narrow. Finnegan still expressed concerns about the need for large trucks.

4. Stantec will provide a planting plan

Carlson discussed they could put conditions on the CUP later such as minimize lighting to minimum for safety to keep lighting similar as today. Daily maintenance will remain the same as it is now.

7. Old Business

7.1. MN Shoreland Rules and City Code Update –Reorganization of Code/Alignment with DNR Model Ordinance - Chair Breazeale

Breazeale stated he is now looking at reorganizing the 2017 code into the same order of the DNR model ordinance and the same numbering system to compare them. Mayor Pagano had asked how long he thought it would take to complete the DNR compliance project. Breazeale said he did not know until he reorganizes and determines what still needs to be done. After he completes the reordering, he will have a better idea of what else needs to be updated and they can start working on comparing them. He is trying

to keep the same wording and changing ordering and numbering. He will try to do this before the next council meeting.

8. Reports

Halverson reported the water treatment plant was discussed and Council chose Option 1 which is to design the PFAS treatment as an alternate to build at a later date due to the expense.

Steinfeld will not be at the next meeting. Commissioners decided to move the June meeting to June 27th.

9. Adjournment

(Steinfeld motion, Anderson second to adjourn; all ayes.) Motion passed.

Chair Breazeale adjourned the meeting at 8:19 p.m.

PUBLIC IN ATTENDANCE – The following individuals were in attendance: Task Force Member Susan Enlow.

Minutes respectfully submitted by City Administrator Heidi Honey

Heidi Honey, City Administrator