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The meeting was held in-person, with participation via Zoom also available.

1. **CALL TO ORDER** – Chair Kopitzke called the meeting to order at 7:00 pm.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL** – Present: Jacob Edwards, Justin Sykora, Kris Kopitzke, Marc Porupsky, Kuchen Hale, Doug Parker. A quorum was present. Absent were, Sally Doherty & James Langan (both excused). Christian Dawson arrived after roll call.  
**ALSO IN ATTENDANCE** – City Administrator Ron Moore, City Council member Stan Ross, Planning Consultant Claire Michelson
4. **APPROVAL OF AGENDA** –  
**Motion/Second Porupsky/Hale To approve the agenda for the August 7, 2023 Planning Commission meeting. Passed 6-0**
5. **APPROVAL OF MINUTES** –  
**Motion/Second Porupsky/Kopitzke to approve the minutes of the June 26, 2023 Planning Commission meeting. Passed 4-0-2 (abstain due to absence)**  
  
Christian Dawson arrived
6. **REPORTS AND PRESENTATIONS** none
7. **PUBLIC HEARINGS**
  - A. Solar Energy Systems Ordinance Amendment – Ordinance 04-2023  
Chair Koptizke opened the public hearing at 7:03 pm.  
Administrator Moore provided a summary of the amendment which was recently revised to eliminate specific square footage restrictions on ground-mounted solar arrays that are fully screened, in favor of two specific restrictions related to generating capacity. The purpose of both of these restrictions was to provide a clear delineation between residential solar arrays and commercial solar arrays.  
  
Marea Clark, 2164 Oakgreen resident, stated she plans to install solar and also use property for agricultural uses. Does this amendment allow for additional electric needs due to ag use? Wants to locate pollinators and other plants under the panels, the height limit will restrict what can be put under the panels, don't limit the ag value underneath.  
Mike Moorhead, Quant Ave S., currently has solar panels. Would like to know what the changes are, why there is a need to regulate the size and screening.  
No other comments  
**Motion/Second Parker/Sykora to close public hearing. Passed 7-0**  
Hearing closed at 7:15 pm  
  
Parker clarified that this only applies to ground mounted, not roof (correct)  
Hale stated there could be an issue with screening of 90%. Screening could impair / shade the panels.  
Parker asked if screening is evaluated from day 1 or after vegetation is mature.  
Proximity of neighbors should be considered in screening requirements. If there is a large setback is screening necessary.  
Sykora asked for panel height recommendation. (36" minimum, 6 to 8' max)  
Discussion was held on screening requirements and timelines for vegetation growth.  
Hale suggested the requirements for screening should be different for agricultural properties.

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**Motion/Second Kopitzke/Sykora to adopt the ordinance amendment as proposed with the following changes:**

**Repeat the text “for ground mounted systems” consistently in paragraph 2 a – c.  
Add language “90% screening substantially completed within 5 years”.**

**Vote: Passed 5-2 (Parker, Hale nay)**

**8. NEW BUSINESS** none

**9. OLD BUSINESS -**

A. Draft Shoreland Ordinance Amendments regarding Tree Protection & Replacement  
Administrator Moose provided background on the Ordinance amendments: The Planning Commission, at its June 5 meeting, discussed the ordinance amendments related to tree protection and replacement, and provided the feedback outlined below. In response, the Council discussed with the City Attorney questions regarding the extent of civil fees that could be charged for illegal removal of trees and regarding the length of time for which a property owner could be required to maintain trees planted to replace illegally removed trees. The City Attorney researched these questions, including reviewing existing ordinances in other cities, and provided the following information:

- The City can adopt an ordinance that authorizes civil penalty fees to be charged for activities such as illegal tree removals, in addition to criminal penalties.
- The civil penalty fees for illegal tree removals can be set at \$2,000 per tree, and could be increased for particularly large trees that provided substantial screening and canopy or for a catastrophic impact e.g. the illegal removals destroy more than 25% of the screening and canopy of an area.
- The tree servicer contractor who illegally removed the trees could also be subject to both criminal and civil fines and fees.
- A tree replacement plan could require that the new trees be maintained in perpetuity.

The Planning Commission felt this draft amendment was a good place to start.

B. Groundwater Protection  
Administrator Moose stated that information on sealing wells and the Washington County grant program was shared in the August City Newsletter.  
Discussion was held on fertilizer and pesticide use, and the possibility of using the Scandia ordinances as an example.

C. Update on City Council Actions –  
Council member Ross provided a summary of the July council meeting.

**10. ADJOURN**  
**Motion/Second Parker/Sykora To adjourn. Passed 7-0.**  
Meeting adjourned at 9:08 pm.

Afton Planning Commission  
Meeting Minutes **APPROVED**  
August 7, 2023

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Respectfully submitted by:

    JY      
Julie Yoho, City Clerk

To be approved on  
August 28, 2023 as (check one): Presented:     X     or Amended: