

**LAKE ELMO AIRPORT  
JOINT AIRPORT ZONING BOARD**

Thursday, October 17, 2019  
Baytown Community Center  
4020 McDonald Drive North, Stillwater, MN 55082

**MEETING MINUTES**

Chair Weyrauch convened the Lake Elmo Airport Joint Airport Zoning Board meeting at 3:27 PM. The following were in attendance:

Members: Rick Weyrauch, Chair  
Kent Grandlienard, Baytown Township, Board Member  
John Hall, Baytown Township, Board Member  
Ken Roberts, City of Lake Elmo, Board Member  
Mary McComber, City of Oak Park Heights, Board Member  
Jim Kremer, City of Oak Park Heights, Alternate  
Mary Vierling, West Lakeland Township, Board Member  
Brian Krafthefer, West Lakeland Township, Alternate  
Rick King, Metropolitan Airports Commission, Board Member  
Rod Skoog, Metropolitan Airports Commission, Board Member

Others: Bridget Rief, Joe Harris, Neil Ralston, Evan Wilson, Kristin Berwald, Brad Juffer, Dana Nelson, Jennifer Lewis, MAC Staff; Rylan Juran, MnDOT; Kurt Howard, Washington County; Mick Kaschmitter, Laura Kaschmitter, Alex Screation

1. CHAIR OPENING/REMARKS

Chair Weyrauch opened the meeting and provided introductory remarks. Chair Weyrauch emphasized that the purpose for the JAZB is to develop an airport zoning ordinance for the surrounding communities of the Lake Elmo Airport. Chair Weyrauch stated that there would be a presentation from MAC and there would be a public comment period at the end of the meeting. Chair Weyrauch explained that there would be a public hearing in the future as part of the zoning process where members of the public would be able to provide further comments.

2. APPROVAL OF MINUTES FROM AUGUST 29, 2019 MEETING

Chair Weyrauch requested a motion to approve the meeting minutes from the Lake Elmo Airport Joint Airport Zoning Board meeting held on August 29, 2019.

Brian Krafthefer, West Lakeland Township, inquired as to whether the reasons for voting in opposition to a motion should be included in the minutes. Chair Weyrauch responded that he did not ask for Board Members to state their reasons for voting in opposition to motions in previous meetings, but that could be included going forward if requested.

**IT WAS MOVED BY MARY McCOMBER, SECONDED BY JOHN HALL, TO APPROVE THE MINUTES OF THE AUGUST 29, 2019 LAKE ELMO AIRPORT JOINT AIRPORT ZONING BOARD MEETING, AS PRESENTED. THE MOTION PASSED WITH 10 VOTES IN FAVOR AND 1 ABSTENTION.**

3. JAZB FORMATION ITEMS

Chair Weyrauch turned the meeting over to Evan Wilson, Metropolitan Airports Commission, to review JAZB formation items. Mr. Wilson stated that resolutions were received by Baytown, Lake Elmo, Oak Park Heights, and the MAC. Mr. Wilson stated that a resolution had not been received by West Lakeland Township. Mr. Wilson asked if a resolution has been passed by West Lakeland Township.

Mary Vierling, West Lakeland Township, stated that West Lakeland Township just had a Board meeting, and that it was her understanding that their resolution was forthcoming.

Mr. Wilson recommended that there be a motion for ratification of prior decisions that the JAZB has made as reflected in the minutes of the meetings.

Kent Grandlienard, Baytown Township, stated that he preferred to wait until West Lakeland Township submitted their resolution and that he wants West Lakeland Township to be able to vote on the ratification.

Rick King, Metropolitan Airports Commission, stated that he thought it was fine to wait to vote on the ratification, however if West Lakeland ultimately did not provide a resolution, they would not be able to vote on other matters.

Chair Weyrauch recommended to table the vote on ratification until the next meeting and requested a motion to do so.

**IT WAS MOVED BY JIM KREMER, SECONDED BY ROD SKOOG, TO TABLE THE RATIFICATION UNTIL THE NEXT MEETING. THE MOTION PASSED UNANIMOUSLY.**

4. PRESENTATION OF THE CUSTOM STANDARD ZONING FACTORS

Chair Weyrauch turned the meeting over to Neil Ralston, Metropolitan Airports Commission, who provided a presentation of Custom Standard Zoning Factors for the consideration of the JAZB.

Mr. Ralston stated at the last meeting, the JAZB decided to establish and adopt custom airport zoning regulations. MAC provided the required notice to MnDOT of the JAZB's intention to do this on September 30. Mr. Ralston explained that the next step is to consider a set of factors that are set forth in state statute. Mr. Ralston reminded the JAZB that the goal was to aim for a reasonable level of safety.

Mr. Ralston's presentation focused on Custom Standard Zoning Factors regarding airport location, land use, character of surrounding neighborhoods, airport operations, a safety-risk analysis, and planned land uses.

Brad Juffer, Metropolitan Airports Commission, provided an overview of how a dataset of nation-wide general aviation accident location and distribution research, conducted by the University of California at Berkeley for the California Airport Land Use Planning Handbook (known as the California Study), was used to calculate accident probability and frequency.

5. EXAMPLE CUSTOM ZONE FOR DISCUSSION

Mr. Ralston then presented an Example Custom Land Use Zone for the consideration of the Board. Mr. Ralston emphasized that this example was not intended as a MAC staff recommendation, but that it was to instead start discussion. Mr. Ralston explained that the example maximizes the use of airport owned property and off-airport property that is zoned or guided for non-occupant, open space type uses.

Mr. Juffer provided further details and analysis of how accident probability and frequency calculations made from the California Study data applies to the Example Custom Land Use Zone. Mr. Juffer compared the accident probability and frequency results to the safety zones recently adopted for the Flying Cloud Airport. Mr. Juffer also gave an overview of how the dataset applies to land outside of the Example Custom Land Use Zone.

Mr. Ralston completed the presentation by providing further information regarding a less-restrictive land use zone with general prohibitions against land uses that would interfere with the safety of flight. Mr. Ralston clarified that the ordinance does not seek to prohibit the use of rooftop solar panels on homes or restrict the use of FCC-approved amateur radio stations. Mr. Ralston advised that if a proposed development seeks to penetrate the height limitations stipulated by this potential Airspace Zone, a permit or variance would have to be approved. Mr. Ralston explained that the most restrictive height limitation is at 50 feet, which exceeds the building height typically allowed by local zoning regulations.

6. PUBLIC COMMENT PERIOD

Public comments were received from one (1) individual regarding the data set that was used in the Custom Standard Zoning Factors presentation.

7. BOARD DISCUSSION ON CUSTOM ZONING FACTORS AND EXAMPLE

Chair Weyrauch opened the meeting for the Board to have a discussion regarding the materials that were presented about a custom airport zoning ordinance.

Mr. Grandlienard commented that Example Custom Zone seemed to primarily be on airport property and that the portion that crossed into Lake Elmo looked to be ponding area. Mr. Grandlienard stated that he felt the Example Custom Zone seemed reasonable.

Chair Weyrauch asked the Board if they felt they had enough information to decide upon an action or if there were any requests for further data.

Mr. Krafthefer asked if the accident probability could be listed by community. Chair Weyrauch addressed Mr. Krafthefer's question regarding probability and relevancy to each specific community.

Chair Weyrauch asked if a more restricted land use was desirable for the protection of residents and emphasized that with this Example Custom Zone, it is primarily the airport that must restrict its land use, not the residents.

Ken Roberts, City of Lake Elmo, stated that he has enough information to make a decision.

Chair Weyrauch called for a motion for MAC to formalize a custom zoning ordinance proposal to submit to MnDOT. Mr. Wilson provided clarification that the zoning ordinance proposal would be presented at a Public Hearing prior to being submitted to MnDOT.

Chair Weyrauch commented that MnDOT would still need to accept this proposal and that there would be time to make adjustments.

Ms. Vierling stated that her concern is for the surrounding properties and that she isn't certain that the Example Custom Zone offers an appropriate level of safety to residents.

Mr. King stated that there would be a diminishing return to drawing larger boundaries as accident probability per a given area decreases beyond the Example Custom Zone.

Chair Weyrauch asked if West Lakeland Township wanted greater restrictions on land use in their community and commented that it wouldn't necessarily create more safety.

Rod Skoog, Metropolitan Airports Commission, stated that the level of safety increases with the proposed lengthening and relocation of primary Runway 14/32, which alters the Runway Protection Zones so that they no longer cross public roads.

**IT WAS MOVED BY KENT GRANDLIENARD, SECONDED BY MARY McCOMBER TO REQUEST THAT MAC CREATE A FORMAL PROPOSAL FOR A CUSTOM AIRPORT ZONING ORDINANCE BASED ON THE EXAMPLE CUSTOM LAND USE ZONE SHOWN ON SLIDE 36. THE MOTION PASSED WITH 8 VOTES IN FAVOR AND 2 OPPOSED.**

Reasons for voting in opposition: Ms. Vierling stated she didn't think that the Example Custom Zone would provide enough safety. Mr. Krafthefer stated he had very little time to decide prior to voting.

8. ESTABLISH NEXT MEETING DATE

Chair Weyrauch set December 5, 2019 at 3:30 pm as the date for the next JAZB meeting.

9. ADJOURN

**WITH NO FURTHER BUSINESS TO DISCUSS, CHAIR WEYRAUCH REQUESTED A MOTION TO ADJOURN THE MEETING. IT WAS MOVED BY KEN ROBERTS AND SECONDED BY JIM KREMER TO ADJOURN THE MEETING. THE MOTION CARRIED BY UNANIMOUS VOTE.**

The meeting was adjourned at 5:18 PM.