



## MINUTES

### Planning & Zoning Commission Meeting

Location: Zoom Dial: 1-312-626-6799 US (Chicago) Meeting ID: 880 0760 1641 Passcode: 475257 Lent

Town Hall: 33155 Hemingway Ave., Stacy, MN 55079

August 11, 2021 7:00 pm

### **CALL MEETING TO ORDER**

M. Willcoxon called the meeting to order at 7:12 pm.

**Members Present:** Chair M. Willcoxon, Vice Chair P. Carlson, J. Johnson, S. Brooks

**Members Absent:** M. Olson

**Others Present:** Supervisor B. Seekon, Supervisor J. Eischens, Planner K. Lindquist, Clerk K. Wood, Deputy Clerk L. Carr, 18 members of the public (attended virtually/in-person-listed for the record)

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

J. Selvog came to speak about his CUPs/IUP. M. Willcoxon and P. Carlson went and looked at property lines to help evaluate if more trees were needed. J. Selvog wants this issue with the trees/screening to be done. He has original CUP in hand and it states the east side is for truck parking. It was the Planning Commission's understanding that he was parking trucks there and nothing more. With the IUP, the screening was changed from 4 foot to 2 rows of trees. He has planted where he was told to plant in original CUP and not the most recently approved IUP. He requested that the Township honor what was in the first CUP. M. Willcoxon stated we can work out something, there is a process, but we are willing to work with him. M. Willcoxon stated that J. Selvog will need to apply for an amendment to his IUP so that everything is in writing. He needs to abide by the most recently approved document. P. Carlson said J. Selvog needs to put in his request to remove the gate requirement, he may want to have a conversation with the Board regarding his intent for the gate. D. Stiers asked why J. Selvog was required to request an amendment to the screening. M. Willcoxon said that the changes have to be amended on his permit if he would like to change what is in writing on his approved IUP so that it is formally approved and documented.

### **ADOPT THE AGENDA**

**P. Carlson made motion to adopt the agenda. Second by S. Brooks. Votes via roll call, Ayes 4, Nays 0. Motion carried.**

### **APPROVE THE MINUTES** OF THE JULY 14, 2021 PLANNING COMMISSION MEETING

**J. Johnson made motion to approve the minutes of the July 14, 2021 Planning Commission Meeting. P. Carlson Seconded. Votes via roll call, Ayes 4, Nays 0. Motion carried.**

### **NEW BUSINESS**

#### **Eric Mostrom – TruSpeed**

E. Mostrom explained the services that TruSpeed provides and said that they have approximately 175 customers on their waiting list in Lent Township. They have to put equipment on an existing



tower. He confirmed that because they are adding equipment to the tower that they would need a CUP.

### **5563 Athens Trail IUP Amendment for Vehicle Parking – Gordon Peterson**

K. Lindquist said that this property is located in the Rural Transit Center (RTC), has two addresses; one for gas station and one for the overflow parking to allow for free overnight truck parking. K. Lindquist showed a map and photo of the existing overflow parking. The property owner has gravel, no sign in, no payment, no requests to park, just a low-key area for people to park and rideshare. It is not functioning as a commercial use parking area, as it is open to the public. Two permits exist for the property; gas station and meat market. Aerials show the parking area has been there for several years. Staff recommends approval with specific conditions (added gravel, boundaries, maintain usable condition, no violations, etc.).

J. Johnson said that he is concerned about leakage/drainage/runoff from trucks that we do not want in local water. He said that if it is open to the public, but not monitored, that people could be storing items such as RVs that would sit and potentially leak. He asked if screening will be required for this location. Contamination is also a concern for him. M. Willcoxon said any parking lot or highway runs the risk of run off/contamination. If this happens, the earth must be dug up to remove the contaminate. M. Willcoxon addressed the screening and said that the property faces the freeway and not another property. G. Peterson has addressed any previous issues of RVs parking on the property and does not feel that will be a problem. G. Peterson stated that this parking is monitored, he does not want any problems in the lot. They get rid of the junk trailers and they provide services to the truck drivers. The parking here has been going on for over ten years. There were some instances where trucks were parking on Township roads and residents were asked to talk to the gas station to allow them to park at the gas station. There were some statements referencing this in older minutes. This would be an IUP with a sunset date; if the property was sold, the permit would end. J. Selvog's property was brought up and M. Willcoxon explained that they are not being treated differently. It is listed on the Peterson IUP that they provide a service for truck drivers. G. Peterson was asked to provide a known boundary of the parking area. They asked that they keep a close monitoring schedule so that there will not be any dumping of vehicles or trailers and when they regravell the parking area, they will better define the boundary. All vehicles parked in the area must be in working order.

*M. Willcoxon opened the public hearing at 7:42 pm*

**P. Carlson made motion to accept all previous testimony into the public hearing. Second by S. Brooks. Votes via roll call, Ayes 4, Nays 0. Motion carried.**

D. Stiers asked if there is anything in this IUP regarding truck idling. M. Willcoxon said no because they are getting gas and utilizing the station at all hours because this is a 24 hour gas station.

J. Stariha (Elk Lane) asked about someone parking behind a truck and blocking them in and how can they contact each vehicle owner to be able to move the offending vehicle.

D. Stiers added that he does not see a difference in requirements between this property and A1 Tire.

G. Wholecheese (owner) said that they are open 24 hours a day/365 days per year and the parking is backed up to a farm field. Some of the people who park there call ahead and the





parking is for locals/regulars to get off street parking. They come in and fuel up and utilize other services. **P. Carlson made motion to close the public hearing at 7:48 pm. Second by J.**

**Johnson. Votes via roll call, Ayes 4, Nays 0. Motion carried.**

To be added to the language: monitor the parking area and they will email the Township the size of the parking area. Screening is not required for businesses along main highway roads. There is no property to the east. **P. Carlson made motion to recommend approval of the IUP for truck parking at Station on 17 with the noted requirements to the Town Board. S. Brooks seconded. Votes via roll call, Ayes 4, Nays 0. Motion carried.**

#### **Olson Preliminary Plat**

K. Lindquist said some title work was received today and recommends continuing the public hearing until next month. **J. Johnson made a motion to continue the public hearing to September 8, 2021. Second by S. Brooks. Votes via roll call, Ayes 4, Nays 0. Motion carried.**

#### **2040 Comprehensive Plan Approval**

K. Lindquist said that a lot of work has gone into the new Comp Plan and she went over the new sections that were added to it. There is a new housing section. A survey was sent out for input. 120 new households are predicted over the next twenty years and current solar gardens will be added to the final map. The transportation map has been updated over the past few months to show future public roadways if development occurs. This is a long-term vision for the Township and no new roads will be built in these locations unless there is development. She presented the final comments the Township received on the comprehensive plan. There was a resident comment regarding the future land use map. The resident felt that the one acre lots (medium density) were too small. There is also a road on the transportation plan that a resident would like removed. K. Lindquist reiterated that the plan is a long-term goal only if that area is developed. A lot of nice comments were also received.

*M. Willcoxon opened the public hearing at 8:08 pm*

**P. Carlson made a motion to accept K. Lindquist's comments into the public testimony. Second by S. Brooks. Votes via roll call Ayes 4, Nays 0. Motion carried.**

J. Eischens (Supervisor) made a public comment regarding residents on 320<sup>th</sup> Street who have made comments regarding the one acre lots (medium density). She suggested making the zone smaller on the future land use map so it is away from citizens who are directly across and would be potentially affected by the smaller lots if there was development in the future. M. Willcoxon said they would like to maintain the rural character and avoid annexation.

**P. Carlson made motion to close the public hearing at 8:10 pm. Second by S. Brooks. Votes via roll call, Ayes 4, Nays 0. Motion carried.**

J. Johnson said when we look at roads, if an area gets developed, they will have to plat and put a road in. Discussion was had regarding local residents who oppose the changes. M. Willcoxon suggested larger lots on the perimeter. Options for the future land use map discussed.

K. Lindquist asked for clarification of "perimeter". J. Johnson said it would be on the east side as well as north and south. They would like to make the medium density acreage smaller by 320<sup>th</sup> St. on the future land use map. It will now be: right of the line RRA, left will be medium density. The roads are conditional for the future if someone is developing. They discussed the proposed road that the homeowner did not want put in. K. Lindquist has explained to the property owner



why the road is on the transportation plan and property owner does not like it. The Planning Commission agrees it needs to stay on. **J. Johnson made motion to recommend approval of comprehensive plan to the Board with the modification of adjusting the medium density boundary to the west as discussed on the future land use map. P. Carlson seconded. Votes via roll call, Ayes 4, Nays 0. Motion carried.**

**Proposed Text Amendment to Chapter Three: Subdivision Ordinance: 1.06 Platting Required (Ordinance)**

K. Lindquist said this text amendment is a procedural item to meet the standards for current RRA standards. This would bring the lot size standards into compliance with what was just adopted.

*M. Willcoxon opened the public hearing at 8:53pm.*

D. Rogstad (Cty Road 30) made public comment on behalf of his father, his father is opposed to it as he does not feel it is fair. He and his neighbors share driveways. M. Willcoxon stated we are trying to make things better for the community and that we have more opportunities now than we did before. It will be more cost effective for residents who have the lot sizes to be able to do this. M. Willcoxon noted that they are on a County Road so the County would dictate their driveway access. **J. Johnson made motion to close public hearing at 8:57pm. Second by S. Brooks.**

**Votes via roll call, Ayes 4, Nays 0. Motion carried.**

**P. Carlson made motion to recommend approval of the text amendment to the Town Board. Second by S. Brooks. Votes via roll call, Ayes 4, Nays 0. Motion carried.**

**Proposed Text Amendment Amending Chapter 6 of the Lent Township Land Use Regulations – Section 7: Special Events**

K. Lindquist updated the language and it includes the Planning Commission's approval as well as approval from the Town Board.

*M. Willcoxon opened the public hearing at 9:02 pm.*

D Stiers asked if someone would need a special event permit for a grad party. M. Willcoxon clarified that needing a permit depends on the number of attendees, it is not for a family gathering, etc. It is for large events. This is clarified on the ordinance located on the website. The application is also located on the website. M. Willcoxon said if someone does not pull a special event permit, they will be personally liable, subject to a fine, and law enforcement would get involved. Liability was discussed. **J. Johnson made a motion to close the public hearing at 9:09 pm. Second by S. Brooks. Votes via roll call Ayes 4, Nays 0. Motion carried.**

**P. Carlson made motion to recommend the text amendment to the Town Board. Second by S. Brooks. Votes via roll call, Ayes 4, Nays 0. Motion carried.**

**31890 Frontier Ave Complaint - Dogs**

J. Jones (31890 Frontier Ave.) explained issues on the first complaint, addressed current complaints, and explained their dog's behavior. He explained that they currently have 6 puppies, an accidental litter but all are now adopted and going home this weekend. They have no intentions to breed puppies in the future. He is more than happy to put in a physical fence if his dogs are proven to be a nuisance or dangerous. He is concerned a neighbor has an issue with the dogs and they are being targeted but not for good reason. The neighbors have been aggressive towards their dogs by blowing a loud air horn, screaming at them, and kicking the fence. J. Jones invited the Planning Commission to come to their home to observe the behavior of their 3 dogs.





He requested a probationary time frame until end of summer to see if the measures they have taken are doing the job before installing an additional fence. The neighbors next door have a wire fence and there are trees. His electric fence is at least 6 feet from their property line. J. Jones said they plan to use a chain to tie up any visiting dogs to ensure they stay on their property and said that they will do whatever is necessary to make this work. J. Johnson suggested giving them a probation period through end of September. B. Seekon commented that he feels if there is no complaint of aggression, biting other animals or people, the invisible fence is sufficient. It will go to the Board for final say. S. Brooks said that she is not okay with the fact we allow complaints like this when the neighbors should just grow up and communicate with each other. When the dog owners are doing what they can to comply we should encourage them to discuss and resolve it themselves. M. Willcoxon said we sometimes only get one side of the story; it helps to have both sides of the story so we can make an educated decision. P. Carlson stated that they have driven by several times and not seen an issue with the dogs. He has never seen the dogs outside unsupervised. Some residents want to remain anonymous. The office receives the signed complaint. K. Lindquist stated that their IUP says, "other material" which could be counted as their existing invisible fence. The Board needs to make this decision. If they would like to increase the number of dogs they would reapply and state the amount they would like to have on the application. K. Lindquist stated that their limit of 3 dogs is for an extended period of time but having a visiting dog does not violate their IUP. Residents of the Township can have dogs visit their homes for a short amount of time. This issue will be moved to the Board for their approval of the 60 day extension.

### **34056 Granite Ct Complaint**

M. Willcoxon said he and P. Carlson went there and the complaint was that someone was living in the camper with trash piled up and possible mice in the garage. There was nothing apparent to them. As far as people living in the camper, you can do it for a short amount of time. They did not have any proof. There were a few items that looked like they were cleaning up. M. Willcoxon did not see anything and did not notice any mice. P. Carlson said that a copy of the ordinance regarding living in trailers should be sent to them along with a letter notifying them of the complaint.

### **OLD BUSINESS**

#### **35775 Energy Trail complaint - Horses**

P. Carlson stated the property is clean and there seems to be no issue. He feels rules on horses should be clearer. Small horses or ponies do not need the same amount of room that a regular sized horse needs. G. Church (35775 Energy Trail) said that she has two miniature horses and one pony. She explained her family dynamics and how the pets benefit her children. M. Willcoxon agreed with P. Carlson and said that they should take a look at the language in the ordinance. The Planning Commission turned to J. Johnson to get the perspective from a veterinarian. J. Johnson said that there are laws to ensure a safe and clean environment for horses. He said that he feels that it would be unlikely that these miniature horses and pony are not getting enough exercise. The Humane Society has standards as to what is required for animals. He is unsure if they have specifics on horses. A variance would not be allowed in this situation because they would have to show practical difficulty. The Planning Commission would



like K. Lindquist to look into adding/changing the language to the ordinance for smaller horses. No action will be taken on this complaint at this time. Tabled.

### **32050 Elk Lane Complaint**

J. Stariha (Elk Lane) said that he has known the homeowner for many years and has read the meeting minutes. He said that he feels the property owner will not clean up the mess and has seen how the Township has tried to get J. Townsend to comply. He stated that the property owner is running a salvage yard, has over 30 cars on the property and it is suspected that there may be fluids leaking into the ground. J. Stariha said he keeps his yard neat and would like it if surrounding properties looked nice as well. He wants to know what can be done besides the fining and assessing the fines to the taxes. M. Willcoxon and P. Carlson said that they have been by the property within the last day and take photos every time they are there for the record. The Township has started the criminal process. The Township Attorney has written a letter to the Chisago County Sheriff to obtain a criminal citation. L. Carr read the letter written by P. Tiede. M. Willcoxon stated that the Township can escalate the fines but we also have to show the Judge that the Township is being reasonable. The property is going up for auction.

### **5265 318th Street Complaint**

P. Carlson and M. Willcoxon drove by and took photos for the record. They stated that the property owners are getting somewhat into compliance. They have for sale signs on some cars. They will send another letter and citation.

### **33675 Grand Ave Complaint**

Ivan Johnson appears to be compliant and the Township has not received any complaints.

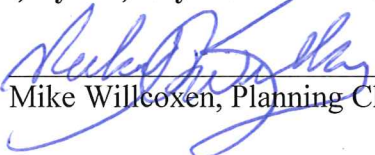
### **COMMISSIONER/TOWN BOARD REPORT**

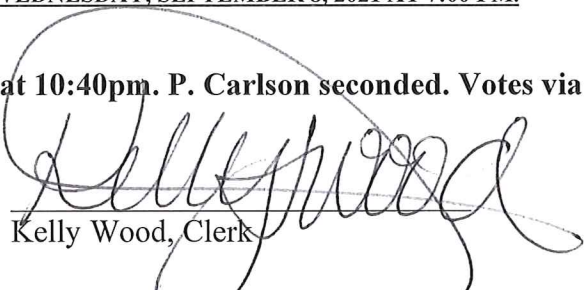
Sherco Construction requested the escrow be removed for the driveways and mailboxes. The Board also approved Cornillie 1 Solar to do some work on Saturdays. The Board was not in favor of moving forward with accessory buildings without principal structures. Stacy Daze was successful. The COVID storage pod is at the Maintenance yard. P. Carlson asked when the ditches will be mowed. He said that 360<sup>th</sup> Street was not mowed well and could be mowed further back. The mower is being repaired. B. Seekon said that he and M. Fehrman are working on putting out the road counter on 302<sup>nd</sup> St and Karmel Ave.

**NEXT REGULAR PLANNING COMMISSION MEETING IS WEDNESDAY, SEPTEMBER 8, 2021 AT 7:00 PM.**

### **ADJOURN**

**J. Johnson made motion to adjourn the meeting at 10:40pm. P. Carlson seconded. Votes via roll call, Ayes 4, Nays 0. Motion carried.**

  
Mike Willcoxon, Planning Chair

  
Kelly Wood, Clerk

