

1. **CALL TO ORDER** – Chair Kris Kopitzke called the meeting to order at 7:00 PM
2. **PLEDGE OF ALLEGIANCE** – was recited.
3. **Oath of Office** – Kuchen Hale
4. **ROLL CALL** – Present: Kris Kopitzke, Sally Doherty, Christian Dawson, Doug Parker, Roger Bowman, Justin Sykora, Kuchen Hale. A Quorum was present. Absent were Scott Patten & Scott Langan (excused).
ALSO IN ATTENDANCE – Mayor Palmquist, City Administrator Ron Moore
5. **APPROVAL OF AGENDA** –
Motion/Second Hale/Doherty To approve the agenda for the May 6, 2019 Planning Commission meeting. Passed 6-0.
6. **APPROVAL OF MINUTES** –
 - A. February 4, 2019
Motion/Second Bowman/Sykora To approve the minutes of the February 4, 2019 Planning Commission meeting. Passed 4-0-3 (Doherty, Hale, Dawson abstain due to absence).
 - B. April 1, 2019
Motion/Second Parker/Kopitzke To approve the minutes of the April 1, 2019 Planning Commission meeting. Passed 5-0-2 (Doherty, Hale abstain due to absence).
7. **REPORTS AND PRESENTATIONS** - None
8. **PUBLIC HEARINGS** – none
9. **NEW BUSINESS** – none
 - A. City of Lake St Croix Beach Draft 2040 Comprehensive plan
Discussion was held over septic and well systems, ground and surface water management, municipal sewer system.
Comments: maintain low density development along border, concerns about water quality/would like to see the updated implementation plan for water management, address exploration of city sewer, desire to have a collective effort on water issues, land density and monitoring of existing septic systems.
Motion/Second Kopitzke/Hale to recommend providing comments listed above to the city council regarding the City of Lake St Croix Beach draft 2040 Comprehensive plan. Passed 7-0-0.
10. **OLD BUSINESS** –
 - A. Election of Officers - Secretary
Motion/Second Dawson/Doherty To nominate Doug Parker for Secretary. Passed 6-0-1 (Parker abstain).
 - B. Review & clarification of elements of PLCD ordinance language
 - a. Discuss approaches to prohibit further subdivision of PLCD lots.
Sykora asked what happens if the HOA dissolves over time? Language is needed.
Administrator Moore stated that the responsibilities go back to the city and city can assess for maintenance expenses.
Sykora asked if HOA dissolves do the majority of owners take place of the HOA?
Doherty recommended changing language to read “and/or” any government having jurisdiction.
Dawson stated approval should be required of all people in the PLCD and abutting landowners.
Hale stated it has to stay within the PLCD, not abutting properties.
Moore stated there are limitations on a city empowering abutting properties to have control.

- 56 Doherty asked why are there particular constraints on these parcels and groups if changes occur in
57 future?
- 58 Bowman stated that a PLCD development was an exception to agriculture, not zoned RR.
- 59 Hale stated if the HOA dissolves, falls under city jurisdiction.
- 60 Dawson stated that a PLCD is allowed in areas they typically can't be in due to the conservation benefit.
61 If it is developed more, it loses the conservation element and restriction of further development.
- 62 Doherty stated that if changes occur in the future in Afton's density; the ordinance could be changed
- 63 Kopitzke stated that the language like this is already in the ordinance, question is if there should be
64 more.
- 65 Sykora asked about the intent
- 66 Hale stated the reason to allow the higher density is to have contiguous open space.
- 67 Moore stated that if density were to change, the Met council would have to approve, likely regional
68 sewer. Would take time.
- 69 Dawson stated that in the event of HOA disbandment, the city could hire someone to run, the
70 management company would follow covenants.
- 71
- 72 b. Clarify the purpose and language of the conservation easement requirements
- 73 Doherty stated that neighbors shouldn't have control over other properties.
- 74 Bowman stated that the purpose was to protect values.
- 75 Kopitzke not enough incentive for developer to try.
- 76 Hale would like it to include language that the MN Land Trust has to agree to be involved.
- 77 **Motion/Second Doherty/Hale to change language to read:**
- 78 **Sec. 12-2380. Final development plan.**
- 79 **E. The applicant(s) shall grant a Conservation Easement which shall run with the land in**
80 **perpetuity to the City of Afton, ~~all of the owners of the lots and parcels to be created in the~~**
81 **PLCD, ~~all land owners of property within Afton abutting the PLCD~~ and the Minnesota Land**
82 **Trust (or similar independent third party approved by the City of Afton), which restricts the**
83 **lots and parcels, as well as the development rights on the undeveloped parcel(s), within the**
84 **PLCD to the number of dwelling units approved for the PLCD and the land cover and use**
85 **approved by the City of Afton as a part of this PLCD.**
- 86 Moore stated that the MN Land Trust needs to approve of the HOA covenants.
- 87 **Hale friendly amendment (accepted) to include language "MN Land review and approve the**
88 **HOA covenants".**
- 89 **Motion vote: Passed 7-0.**
- 90
- 91 **Motion/Vote Hale/Dawson Add language that "The MN Land Trust (or similar independent**
92 **third party approved by the City of Afton) provide written statement that they will agree to the**
93 **conservation easement over the land prior to final PLCD approval." Passed 7-0.**
- 94
- 95 c. constraints on open space parcel
- 96 Dawson questioned what is definition of developable land to get credit for density?
- 97 Kopitzke asked about use of open space - are trails are allowed? Ag? Soccer field?
- 98 Hale stated that we need to see what MN Land Trust rules are before adding any language
- 99 Sykora stated we need to define natural area and have it spelled out in easement language
- 100 Bowman stated it has to be appropriate use for that particular piece of land. How is use enforced?
- 101 Kopitzke would like a copy of conservation easement for review next month.
- 102 Sykora define open space (next month).
- 103
- 104 C. Pervious Pavers
- 105 Sykora asked what is the benefit unless water is captured and treated? It is good to slow down flow
106 but doesn't treat problem. Function of design and maintenance.

107 Parker stated that it only works if ground is not already saturated. Other issues are maintenance,
108 how to measure permeability, can't use salt.
109 Bowman stated that the purpose was to find a way to get more hard surface without violating
110 pervious surface requirements.
111 Hale stated that we need to know storm drain capacity. If pervious, how do we capture and treat or
112 be sure it goes toward storm drain?
113 Dawson stated that there needs to be guidelines to show how it can be allowed and done correctly.
114 Doherty stated that it would be a nice option for property owners.
115 Kopitzke likes the 50% rule like Minnetrista has.
116 Hale asked when was the ordinance created? What was the intention? What is capacity of system?
117 Kopitzke state that we need current ordinance, capacity, draft ordinance language for next month.
118 Bowman stated that he would vote against change. Cannot measure and control or do anything
119 about it if there are violations.

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121 E. Update on City Council actions
122 Council member Wroblewski provided a summary of the April City Council meeting.
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124 **11. ADJOURN**
125 **Motion/Second Parker/Doherty To adjourn. Passed 7-0.**
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127 Meeting adjourned at 9:12 PM.
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132 Respectfully submitted by:
133
134 JY
135 Julie Yoho, City Clerk
136

137
138 **To be approved on June 3, 2019 as (check one): Presented: X or Amended: _____**