

CITY OF AFTON  
**APPROVED PLANNING COMMISSION MINUTES**  
**November 2, 2015, 7:00 PM**

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5 **1. CALL TO ORDER** –Chair Barbara Ronningen called the meeting to order at 7:02 p.m.

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7 **2. PLEDGE OF ALLEGIANCE** – was recited.

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9 **3. ROLL CALL** – Present: Langan, Chair Ronningen, Kopitzke, Seeberger, Kilmer, Patten, Nelson and  
10 Doherty. **Quorum present.** Wroblewski, arrived at 7:05 p.m.

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12 **ALSO IN ATTENDANCE** – City Administrator Ron Moose, Deputy Clerk Kim Swanson Linner and, in  
13 Council Liaison Stan Ross’ absence, Alternate Council Liaison Mayor Bend.

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15 **4. APPROVAL OF AGENDA** – Commissioner Nelson wished to have a report on the Ordinary High Water  
16 Mark (OHWM) designation; it was added as Item 9d.

17 **Motion/Second: Doherty/Kilmer. To approve the November 2, 2015 Planning Commission agenda as**  
18 **amended. Motion carried 9-0-0.**

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20 **5. APPROVAL OF MINUTES** –

21 a. October 5, 2015 Planning Commission Meeting Minutes – On Line 122 the corrected line should read:  
22 “building that was built as a second dwelling unit/guest house.” Chair Ronningen asked, regarding Lines 265  
23 through 276, why the Conditions were placed before the motion, when they are normally after, as part of the  
24 motion. Deputy Clerk Swanson Linner will make the change for consistency.

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26 **Motion/Second: Patten/Nelson. To approve the October 5, 2015 Planning Commission Meeting minutes as**  
27 **amended. Motion carried 8-0-1 (Abstain: Seeberger.)**

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29 **6. REPORTS AND PRESENTATIONS** – none.

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31 **7. PUBLIC HEARINGS** – none.

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33 **8. NEW BUSINESS**

34 a. Ordinance Amendment Prohibiting Land Spreading of Septage – Administrator Moose summarized  
35 that at its October 5, 2015 meeting, the Planning Commission discussed the Washington County Septic  
36 Ordinance and its updated language regarding the land application of septage. The Commission also discussed  
37 the ordinance amendment adopted by the City of Cottage Grove that prohibits the land spreading of septage and  
38 designates the land spreading of septage as an environmental nuisance. The Planning Commission  
39 recommended to the City Council that a similar ordinance amendment be adopted in Afton and the City Council  
40 agreed at its October 20, 2015 meeting, directing the Planning Commission to draft an ordinance amendment  
41 prohibiting the land spreading of septage. Moose provided draft ordinance language to that effect for discussion  
42 by the Planning Commission.

43 Chair Ronningen indicated that since last month’s meeting more information has come to light about the  
44 practice of land spreading of septage. Ronningen recognized Lana Meyer to explain more about her company  
45 and the practice of land spreading of septage that they are approved to do.  
46 Lana Meyer, 5325 Manning Avenue, explained that Meyer Sewer Service has been in business for 30 years; she  
47 has been sole owner for 24 of those years, and she is not in favor of prohibiting the land spreading of septage.  
48 She owns a farm on Manning Avenue on which they are approved to spread septage on 13 of her 40 acres. She  
49 explained the land spreading of septage has many requirements dictated by the federal Environmental Protection  
50 Agency (EPA), the State of Minnesota through the Minnesota Pollution Control Agency (MPCA) and  
51 Washington County, which reviews and approves permits for licensed maintainer businesses to land spread.

52 Meyer’s son-in-law, Chris Wagner, detailed the training and technical information required of haulers to be  
53 able to land spread. He indicated that they treat their septage with lime, which is one of the treatment methods

54 prior to spreading. He indicated that, done properly, the septage should not have an odor. The septage must be  
55 monitored as to pH level prior to spreading. He reported on studies that have shown that farm crops that have  
56 used land spreading of septage as a natural fertilizer instead of chemical fertilizers have resulted in higher crop  
57 yields. The septage also does not contain the phosphorus that chemical fertilizers have that are harmful to water  
58 quality. Meyer indicated that one of the reasons for land spreading is the high cost charged to take septage to  
59 Pig's Eye treatment plant.

60 Ronningen thanked Meyer for coming to the meeting to explain the information about their business. She  
61 indicated, in light of this information, she is inclined to not prohibit the land spreading of septage.

62 Moorse offered that perhaps the city would want to have additional restrictions to the land spreading  
63 requirements, such as that the County notify the City about any companies and parcels that have approval for  
64 spreading septage; that, due to the odor nuisance, companies must use lime to treat the septage prior to  
65 spreading; that the septage must be disced into the ground shortly after spreading; and that no inorganics be  
66 allowed to be spread.

67 Seeberger felt that the city is not qualified to set parameters, especially since the EPA and MPCA have set  
68 out the requirements that licensed haulers must adhere to.

69 Ronningen indicated she would like Washington County to attend the December meeting to talk about the  
70 revised septic ordinance, and in particular, answer questions about the land spreading of septage and how the  
71 City can expect notification of approved permits for land spreading of septage. She also wanted the revised  
72 Washington County Septic Ordinance made available to Commissioners.

73  
74 **Motion/Second: Doherty/Kopitzke. To withdraw the Planning Commission recommendation to the City  
75 Council to prohibit the land spreading of septage and to revisit the particulars of the revised Washington  
76 County Septic Ordinance, adopted in April 2015, in preparation for adopting the ordinance by reference  
77 in Afton, or amending as necessary. Motion carried 9-0-0.**

## 78 79 **9. OLD BUSINESS**

80 a. Burning Permits in the Village Historic Site (VHS) District – Administrator Moorse summarized that at  
81 its October 5, 2015 meeting, the Planning Commission discussed the issue of burning permits for brush fires in  
82 the Village Historic Site (VHS) District. He explained the City does not currently have a policy regarding larger  
83 brush fires vs. recreational fires in the VHS District. While the Planning Commission discussed the option of  
84 prohibiting brush fires in the VHS District, the Commission also discussed possible standards for brush fires in  
85 the VHS. Staff gathered policies and ordinances for brush fires in other communities with small lots. Staff also  
86 received draft policies from the Lower St. Croix Valley Fire Department regarding brush burning fires in  
87 Afton's VHS. Moorse compiled a list of issues that the PC may want to consider for an ordinance.

88 Commissioners talked through issues such as the distance a brush fire could be from a structure and  
89 neighboring properties, the size a brush fire and/or its flame height should be, whether the Fire Marshall must do  
90 a site visit prior to approving a burning permit, and reiterating the nuisances of smoke and odors, and the  
91 hazards of flying embers.

92 Ultimately the commission preferred the simple list of requirements submitted by Fire Marshall Jim Stanley  
93 of the Lower St. Croix Valley Fire Department. Commissioners added items such as brush site assessment  
94 approval, a maximum brush pile size of six feet diameter by four feet, the nuisance and hazard statement, and  
95 they tweaked a few other minor items.

96 **Motion/Second: Kopitzke/Wroblewski. To recommend to City Council the policy by the Lower St. Croix  
97 Valley Fire Department as amended concerning brush burning permits in the Afton VHS District. Motion  
98 carried 9-0-0.**

99 b. Meeting Start Time Review – Chair Ronningen asked to hear commissioner feedback on the trial of  
100 having the 6:30 p.m. meeting start time as in recent months. Several members spoke that, while they can usually  
101 get to the early start time, it is definitely more comfortable with the 7:00 p.m. start time. Commissioners agreed  
102 to attempt to end the meetings by 9:00 p.m.

103

104 **Meetings will return to the 7:00 p.m. start time, as the half-hour later time allows many commissioners**  
105 **the time needed to travel from work, for getting some supper and attending to other family needs, while**  
106 **still having the ability to arrive at meetings on time.**

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108 c. Draft City Council Minutes - Update on City Council Actions – Mayor Bend reported that the Council  
109 approved the three applications recommended by the Planning Commission for approval. He noted that the  
110 Wilcoxes had submitted a letter to the City to continue their application to the November City Council meeting  
111 in advance of last month’s meeting, therefore, no discussion or action was taken on it. The application will not  
112 need to come before the Planning Commission again, as it now needs to be heard at the Council level.

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114 d. Determination of OHWM by the DNR – Commissioner Nelson asked staff if the Department of Natural  
115 Resources (DNR) has been able to give the City a definitive Ordinary High Water Mark (OHWM) to be used  
116 consistently, as in one recent application a number of different OHWM elevations were quoted.

117 Moore reported that the City Engineers have confirmed with the DNR at what elevation the City should be  
118 using for an OHWM. He did not have the elevation, but will provide that information to the Commission.

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120 **8. ADJOURN –**

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122 **Motion/Second: Patten/Nelson. To adjourn the meeting at 8:14 p.m. Motion carried 9-0-0.**

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124 Respectfully submitted by:

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127 \_\_\_\_\_  
128 Kim Swanson Linner, Deputy Clerk

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130 **To be approved on December 7, 2015 as (check one): Presented: \_\_\_\_\_ or Amended:  X**