

WEST LAKELAND TOWNSHIP

November 9, 2015

7:00 p.m.

Oak-Land Jr. High

Present: Chairman Dan Kylo, Supervisor Steven Ebner, Supervisor Dave Schultz; Mary Rinkenberger, Deputy Clerk; Mr. Scott McDonald, Township Attorney; Ms. Marsha Olson, Treasurer, Mr. Duane Stensland, Building Inspector

Call to Order

The regular meeting of the West Lakeland Town Board was called to order by Chairman Kylo at 7:00 PM.

Lake Elmo Regional Airport Expansion

Mr. Mike Madigan, commissioner of the Metropolitan Airport Commission, appeared before the board and township residents with his staff to review expansion plans for the Lake Elmo regional airport. Mr. Madigan noted that the Lake Elmo airport is the 3rd busiest intermediate airport, and has the 5th shortest runway. The runway is not in compliance with FAA RPZ standards, and is considered to be safe but has minimal margins for error for larger aircraft in the allowed category and needs repair. The commission has been looking at alternatives that will repair the runway, increase the margin of safety, bring the runway into compliance with FAA standards, and address the neighboring concerns around the rerouting of 30th Street and impact on Manning Avenue. The recommendation is a new 3,500 ft runway east of the current runway that would preserve the intersections of 30th Street with Neal and Manning Avenues.

Mr. Neal Ralston presented the history of the airport, and the current plans for expansion. Lake Elmo Airport is one of six reliever airports and targeted to support propeller aircraft of 10 seats or less. Aircraft can operate on the current runway by limiting fuel and payload. Mr. Ralston also provided the definition for the runway protection zones now mandated by the FAA. These zones are to be kept clear of structures and areas of public gatherings, which includes roadways. The planned improvements on Manning Avenue would be considered a triggering action for FAA review, and would result in a finding of incompatible use with the airport runway protection zone. The existing runway needs to be reconstructed, and MAC wants to be able to do that reconstruction with a long term configuration, which would include moving the runway protection zones completely onto MAC property, and providing sufficient runway length for the category of planes to be served by this airport.

Mr. Ralston noted that from long term plans prepared as early as the 1960's, the long term view was to realign and move 30th Street to allow for a longer runway. The current proposal addresses the failing infrastructure, enhances safety, and supports the critical design aircraft. The initial plan proposed a 3,600 ft runway and realigned 30th Street. After consideration of the public input, the plan was revised to reconstruct 30th street so that the intersections with Neal and Manning Avenues were not relocated, and reduced the runway length to 3,500 feet. It is estimated that the improvements to the runway may cause a 1 percent increase in airline traffic. Larger aircraft would not expand use of the airport because of insurance limitations and limited guidance systems. Any work would require an Environmental Analysis.

Ms. Bridget Rief presented the next steps in presenting the comprehensive plan. The next step is for the Metropolitan Airport Commission to approve a plan, and if different from what is currently published, an additional opportunity for public comment. The Metropolitan Council will have final approval. After approval, the FAA requires an Airport Layout Plan, which also includes public review and

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comment. It was noted that doing nothing is no longer an option. The runway needs repair, and the runway does not meet the requirements of the airport as it stands.

Chairman Kylo asked about the difference between the current plan and the alternative being proposed. The proposal shortens the proposed runway and loops 30th Street to connect with Neal at the existing intersection. A question was raised on the environmental review. Review is done by the Minnesota PCA and Watershed District. A concern was raised over noise. This has not been a focus with this class of aircraft.

Mr. Brad Cornell, 2733 Neal, asked about the ability of volunteer firefighters on Neal to be able to respond appropriately to the Lake Elmo Fire Station. He noted that in 1965, when the first comprehensive plan was published, there were no neighborhoods alongside the airport. This is no longer the case. Mr. Cornell feels the expansion is not compatible with the existing neighborhood.

Mr. Dale Schueffner, 2480 Overlook Ct, asked if an exception could be made to allow the road in the safety zone. Ms. Rief noted that exceptions have been grandfathered in, but the FAA is focusing more on ensuring clear protection zones. Since the airport owns the land, it would be difficult to make a case for an exception.

Ms. Mary Vierling, 2825 Neal Ave, asked about the routing of 30th street, and if it would impact the glide path into the airport. Ms. Rief noted that there would be no change. The same precision approach path indicator system currently used will be used with the new runway.

Ms. Denise Cornell, 2733 Neal Ave, asked for clarification on why the additional length was needed. The computation for the length of the runway includes a number of factors, including fleet mix, elevation, temperature, weight of aircraft, type of aircraft, acceleration speed, and space needed to abort a takeoff if needed. It was noted the current airport is safer because of the restrictions imposed on the size of the aircraft and the load that can be carried.

Ms. Jennifer Forman, 2724 Neal Ave, asked about the altitude of the planes as they cross the neighboring houses. The planes currently fly low over their home. Generally elevation is 150 to 200 feet, and there are no homes projected to be in those zones.

Ms. Ashley Lundy, 2595 Neal Ave, noted that the growth of the community around the airport and does not feel that extending a runway closer to existing homes would be a safer situation. She feels there are alternative airports that can be used for the larger loads. Supervisor Schultz noted there have been 12 accidents since 1984, although none have been attributed to the length of the runway.

Mr. Greg Bedsted, 16141 22nd St N, asked if pilots could use other airports. The selection of the airport is at the discretion of the pilot. Mr. Ralston noted that the combination of the length of the runway being proposed, the location of the runway protection zones, and lack of precision approach systems will work to restrict the larger aircraft that appear to be part of the concern. The intent of this project is to meet the needs of the current aircraft.

Mr. Tom Vierling, 2825 Neal Ave, asked for clarification on the computation of the number of flights for this airport. Mr. Ralston provided the rationale for the estimate as derived from the flight tracking system, resulting in 80-90 operations per day in the summer, and 70 operations per day in the winter. The concept proposal should have no impact on the number of operations.

Questions were raised on the funding and the maintenance. Funding for the construction would rely on federal funds, with the ongoing maintenance to be the responsibility of the airport. Reliever airports are required to be self sustaining. MAC will provide for the rebuilding of 30th street, and the local communities would be responsible for ongoing maintenance of the road, as they are today.

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Supervisor Schultz thanked the staff from MAC for coming and speaking to the resident concerns. He noted concerns over the increasing length of the runway over time, and if based on the Advisory Circular, a shorter runway of 3200 to 3300 feet could be considered, and equally safe for residents and pilots. He also asked if a waiver could be sought to retain 30th street on the current roadway within the protection zone.

Mr. Donald Theisen, Washington County Director of Public Works

Mr. Donald Theisen Washington County Director of Public Works, appeared before the board to provide an update to the transition of planning responsibilities from Washington County to the townships. Resolutions supporting the transition have been received from Stillwater Township, Baytown Township and Great Cloud. Continued county support would be retained in managing blufflands, shoreland, riverway, subdivisions, sewer treatment, gravel pits, and wetlands. The remaining zoning jurisdiction would be passed to the townships. West Lakeland is primarily zoned single family estate and is largely fully developed. The result would be less redundancy in permit applications and approvals. Chairman Kylo asked why the county would retain subdivision oversight. This would also be redundant permit approvals and review. Mr. Dupay noted that the township does retain a planner as needed, and that most actions are reviewed by either the WMO or Watershed District to provide sufficient technical review. Washington County will continue discussions with Demark Township, looking for more information, and May Township, concerned about gaps in their ordinance. To ensure gaps are identified, Washington County is doing a record audit, and will provide each township with a catalog of records on file. The County is looking to finish discussions with the townships by the end of the year, and allow approximately six months to complete the transition. When asked how much will change, Mr. Dupay noted that he thought not much will change since West Lakeland recently aligned their ordinances with the County. Supervisor Ebner noted that an area of change would be those portions of the Township, such as along I-94 and Manning, where the township considered the zoning as commercial, and the county as single family residential. Mr. McDonald noted that some actions, such as some conditional use permits, have relied on the County recommendations, and thus may require a more indepth review.

Conditional Use Permit for Mr. Joe Schertz, 13590 4th St Ct N, for a Residential Ground Mounted Solar System

Mr. Marty Morud and Ms. Donna Pickard, of TruNorth Solar, appeared before the board to present a proposal for a residential ground mounted solar system. The array will consist of 60 panels, in 3 banks of 20, placed 20 feet apart. The total ground coverage will be 63" x 33", with the panels being 8' high. All setbacks and height requirements fall within the operating standards of the current ordinance. The panels will be anti-glare, and would be at least 75 feet from the road right of way. Chairman Kylo asked if the conditional use permit would be permanent in nature. The permit is automatically renewed as long as the agreed upon conditions are observed, and will transfer with the sale of the land. The board referred the request to the planning commission for review, and directed the clerk to schedule a public hearing.

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Request for an Accessory Structure Closer to the Street than the Primary Residence

Mr. Dave Klinger and Ms. Deb Hanson, 13380 12th St, appeared with a revision to a plan reviewed previously to locate an accessory building closer to the street than the primary residence. The lot is 2.65 acres, and the primary practical difficulty noted are the significant slopes on the property. The west side has a 440 sq ft detached garage which is already under grade on the west and north. The most logical place to put the structure would be on the existing pad, and there was preliminary approval to put the structure on that sight. The site selection is further complicated by the offset of the road. The road right of way is 65 feet, but the paved roadway is not centered in the right of way, but to the south. This has caused the site previously selected to be 36 from the right of way and within the 50 foot setback from the right of way, but 85 feet from the road itself. This has brought to light that a second variance is needed. It was requested that this variance be considered at a special meeting, to allow for construction before snow falls. Chairman Kylo expressed the opinion that the practical difficulties are compelling. Placing the structure behind the residence and off the roadway would cause the building to be required to be built into the slope. The location of the structure is 85 feet from the road. A hearing was set for November 24 at the Township Offices in Lake Elmo.

Approval of the Minutes

The minutes for the October 2015 regular meeting were reviewed. Supervisor Ebner moved to approve the minutes as corrected. Seconded by Supervisor Schultz, the motion carried.

Treasurer's Report

Ms. Olson presented the treasurer's report for October 2015. The report reflected \$21,590 in receipts, and \$18,655 in expenses, bringing the current Township net assets to \$1,378,257. Supervisor Schultz moved to approve the treasurer's report. Seconded by Supervisor Ebner, the motion carried.

Review and Pay Invoices

Supervisor Ebner moved to pay the invoices presented for payment. Seconded by Supervisor Schultz, the motion carried.

Public Comment

Mr. Vince Anderson asked about the minutes for the Tiller Tour and the MIDS workshop. He will also be submitting some written comments regarding the hearing for Mr. Lind's home occupation conditional use permit.

Review Solar Ordinance Summary for Publication

The draft of the summary for publication for the addition to the Township ordinances with regard to Solar operations was reviewed by the board. Supervisor Schultz moved to approve the draft. Seconded by Supervisor Ebner, the motion carried. Mr. Ebner noted that the contractors doing the installation for Mr. Schertz noted that the conditional use permit process is more stringent than in most areas of the state.

Snowplow Contract

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Mr. McDonald reviewed the contract from Miller Excavating for snow plow services for 2015-2016 winter season. Changes were noted and approved by Miller. Supervisor Schultz moved to authorize signature of the contract. Seconded by Supervisor Ebner, the motion carried.

Adjourn

Having no further business, Supervisor Ebner moved to adjourn the meeting. Seconded by Supervisor Schultz, the motion passed. Chairman Kylo adjourned the meeting at 9:50 PM.

Respectfully submitted,

A handwritten signature in cursive script that reads "Elizabeth Anne Vance". The signature is written in black ink on a light-colored background.

Elizabeth Vance
Recording Secretary