

**MINUTES
CITY OF DELANO
PLANNING COMMISSION
Monday, January 11, 2010
7:00 PM**

1. CALL TO ORDER

The Chairman called to the Regular Meeting of the Delano Planning Commission meeting of Monday January 11, 2010, to order at 7:00 p.m.

2. OATH OF OFFICE

The City Clerk, Marlene E. Kittock, administered the Oath of Office to Howard Glass, and Amy Stewart .

3. ROLL CALL

Members Present:

- Jon Krieg, Chairman**
- David Kenison, Vice Chairman**
- Leon Zeug, Secretary**
- John Beussman, Commissioner**
- Lars Impola, Commissioner**
- Amy Stewart, Commissioner**
- Howard Glas, Commissioner**

Also Present:

- Marlene E. Kittock, City Clerk**
- Alan Brixius, City Planner**
- Betsy Stolfa, City Council Liaison**
- Jamie Mattson, AV Technician**

4. ELECTION OF OFFICERS

A. Chairman, Vice Chairman, and Secretary

Motion by Howard Glas, seconded by Lars Impola to nominate Jon Krieg as Chairman, David Kenison as Vice Chairman and Leon Zeug as Secretary. Motion Carried 4-0-3, Krieg, Kenison, and Zeug abstained.

5. APPROVAL OF AGENDA

Motion by John Beussman, seconded by David Kenison to approve the agenda of the Regular meeting of the Delano Planning Commission meeting of Monday January 11, 2010 Motion Carried 7-0.

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6. MINUTES

A. Minutes of the Planning Commission meeting from Monday, December 14, 2009.

Minutes were not available.

7. PUBLIC HEARING

A. Consider a request from the City of Delano to amend Section 51.01 Subd. B 2 "Definition" by adding definitions for Wind Energy Conversion Systems (WECS), Section 51.03 Subd. O by adding standards, performance, and procedure regulations for installation and operations of Wind Energy Conversion Systems (WECS), Section 51-05 through Section 51.31 by adding text language that regulates Wind Energy Conversion Systems (WECS).

Alan Brixius reviewed his January 6, 2010 planners report regarding Wind Energy Conversion Systems (WECS) that would allow and regulate wind energy conversion systems within the City of Delano. At the December meeting the planning commission request additional information regarding the failure rates of WECS and potential safety problems and setback concerns. The report contained several articles regarding safety and setbacks. Staff research reveals that turbine failure or tower collapse is rare but not unheard of. The data shows a general growing number of accidents over the past 10 years. This trend is related to the growing number of wind turbines and the aging of said infrastructures. They predict the need to protect the public by declaring safe minimum distances for new turbines from occupied housing and structures. Risk analysis of ice throw from wind blades also suggests prudent setbacks from other buildings. The research revealed that a 1.0 to 1.5 times the height of WECS towers and rotors to be the accepted standards for urban WECS. The larger Utility WECS are generally found in more rural settings with greater setback ranging from 1300 to 2540 feet between WECS and residences and work places. Staff concurs with the Delano Municipal Utilities, General Manager recommendation for greater setbacks and has amended the draft ordinance to a setback distance of at least 1.2 times the total height of structure. These setbacks will not be a deterrent to property owners wishing to consider a WECS. It may require property owners to scale the height of the WECS to meet the setbacks and dimensions. Given this the Planning Commission may wish to reconsider the appropriateness of the larger utility WECS within the City

Jon Krieg was asked if giving some of the authority to staff was necessary or would that give staff too much control or veto power. He also asked what the statute says

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regarding credit for consumption as it relates to the Delano Municipal Utilities or other utilities. Alan Brixius explained that process.

Leon Zeug questioned if 1.5 foot setback ratio was enough. He stated that the larger utility type would end up in the large unincorporated areas around the community and most likely not within the city limits as known today.

Howard Glas agreed, we would be received application for the middle to smaller style WECS and not the large WECS type.

John Beussman agreed.

David Kenison thought the 1.5 ratio provided a better buffer.

Leon Zeug questioned item number 12 and suggested that language regarding the construction of these WECS does not rely on construction plans of manufacturer and that some safe guards such as structural analysis are put in place to ensure the towers are sound.

Dale Vanderlinden of 409 Buffalo Street questioned the need for a venue such as a bond or a certificate of insurance to insure that abandoned towers will be removed at the owner's expense and not the property owner or city. Alan Brixius stated that it would be a massive record keeping issue to hold a monetary security for 25 years and really did not know how that would work. Leon Zeug questioned if language was available in other city ordinance that could address this concern.

Leon Zeug questioned if there was a need for Electro-Magnetic Interference (EMI) emission controls. Alan Brixius said he would find some EMI language and have it incorporated into the code.

Jon Krieg questioned if there even are any existing lots within the city that could accommodate the large utility type WECS. Alan Brixius state maybe the new industrial park area on the west side of the community, the school property and maybe areas of the central park. Jon Krieg stated that then the ordinance should be presented as draft and if it is practical then it will happen.

Consensus of the Commission was to use the 1.5 foot ratio.

**Motion by Leon Zeug, seconded by Lars Impola to close the public hearing
Motion Carried 7-0**

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The Chairman called for additional public comment three times. None was heard.

Motion by Howard Glas, seconded Jon Krieg to recommend the draft ordinance to the City Council as drafted with the following amendments 1) Page 3 – leaving in the Larger utility type WECS in the regulation, page 4-5 require soil and geotechnical studies along with a registered structural engineer analysis as required construction documentation, change setback to 1.5 foot ratio, rotor clearance for roof mount language amendment, additional language for regulating EMI interference. Motion Carried 6-1. John Beussman voting nay.

8. NEW BUSINESS

There was none.

9. OLD BUSINESS

A. Continued discussion establishing standards and regulations regarding computerized message boards.

Alan Brixius, City Planner reviewed his January 5, 2010 report for Dynamic Signs which includes the comments and concerns of citizen, businessmen, and the Commission of the last several months. He suggested that the ordinance amendment is ready for a formal public hearing at the February meeting. Staff will get the draft out to the Chamber of Commerce for distribution. Staff will place on the various social media a reminder and a letter will be distributed early for public comments.

Betsy Stolfa requested the language be firmed up a bit to insure the each tenant in a strip mall could not have one and it would encourage the one board used by all scenario.

Commission consensus was to prohibit flashing messages. In addition they wanted to ensure additional restrictions for use in residential areas for churches and schools with language that required a lights out after 10 or 11 at night.

Without objection the Commission authorized staff to publish for the February meeting.

10. UPDATES AND FUTURE LAND USE DEVELOPMENT APPLICATIONS

There was none.

11. COMPLIANCE WITH COMPREHENSIVE PLAN

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There was none.

12. ADJOURNMENT

Motion by John Beussman, seconded by David Kenison to adjourn the regular meeting of the Delano Planning Commission meeting of Monday, January 11, 2010, at 8:37 p.m. Motion Carried 7-0

There being no further business to discuss the regular meeting of the Delano Planning Commission of Monday, January 11, 2010 was adjourned at 8:37 p.m.

Jon Krieg, Chairman

Leon Zeug, Secretary

ATTEST:

Marlene E. Kittock, City Clerk