



Minutes  
Planning & Zoning Commission  
April 12, 2017

**CALL MEETING TO ORDER**

Chairperson M. Olson called the meeting to order at 7:02pm

**Members Present:** Chairperson M. Olson, Vice Chair M. Willcoxen, D. Carlson, J. Johnson, P. Carlson

**Absent:** None

**Others Present:** Supervisor C. Cagle, Supervisor B. Seekon, Town Planner E. Maass, Clerk K. Wood, thirteen members of the public (signed in)

**PUBLIC COMMENTS** *(ITEMS NOT ON THE AGENDA)*

W. Haslach said he has a parcel of land on Lyons and 340<sup>th</sup> with 175 feet of frontage. He was wondering if it is buildable with this frontage. It is a six acre lot. P. Carlson said that the way it is now, it is not buildable. The resident asked if they could come off of Lyons and do a cul-de-sac. M. Olson said no. He has had the property for 30 years and they duck hunt on it. The consensus of the Planning Commission was that it would not work. W. Haslach said that other properties around him do not have the required footage. He was told that those properties must have been grandfathered in.

**ADOPT THE AGENDA**

**M. Willcoxen made a motion to adopt the agenda. D. Carlson seconds. All in favor, motion carried.**

**APPROVE THE MINUTES** of the March 8, 2017 Planning Commission meeting minutes

**P. Carlson made a motion to approve the minutes of the March 8, 2017 Planning Commission meeting. M. Willcoxen seconds. All in favor, motion carried.**

**OLD BUSINESS**

None



## **NEW BUSINESS**

### **Update on the Fawn Lake Drive reconstruction**

C. Cagle has not received the information from the Engineer they requested yet. The Board had asked S. Nelson, Town Engineer to do a sketch of his recommendation for the curve. They took borings in the center and the high side of it. She has not heard of anything else that has been done. A1 Tire wanted to know what is going on and she told them to come to a meeting. She said S. Anderson's sons came to the last Board meeting and they did not like the proposed County Road 19 plan.

R. Anderson was in attendance and is not in favor of cutting up his mother's land.

M. Willcoxon said it would affect any future economic development. He suggests that R. Anderson attend the County meetings.

M. Willcoxon said he liked what J. Johnson had sent out.

C. Cagle said they won't do it because of the cost of roundabouts.

C. Christianson asked what the Planning Commission thought of the roundabout instead of a T.

M. Olson said that they liked the idea of keeping traffic flowing. He is not in favor of a roundabout. C. Christianson said that Quick Trip may lose one or two of their entrances.

A1 Tire told him that they called an engineer and there was no plan to put an island in.

C. Cagle explained that there is an ally in front of A1, not a road.

M. Willcoxon said that the island idea was meant to slow traffic down.

P. Carlson said they want to move driveways away from the freeway.

M. Olson said that they can check with J. Triplett to see where they are at with this.

### **Public Hearing Conversation**

M. Olson said he would like to have a meeting to talk about and research issues that need a public hearing before the actual hearing. The public hearing would be at the following meeting. He asked the Planning Commission what their thoughts were. It would delay the applicant a month.

E. Maass said that information is typically sent out in a packet the Friday before the meeting.

M. Olson said he likes the idea of having more time.



M. Willcoxon said that trying to make a responsible, quick decision is difficult. He would like the public hearing at the following meeting.

All members were in agreement that they would like a meeting before the meeting with the public hearing.

### **Archer Variance**

The Township received a permit application for a pole barn in RR1 and if it is built as planned there would be 2016 square feet. J. Kramer left it up to M. Olson to approve or deny it. M. Olson called the owner and told him he would need to apply for a variance for the 16 square feet. The owner said he was okay with downsizing the building.

### **Complaint – Sven Welschen**

M. Olson said they received a signed complaint about the property. M. Olson said there is no principal structure and the land owner cannot build a pole barn. There are several trailers and heavy equipment parked back out there. M. Olson said that there were two businesses being run out of there and S. Welschen claimed that was untrue. This is an outside storage problem. M. Olson told S. Welschen that the people who are renting the land have to go.

S. Welschen said he owns the property right next door. He was hoping to get advice as to how he could build a building.

E. Maass said he could do a plot line adjustment. It would make the property 35 acres.

P. Carlson said they need to clean it up. If they run a business out of there they need a CUP. S. Welschen said he does not intend on running a business. There is horse pasture on his property.

C. Cagle said the person running a business needs to live on the property. A person cannot have a business if they do not live on the property. That is why it is a home occupation. She wanted to make sure this is understood by S. Welschen.

The people are storing stuff on his property until May 1. B. Brune is storing personal items on S. Welschen's property. He has his business stuff at his own address on Floral Ave.

S. Welschen said he is in full understanding of this. Bruce Brune said he will have his stuff off by May 1, 2017.

E. Maass is going to write a letter and send it to S. Welschen. E. Maass is going to add the advisory that there are to be no businesses on the property.



C. Cagle said that the Township has to enforce the ordinances.

S. Welschen said he knows what he has to do and he is going to look at combining his properties.

M. Olson said that nothing can be stored outside. He said, "Things can be stored inside a pole barn but you cannot be working in there."

### **30404 Falcon Ave Project**

E. Maass said they submitted incomplete plans. They are missing a site plan. E. Maass sent them a letter and has not heard back from them.

Even Carlson: E. Maass met with the County and the applicant. It was originally going to cross over into Lent Township. It is not allowed to cross over political lines. The property owner is not interested in a lease. He is going to take a look at his business plan and get back to E. Maass.

### **Text Amendment for Grading**

E. Maass: the Planning Commission talked about the draft at last month's meeting. It is proposed they add:

An Administrative Grading Permit is required for any grading project regardless of zoning designation which is designed to add depth to create buildable area, or for any grading activity that would occur within a drainage and utility easement with the following possible exemptions:

- (a) Grading projects subject to the conditional and interim use permit requirements
- (b) Grading projects that meet the criteria established for the development of land, or construction of public roadways
- (c) Grading activities that will disturb less than 40 cubic yards of earth material and are not within a drainage and utility easement.

The following are submittal requirements for an administrative grading permit: The following information shall be submitted to the township along with the applicable application:

(a) Scaled site plan that includes:

- 1. Limits of disturbance.
- 2. Proposed contours.
- 3. Any other information deemed necessary by the township.

(b) Application fee and escrow. An application fee and escrow payment, as established in the rates and charges, shall be required.

If it falls in the top 3 it would not need an admin grading permit.



The last three would require a permit. It is written as a catch-all.

M. Olson asked why there is an escrow. E. Maass said it would cover any engineering fees, etc.

M. Willcoxon likes the wording.

**Public Hearing**  
**Open public hearing at 7:46**

A resident asked if this will affect how the Township regulates land. There is a for sale sign up on R. Boeckers property. M. Olson said they did a text amendment previously so pending soil borings, this property may be buildable.

E. Maass explained to them that the Township excluded setbacks, right-of-ways, etc. The text amendment made it so it would be included in that area to match Chisago County's ordinance. The County is less restrictive than the Township.

They asked if they included the area for a septic and drainage. There has to be one foot of modeled soil. The Township requires the one acre above the modeled soil be contiguous. It is not uncommon to require some fill on the land. The Township requires 12", borings wherever it deems necessary. The property owner has not proven that he has those requirements.

D. Carlson said the owner can sell the land if he wants. It is up to the potential property owner to check into this.

M. Olson said they have a prospective buyer for the Boeckers property and he gave her some red flags to watch out for. She is going to put a contingency until the soil borings are done.

M. Willcoxon said you cannot fill on where the septic is going.

D. Carlson said you can't fill in a wetland. The Township would have to follow through if they got a complaint on filling in a wetland. The grading permits were not derived from the Boeckers property.

J. Johnson said that they need 10k square feet for the septic and backup septic.

C. Cagle said they made it so people can sell land but they have to prove they can build on it. This is on the purchaser.



**Close the public hearing at 8:00 pm.**

**M. Willcoxon made a motion to recommend the text amendment regarding grading permits. P. Carlson seconds. All in favor, motion carried.**

### **COMMISSIONER/TOWN BOARD REPORT**

C. Cagle said she received a message from L. Johnson that M. Lindgren is going to court on the 18th.

C. Cagle talked to A1 Tire about the preliminary plan for the curve. She did not have the plan with her. She thought the owner should know what is going on.

M. Willcoxon asked if they should let Quick Trip know.

M. Olson is going to contact J. Triplett and email the Board.

Everyone is in agreement that the Quick Trip should be notified.

B. Seekon said that the Township should show up to the County meetings.

M. Olson said he would contact the Quick Trip. C. Cagle said she would like to go with him.

**NEXT REGULAR PLANNING COMMISSION MEETING IS MAY 10, 2017 AT 7:00 PM.**

### **ADJOURN**

M. Willcoxon made a motion to adjourn the meeting at 8:09. D. Carlson seconds. All in favor, motion carried.

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Mike Olson, Chair

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Kelly Wood, Clerk

*Minutes submitted by Kelly Wood, Town Clerk*