



Approved Minutes
Planning & Zoning Commission
December 14, 2016

Call Meeting to Order

M. Willcoxon called the meeting to order at 7:00 pm.

Also in attendance were M. Olson, D. Carlson, P. Carlson, and J. Johnson. Planner E. Maass, Supervisor L. Johnson, Vice Chair B. Seekon and Clerk K. Wood attended. 9 members of the audience signed in.

Public Comments (*items not on the agenda*)

None

Adopt the Agenda

M. Olson motioned to adopt the agenda. D. Carlson seconds. All in favor, motion carried.

Approve the minutes of the November 9, 2016 Planning Commission meeting minutes

D. Carlson motioned to approve the minutes of the November 9, 2016 Planning Commission meeting. Mike Olson seconds. All in favor, motion carried.

New Business

R. Boeckers Variance

E. Maass presented the report regarding the Boeckers variance application. Some of the topics he mentioned included:

- The Township received a variance request from Mr. Boeckers for the buildable area requirement
- The Township requires a 1 acre contiguous buildable area
- The County counts the property as having 1.25 buildable acres
- The property was created under the County planning and zoning and it was considered a buildable lot at that time
- The County approved the subdivision prior to the Township taking over the planning
- The County is in support of a variance if it is granted (The approval of the variance is approved by the Township and not by the County)



- There are 6 requirements for a variance to be approved

E. Mass showed the PC a draft resolution and said that it is Staff's recommendation this passes, but told them it is ultimately up the Board.

M. Willcoxen – showed the Planning Commission the soil borings. The lowest was at 12" and the other was 14" - they meet the requirement. The corner boring is 12". M. Willcoxen feels that more than 4 borings are needed.

E. Maass – Said they could make the approval contingent on more soil borings.

J. Johnson – He favors protecting the consumer who purchases it from the current owner.

D. Carlson – Added that they also want to protect the current owner because it was purchased in 1998.

M. Olson – Currently the Township's ordinances do not allow it. They could change the ordinances to reflect County ordinances.

Public Hearing – 335th

M. Willcoxen opened the public hearing at 7:22

K. Salverta – Asked the Planning Commission to look at the northwest corner of the map and she showed them how the property is located right behind her garage. She mentioned there was standing water and it was surface water that did not have anywhere to go because the ground was already saturated. She said that when she moved to her current location 20 years ago she was told that the Boeckers lot was determined unbuildable. She has an organic garden she wants to protect as well as making sure her property value does not decrease if a home is built so close to hers. She wants to keep the rural feeling of the area and does not think the rules should be changed because it is not a subdivision. She requests that the variance not be granted and to leave it a green space.

L. Johnson – The land was subdivided and approved by the County by metes and bounds based on the soil borings. He said he is not sure if a variance is the way to go. He suggested to grandfather in a handful of parcels that were parceled off by the County before Lent took over zoning.

E. Maass – This property was subdivided before a subdivision ordinance was in place.



B. Seekon – What if a property was purchased in the 1930's? We can't grandfather everything in and let people do whatever they want.

D. Carlson read the email sent by Joan and Tony Matkati. They were not able to attend the meeting and were not in favor of the variance.

M. Willcoxen closed the public hearing at 7:38

J. Johnson – Said that he does not want to grandfather anything in.

P. Carlson – Said that the Township should change our ordinance instead of grandfathering something in.

M. Olson – Asked: what if we adopted the County ordinance?

E. Maass – The property owner would have a buildable lot if the Township did that. They would need to submit a building permit showing they are following the planning requirements.

D. Carlson makes a motion to deny the variance because it does not fit on the current ordinances. P. Carlson seconded. M. Willcoxen said that the soil borings do not show what they need to know. All in favor, motion carried.

Discussion on changing subdivision zoning ordinances to meet Chisago County standards

M. Willcoxen – There needs to be standards in place to protect the Township. In his opinion, they should be changed because the Township has been seeing some issues with this.

M. Olson – Would like to add: require more soil borings, include setbacks and stay with the one acre contiguous.

D. Carlson – Feels this should be discussed in the future. He said that property has been bought and sold without the proper research that should have taken place.

P. Carlson said that North Branch has a procedure regarding this.

M. Willcoxen asked if there is an agreement among the Commission that this issue should be further looked at.

P. Carlson – Said that they should think about this and make some changes.

M. Olson – Would like to take a look at it to help people out



J. Johnson – Is willing to discuss it

D. Carlson motioned to table for discussion. J. Johnson seconds. All in favor, motion carried.

2017 WSB Planning Proposal

E. Maass is looking for recommendation to approve WSB's 2017 Planning Proposal for services. The meetings are a flat rate of \$125 for Planning Commission meetings and billable hours went up \$3. They are proposing to use the same staff members, Eric and Brianne. He added that he hopes that the Planning Commission feels that they provide good service.

D. Carlson motioned to maintain the relationship between the Township and WSB. P. Carlson seconds. All in favor, motion carried.

RTC Zoning Conditional Uses

M. Willcoxon – Explained that he is trying to avoid conflicts and problems in the future. He wanted to make it clear that Full Draw Archery was not required to get special permission to expand on their retail sales. The owners wanted to be transparent especially when it comes to firearms. There are certain things they don't want to happen in the RTC which includes allowing a firing range and there are other limitations that need to be considered.

P. Carlson – The Full Draw Archery owners did not mention the word gun and said the Township wasn't moving fast enough for them. He would not have been opposed to it if it had been brought up right away.

D. Carlson – Asked if the Township can be restrictive on the definition of retail.

E. Maass – There can be many restrictions in a CUP.

J. Johnson – Asked what if the application for the use included a defined and finite composite of use that was not amendable. Someone should have their vision of 3-5 years down the road and put it into their application. Criteria should be set to define what they intend on doing. If they want to do something different they have to apply.

E. Maass – Said that it is often hard to know future plans. If they do something that changes the spirit and intent of the CUP they would need to come forward for an amendment.

D. Carlson – There has to be rules what the Township's definition of retail is.



M. Willcoxon – Won't allow any outdoor retail.

P. Carlson – Agrees with M. Willcoxon about not allowing outdoor retail.

D. Carlson – Said the Township's description of retail is vague.

E. Maass - The Township has a requirement regarding outdoor storage. As businesses come in they should include all of their info in their business plan.

J. Johnson – Would like the CUP to say if the applicant wants to do something new, the Township should require that they come in for an amendment.

D. Carlson – We could require the applicant to be clearer with their intent.

M. Willcoxon – Asked if the Township should restrict some items from the RTC that they do not want to see go in there. Discharge of firearms being one of them.

E. Maass - said is going to check into the Township's definition of retail.

M. Willcoxon – Said that we need to put in firearm discharge is prohibited.

M. Olson – Would like to get some ideas from other places (i.e. Tanger Mall) and put a special meeting together to share ideas.

M. Willcoxon – Asked the Commission if they should assign E. Maass to look into what others are doing? All were in agreement to have E. Maass do so.

Site Visit Discussion

Some things have slid through the Planning Commission. In the past, the Planning Commission was very involved and right now it has gotten to the point where they are out of touch.

D. Carlson – Said that with proper notice, he can arrange his day to go on a site visit.

J. Johnson – There needs to be consistency so everyone gets the same service.

M. Olson – Explained that he used to be a driveway inspector. The Township could use a new one now.



P. Carlson – Feels that everyone should go and look at the project even if they can't go out as a group.

M. Willcoxon – We have to keep it limited to 2 members so it is not considered a meeting.

They are going to schedule a joint meeting workshop with the Town Board to come to a consensus.

M. Olson is going to talk to J. Kramer about his processes.

D. Carlson motioned to ask the Town Board to schedule a work session to discuss site visits, permits, applications, etc. P. Carlson seconds.

A recess was called at 8:50
The meeting resumed at 8:56

All in favor, motion carried.

Proposed Relocation/Reconstruction of Curve on 19

L. Johnson has been in contact with J. Triplett from the County and the project is scheduled for 2018. The County is looking for input from the Township as to the size and shape of the two parcels there. How large should they be? They will tear out the old bed and the 2 roads coming off of it will become Township roads.

J. Johnson - Questioned the intersection being in the middle of a curve.

D. Carlson said we should know what the homeowner wants to do before they discuss it further.

M. Willcoxon – will give input when we do the joint meeting.

Planning Commission Chair and Vice-Chair

J. Johnson motioned to nominate M. Olson for Chairperson and M. Willcoxon for Vice chair. D. Carlson seconds. All in favor, motion carried.

Old Business

Commissioner/Town Board Report

L. Johnson was filling in for C. Cagle and will talk to the Board about setting a meeting date.



Next regular Planning Commission meeting is January 11, 2017 at 7:00 pm.

Adjourn

P. Carlson motioned to adjourn the meeting at 9:16 pm. D. Carlson seconds.
All in favor motion carried.

X

Mike Olson, Chairperson

X

Kelly Wood, Town Clerk