



**WATERTOWN PLANNING COMMISSION
REGULAR MEETING MINUTES**

Thursday, November 18, 2010 at 7:30 p.m.
Watertown City Hall, 309 Lewis Avenue South
City Council Chambers

Members Present: Chair, James Rivord; Vice Chair, Andrew Gillett, Commissioners, Seth Bossert, Donald Hendricks, Chuck Salden, Jim Sandquist, and Rob Wilkening

Members Absent: Council Liaison Rick Mann, Watertown Township Representative Neil Johnson

Staff: Senior Planner, Crystal Foust

Others Present: None

1. CALL TO ORDER

Chair Rivord called the meeting to order at 7:30 p.m.

2. ADOPT AGENDA

GILLETT MOVED, SECONDED BY SANDQUIST TO APPROVE THE NOVEMBER 18, 2010 AGENDA. ALL AYES, MOTION CARRIED.

3. APPROVAL OF MINUTES

A. August 12, 2010 Meeting Minutes

HENDRICKS MOVED, SECONDED BY BOSSERT TO APPROVE THE JUNE 10, 2010 PLANNING COMMISSION MEETING MINUTES AS PRESENTED. ALL AYES, MOTION CARRIED.

4. OLD BUSINESS

5. NEW BUSINESS

A. Swimming Pool Ordinance

At 7:32pm, Chair Rivord closed the Planning Commission meeting and opened the public

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hearing. With no comments, the public hearing was closed at 7:32pm.

Staff outlined the swimming pool ordinance as proposed. The proposed ordinance is much more comprehensive than the existing ordinance. The first item suggested to be revised is the definitions. Permanent, temporary, and residential swimming pools are defined in the ordinance. The ordinance also included a section pertaining to permits. Staff has been advised by the Building Official that his interpretation of the Minnesota State Building Code suggests that temporary pools which are more than 24 inches in depth and 5,000 gallons require a permit. A permanent pool and hot tub which stay up year-round require a building permit for the installation of any in-ground or above ground swimming pool over 24 inches in depth at any point and 5,000 gallons or larger. Permanent swimming pools and hot tubs shall be surrounded on all sides by a four foot high, non-climbable fence, which shall be so constructed as not to have openings, holes, or gaps larger than four inches in either vertical or horizontal direction. There are some exceptions written in the proposed ordinance. Temporary portable swimming pools do not have to construct a fence unless the homeowner chooses to do so. Hot tubs require a hard cover when not in use. A mechanical cover may be used in lieu of a fence. The fence requirement does not apply to aboveground outdoor swimming pools having at least four-foot high vertical sidewalls provided that the access (stairs, ladders, ramp, or similar) to the pool is removed or secured when not in use.

The Planning Commission discussed the temporary portable swimming pool and whether or not to require a permit. Staff suggested that if indeed this provision is required by the Minnesota State Building Code, the Building Code can guide the permit process rather than including it in the Zoning Code. The Planning Commission advised that the permit provision should be left in the proposed ordinance and suggested that additional language to be included to explicit state that a new permit is required if the location of the temporary pool changes or the size or dimensions of the pool change.

HENDRICKS MOVED, SECONDED BY WILKENING TO RECOMMEND APPROVAL TO THE CITY COUNCIL TO AMEND CHAPTER 62 OF THE CITY CODE PERTAINING TO SWIMMING POOLS AND SWIMMING POOL FENCES. ALL AYES, MOTION CARRIED.

B. Fence Ordinance

At 8:15pm, Chair Rivord closed the Planning Commission meeting and opened the public hearing. With no comments, the public hearing was closed at 8:15pm.

Staff outlined the fence ordinance as proposed. The proposed ordinance is much more comprehensive than the existing ordinance. The ordinance proposal is intended to include items such as design, materials, and temporary fencing that are currently not in the code.

Commissioner Wilkening suggested that temporary fences such as garden fences be able to be up for 7 months, same as snow fencing. He also suggested that the some temporary fences are taller than 3 feet in height. Staff suggested changing the height to 4 feet.

Chair Rivord asked why the ordinance limits a fence in a residential area to 6 feet in height. Rivord stated that with the new estate zoning district, property owners may want to have a taller fence. Staff stated that the current code limits fences to 6 feet in height in residential areas. This height allows property the right to solar access and visibility. The fence ordinance could be

changed at the time that the city adopts the estate district regulations to accommodate specific fencing requirements in that district if the Planning Commission so chooses. Commissioner Hendricks stated that in some areas of the community, there is limited side yard and if residents are able to put a fence on the property line, specifically in his neighborhood, property owner's access to the sun would be eliminated on the side. The other Planning Commissions agreed that 6 feet is a reasonable height in the residential districts.

WILKENING MOVED, SECONDED BY GILLETT TO RECOMMEND APPROVAL TO THE CITY COUNCIL TO AMEND CHAPTER 62 OF THE CITY CODE PERTAINING TO FENCES. ALL AYES, MOTION CARRIED.

6. COMMISSIONERS REPORT

A. Planning Commission resignation.

Chuck Salden has resigned from the Planning Commission. The City Council has authorized to public post for the vacancy. The City is accepting applications at this time for the opening. Staff has not received any interest to date. Staff advised Commissioner to direct interested persons to City Hall for more information.

B. UD grant proposal to Otto Bremer Foundation.

The grant for the Universal Deign model home was submitted to the Otto Bremer Foundation at the end of October. The City received approximately 10 letters of support that were submitted as part of the grant proposal. The City should hear back from the Foundation by the end of January on the status of the funding.

7. STAFF REPORT

8. ADJOURN

GILLETT MOVED, SECONDED BY BOSSERT TO ADJOURN THE PLANNING COMMISSION MEETING AT 9:02 PM. ALL AYES, MOTION CARRIED.

Respectfully submitted,

James Rivord
Chair

Crystal Foust
Senior Planner