



**Minutes
Planning & Zoning Commission
Location: Town Hall 33155 Hemingway Ave., Stacy, MN 55079
December 11, 2019**

CALL MEETING TO ORDER

P. Carlson called the meeting to order at 7:00 pm

Members Present: Vice Chair P. Carlson, J. Johnson, D. Milles, B. Schule

Members Absent: Chair M. Willcoxon, S. Brooks

Others Present: Supervisor B. Seekon, Planner E. Maass, Clerk K. Wood, 18 members of public (signed in)

PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)

None

ADOPT THE AGENDA

D. Milles made a motion to adopt the agenda. Second by J. Johnson. E. Maass asked to move the 4480 Fawn Lake Drive Complaint up and add the introduction of Peggy Sue to E under new business. **All in favor, motion carried.**

APPROVE THE MINUTES OF THE NOVEMBER 13, 2019 PLANNING COMMISSION MEETING

B. Schule made a motion to approve the November 13, 2019 meeting minutes. Second by D. Milles. All in favor, motion carried.

NEW BUSINESS

**Amborella House CUP Application
Public Hearing**

E. Maass said the Applicant is requesting a conditional use permit to operate a shelter facility for battered persons operated by a nonprofit organization. The shelter would offer therapy to women who have been trafficked. The Township recently adopted an ordinance to allow this as a conditional use in the RRA. The current owner of the home is the co-applicant. All services would be provided within the existing single-family home. The property is located on 5.9 acres. There are four bedrooms, but one could be used for two women. It will be staffed at all times and there will be three shifts. There would be a contract therapist on site a couple days per week. They will have volunteers on site; mostly on the weekends.



They are not looking to expand on buildings or change the exterior. They will have food and lodging inspections done. The Program Director will always maintain credentials. The CUP conditions were reviewed by Staff. The use will not cause traffic hazard; there will be no more traffic than a home with a couple kids. The nonprofit status has to be maintained in the State of MN as a 501c3.

P. Carlson opened the public hearing at 7:10 pm

D. Milles noted some changes to E. Maass' memo to the Planning Commission.

D. Milles made a motion E. Maass' presentation be included as testimony for the record. Second by J. Johnson. All in favor, motion carried.

Trent Zachmann (6417 360th) Said they had question regarding security.

Clare Lillis from the Board of Directors said it may be beneficial if they started out the public comment period because many questions may be answered. C. Lillis read a statement from MN court Judge which explained that trafficked people are vulnerable people who have endured sexual and physical violence. Often times their education has been interrupted and relationships with their family has been damaged. Stable housing is needed for these women. C. Lillis said Amborella House will be able to provide that. It will be a home for up to five adult women. It will be a place where they can heal and work on career readiness. The time they live in the house will depend on their individual needs, but the average stay will be 18 months. The women will not have a vehicle or phone. They will be screened at the Wyoming office. They will not provide detox. There will be security systems, there is a 2-sided fence currently and there is a swamp and heavy trees. Women choose to be there to heal. They want it safe for the women and the neighborhood.

J. Johnson said the owner of the home signed the CUP. E. Maass said the owner has to sign it. C. Lillis said they have a purchase order on the home.

Jessica Lyall (35750 Grand Ave.) Asked if the staff is going to have any training pertaining to their safety.

Terri Hopman, Executive Director said, yes, they have been working with a group for years and they are going to work with the staff. J. Lyall said she worries about the women attacking a staff member. T. Hopman said she talked to another nonprofit and they have not had an incident in the time they have been open and that has been 20 years. They want everyone to be safe.

Laura Zachmann (6417 360th St.) Asked if they will be removed if they do not comply. T. Hopman said, yes, they will.



C. Lillis said they hope to open Amborella House on June 1. It will be an undisclosed location and everything is filtered through the Wyoming office. J. Johnson clarified that there would be no signage.

T. Zachmann asked if they are there voluntarily. He asked how they maintain these people so they are not wandering in their yard. He stated, what is to stop them from wandering on his property. There is a swamp there, but he could still walk over there. He does not like the idea of a stranger wandering around in his yard. C. Lillis said one of the requirements would be for them to stay in their yard or they will be removed from the home. P. Carlson said we could make it a condition to require a fence.

Sheriff Thyen said he has been aware of Amborella House for the past couple years. He reached out to a similar nonprofit in Waite Park. He spoke with the manager to see if they had any incidents and they have not. The Chief of Police is on their Board. We do have other shelters in Chisago County. His associate was on the East Metro Trafficking Force and when victims are rescued and are looking for help, they need help with skills. There may be instances that a family member would try to find them, but it is not likely a trafficker would go looking for them. He explained what a trafficker is and the common myths behind them; it is not the stereotypical 'pimp'. If the shelter has a problem with someone, law enforcement can be called. Staff should have a plan in place.

J. Lyall asked if there will be any benefit to the community or us as neighbors. T. Hopman said awareness is an important part. She said they hope to spread awareness. C. Cagle said we had a public meeting regarding sex trafficking in rural communities that was open to the public. She explained what went on at the meeting. She stated that, "as a Board member, I am very hopeful we can have this in our community to get this started because it does not get better until we get this started".

J. Johnson said there are statutes that sex offenders cannot live close to a school and he was wondering if they can be close to a facility like this. Sheriff Thyen stated that the County and Cities can make ordinances regarding sex offenders. He is not aware of statutes in housing law regarding this. He cannot speak specifically to Waite Park on what is allowed. It is in City owned property there.

L. Zachmann asked what happens when the location becomes public. C. Lillis said the hope is that it does not. D. Milles asked if the Wyoming office was staffed. C. Lillis said yes, during business hours. They will provide the office information to the neighbors.

S. Sinna stated she worked in social services and in different NIMBY situations. She is well aware of the need for the nonprofit and is also aware of the neighbor's needs. She would like the neighbors comfortable with fencing. She would like a mechanism by the Planning Commission to measure incidents.



P. Carlson closed the public hearing at 7:37pm

D. Milles said we should include some sort of a semi-annual report for the Planning Commission that shows any issues or problems. It could show things such as: we had to call the Sheriff, etc. This is so we can monitor, but not be intrusive. E. Maass will add that to the conditions of the CUP.

J. Johnson asked about 4 or 5 clients because it should be cleared up today. The room is 166 square feet which is more than double what a bedroom needs to be. 70 square feet is the requirement along with having egress windows. They are okay with erecting a 6' fence on the other two sides. C. Lillis said they would want to fence all six acres because much of it is mowed. C. Cagle asked if they could put in specifics for the fence. E. Maass said he would recommend a privacy fence be required. E. Maass stated it should be standard residential vinyl fencing. E. Maass stated the reason for the additional fencing requirement is security.

Johnson said we should allow 5 clients. E. Maass said he is comfortable with that. P. Carlson said they should go with 5, they have enough footage.

D. Milles asked what kind of therapists they will hire. T. Hopman explained the therapists. The program Director will be there daily. Basic living skills learning will be offered.

D. Milles stated they will be allowed a maximum of five clients, add a 6' residential fence on east and south boundary and submit a semiannual report in June and December.

Discussion regarding therapists took place. They need to be licensed by the State of MN.

J. Johnson asked about hours of operation. E. Maass said there is minimal impact with traffic. They have shift changes. It is staffed 24/7. There is no current ordinance with hours. E. Maass said there may be volunteers coming in to tutor for GEDs, life skills, taking them for equine therapy, career readiness, etc.

D. Milles made a motion to recommend the CUP with the conditions discussed to the Town Board for approval. B. Schule seconds. All in favor, motion carried.

P. Carlson called a recess at 7:55pm

P. Carlson called the meeting back to order at 8:00pm

4480 Fawn Lake Drive Complaint

E. Maass said Staff sent a letter to the property and they are here tonight. J. Kam stated that he and his wife moved to Lent and they wanted to share their land with someone. His wife wanted to share the land with battered women, but said he could not do that. They thought they could put in some tiny houses. They met John and Barb Pabst. He researched and thought because they



were not permanent, they could keep them. He knows they are in the wrong and is not going to fight this. They actually have two tiny homes on their property and his sister-law lives in the other one. He needs to know what they are going to do about this next.

D. Milles said there is a of 960 square foot minimum for a structure. These are single family lots. E. Maass said one of the homes may have a medical hardship, but not both. D. Milles said the temperature is bad right now so we can give you some time. E. Maass said it was great they returned the call. We could do a timeline on this. One is 280 square feet with a composting toilet. They have a sand point well. D. Milles said it is not legal in MN. The septic guy told him he could do it. C. Cagle stated that the homes with hardships share the septic of the home. The other tiny home has a composting toilet and sand point well too.

E. Maass said one tiny home has to be removed and asked the Planning Commission to come up with a date of removal. P. Carlson said the remaining tiny home would have to be hooked up. C. Cagle said there is a \$5k escrow fee. D. Milles said we should give them until May 1, 2020 and that will give them enough time to get housing.

J. Pabst stated they lived in Minnetonka and built a tiny home. He grew up in the country and he loves it here. They raise food for the food shelf and go to church here. He would be thankful to stay until May 1. P. Carlson said they have talked about zoning for tiny homes, but we have to abide by the County as well. D. Milles said we have to be as restrictive as the County. We have to maintain it as a rural residential area. It is going to be hard to find a community that allows a tiny house.

D. Milles made a motion to give them until May 1, 2020 to relocate the tiny home or apply for temporary hardship. Second by B. Schule. All in favor, motion carried.

E. Maass will write them a letter.

J. Kam said the houses are well built and to the specs of an RV. They would like to treat it like an RV; it has wheels on it. They can store it on the property. The kids will have sleepovers in it. They were told they cannot live in it. You cannot stay in it more than two weeks. The homeowner is going to present his plan to the Planning Commission.

Discussion Regarding Home Occupations on County Road 30 from 340th – 360th

E. Maass said the Township was considering this and nothing was formally adopted. What he would like for the Planning Commission to do is go through this and bring this forward to the January meeting.

Discussion Regarding Single Lot Subdivision Park Fee

D. Milles said the Board talked about reducing it to \$500.



W. Joos said at the meeting he attended, they told him it would go through to be waived and they decided not to and they voted it down. E. Maass said the Town Board did not vote to approve this.

There will be a public hearing in January to consider reducing the single lot subdivision park fee from \$1600 to \$500.

D. Milles made a motion for E. Maass to draw up an ordinance for one-time single lot subdivision park fee to be \$500. Second by P. Carlson. J. Johnson asked how they will keep track of these. E. Maass said the remnant has to be 20 acres. Discussion was had to clarify what a single lot subdivision is. E. Maass said they would not have enough acreage to subdivide again. E. Maass said it could not be subdivided under a minor subdivision again. **All in favor, motion carried.**

Introduction of Peggy Sue

E. Maass would be the primary and Peggy Sue would help out to reduce cost for the Township. She has been with WSB a year and a half. She will send the Township an email with her information.

OLD BUSINESS

Lindgren Property

P. Carlson said they received the aerial photos and M. Willcoxon told him boats are in the photos. E. Maass said we did not fine him because we did not have evidence.

D. Milles made a motion stating he would like to fine him \$500 and if he does not pay, we will call the Sheriff. J. Johnson seconds. J. Johnson said the judge put it on us. D. Milles said there is more than one Judge. D. Milles said he is going to go to the Elk Lane court date. If it is not settled by the next court date, they are going to ask another citation from the Sheriff. E. Maass said if the Planning Commission wants to do another \$500 fine, we can cite him. **All in favor, motion carried.**

32050 Elk Lane Complaint

D. Milles took photos and he said the property looks worse. E. Maass said we now have the photos. We can send a fine next month. E. Maass will write a letter.

32301 Elk Lane Complaint

E. Maass said this is in foreclosure so the fines are not going to get paid. P. Carlson said someone is going to have to pay it. The \$200 fine will be sent along with the letter.



5190 Enchantment Lane Complaint

E. Maass said the complaintant has submitted visual evidence. We should submit them a notice to rectify this. D. Milles said it looked like a night light. C. Cagle said someone is shoveling to it. They are in and out of it.

E. Maass will write a letter.

Country View Marine

He picked up the resolution and has not provided the action plan yet. He was going to call E. Maass. K. Wood will follow up with them.

COMMISSIONER/TOWN BOARD REPORT

C. Cagle said they reviewed the fee for the one-time split. They also had the Amborella House come up. It was a 4-1 passing vote on the ordinance. The discussion has come up to look at the comp plan again. We did not have a benefit for the Anderson property. P. Carlson said it is urban growth and Stacy provided them sewer and water. C. Cagle said M. Willcoxen approached her about home occupation along the Highway 30 corridor.

C. Cagle asked if they needed to be updated on the annexation. E. Maass said K. Wood provided it to M. Willcoxen, P. Carlson, R. Keller, P. Tiede and himself. K. Wood will email it to all on Friday. C. Cagle wants to look at multi-residential housing. E. Maass said that is a conversation way beyond this. D. Milles said we should look at talking to the Board about contracting with WSB about revising the comp plan.

B. Seekon said they talked about becoming a city at the CCATO meeting. There is a limitation on acreage. E. Maass said you would want to talk to P. Tiede about becoming a City.

NEXT REGULAR PLANNING COMMISSION MEETING IS JANUARY 8, 2020 AT 7:00 PM.

ADJOURN

D. Milles made a motion to adjourn at 8:54pm. Second by P. Carlson. All in favor, motion carried.

Planning Commission Member

Kelly Wood, Clerk

