



Approved Minutes

Planning & Zoning Commission Meeting

Location: Zoom Dial: 1-312-626-6799 US (Chicago) Meeting ID: 824 5852 5646 Passcode: 206166 /

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

December 8, 2021 7:00 pm

CALL MEETING TO ORDER

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

Members Present: Chair M. Olson, Vice Chair P. Carlson, M. Willcoxon, J. Johnson, S. Brooks, D. Ardolf, J. McGill

Members Absent: None

Others Present: Supervisor B. Seekon, Planner K. Lindquist, Deputy Clerk L. Carr, 1 member of the public (attended virtually/in-person-listed for the record)

PUBLIC COMMENTS *(ITEMS NOT ON THE AGENDA)*

M. Olson noted that public comments are limited to two minutes per person and are not an exchange of information.

ADOPT THE AGENDA

M. Willcoxon made a motion to adopt agenda. M. Olson seconded. M. Olson added Alternate Pay as Item F. Votes via roll call, Ayes 5, Nays 0. Motion carried.

APPROVE THE MINUTES OF THE NOVEMBER 10, 2021 PLANNING COMMISSION MEETING

P. Carlson made a motion to approve the minutes from the November 10, 2021 Planning Commission Meeting. Second by J. Johnson. Votes via roll call, Ayes 5, Nays 0. Motion carried.

NEW BUSINESS

Proposed Text Amendment to Chapter 3, Regarding Lot Consolidations

J. Hartmann said that the approval of lot consolidations will be an administrative process. Planning drafted an amendment to Chapter Three which was included in the packet. Splitting the lot after it has been combined will require the applicant to go through the platting process.

Public Hearing

M. Olson opened public hearing at 7:06 pm - No Public Comment

P. Carlson made a motion to close the public hearing at 7:07 pm. Second by M. Willcoxon. Votes via roll call, Ayes 5, Nays 0. Motion carried. M. Willcoxon made a motion to recommend approval of the lot consolidation text amendment to the Town Board. Second by P. Carlson. Votes via roll call, Ayes 5, Nays 0. Motion carried.

Forest Lake Contracting CUP

M. Olson said the Township was not involved with issuing the initial CUP, but there is a lot going on at the property. He said that T. Nelson is concerned because they are doing a lot of drilling and pumping of water. The CUP was issued four months prior to the Township taking over its own planning. K. Lindquist said that the CUP stays with the property and the County



conditions have to stay in place. The Township should try to work with Forest Lake Contracting on the noise and watering. The Township can talk to the Attorney to make sure that it is okay to modify conditions. The road damage and resident complaints were discussed. K. Lindquist suggested talking to the DNR and asking them which permits are required and when they were last pulled for this project. M. Olson said that they are hauling a lot of dirt and asked if they needed a mining permit. They will ask Forest Lake Contracting where they get their fill to ensure that it is clean. MnDOT does have standards. M. Olson noted that he has watched the lake shift. M. Olson said that the CUP seems vague and he would like for Forest Lake Contracting to come to the next Planning Commission meeting for discussion. K. Lindquist will call Forest Lake Contracting to invite them to the January meeting.

Olson Final Plat Update

J. Hartmann said that M. Olson has been working with Shawn at Widseth. There is a minor shift in the frontage that still meets minimums and should not change anything for the final plat. He wanted to mention this as a courtesy and no further approval is needed. Regardless if there is a ROW or an easement, it counts as the lot area in the Township. K. Lindquist said the lot will be 1.9 acres on the County tax form, but the Township will still consider it a buildable lot. K. Lindquist said a ROW is set aside for the purpose of a road. K. Lindquist also noted that a resident is responsible for making sure that there are no other easements, assessments or leans against a property. **M. Willcoxon made a motion to have K. Lindquist revise the document. Second by P. Carlson. Votes via roll call, Ayes 5, Nays 0. Motion carried.**

31890 Frontier Ave Kennel Permit Complaint

M. Willcoxon and P. Carlson both witnessed four dogs on the property. The kennel permit allows for an electric fence unless there were complaints. The Township has received a written complaint that alleges there is not an electric fence or collars on the dogs. K. Lindquist said the Township should enforce the physical fence due to the complaint. The complaint states there are more dogs and they are getting out of the yard. **M. Willcoxon made motion that a physical fence be installed per the kennel permit. M. Olson seconded.** M. Willcoxon said they can install the fence now, but should also have until May to complete it. M. Willcoxon said the Township must be seen as reasonable, an agreement was made and they failed and we need to find a solution. B. Seekon suggested asking them to contain the animals with a tie out or leash until May 15, 2022 and requiring that a fence be put up prior to the specified date. The dogs must be on a chain, attended or not. Also, only three dogs are allowed in the home. M. Olson said more pictures are needed. L. Carr said that the neighbors had previously sent a petition to the Township due to concerns regarding the dogs. J. Johnson discussed invisible fence options and said dogs must wear collars with them. P. Carlson said that the dogs are still running and whatever the property owners are doing is not working. J. Johnson said that they have five months to install a physical fence. They can also board dogs at a kennel until they can put in a physical fence. They will also mention that they have more dogs than allowed in the letter. There is a list of conditions on the IUP and they did not work, therefore a physical fence is required. If more than three dogs are seen again, the Township will have to take further action and they will be in violation of their IUP. The letter will state that if they violate the IUP, the Township can withdraw it. The Commission will revisit in a month, but they may not have a fence by then. It



will be required that the dogs be tethered while they are outside. If they do not comply, they will lose their permit.

34585 Kale Lane Accessory Structure Discussion

A septic person contacted the Township to see if a connection to this building was allowed and they were told no. The Township has realtor photos showing the inside of the accessory structure. In 2019, the Township sent the previous property owners a letter telling them they were required to remove the living quarters and all plumbing. The new owners purchased the property stating that they were unaware that a second residence was not allowed when they purchased the property. The new owners purchased the property in hopes of using the accessory structure to house their ailing family member. P. Carlson said that this looks like a converted garage which would not be properly insulated, up to code, and bathroom/living quarters are not allowed in an accessory structure. J. Hartmann would like direction with this case. The accessory structure cannot be used as a dwelling unit per the Township code. K. Lindquist will send a letter stating that the accessory structure cannot be used for a medical hardship, it needs to be gutted and the structure must return back to a garage.

Alternate Pay

M. Olson said he would like to make sure that the Alternates receive the same pay as Regular members. M. Olson made motion to make sure that the Alternate position is paid like the Regular position. P. Carlson seconded. Votes via roll call, Ayes 5, Nays 0. Motion carried.

OLD BUSINESS

Access Discussion

P. Carlson said that the Township should require 33 feet on each side, 66 feet total. K. Lindquist verified that paved roads are 24 feet wide. She said that J. Pelawa wanted a policy for road widths so that there is something in writing that states that the Township requires 24 foot wide paved roads in a 66 foot space. This would just be for when public roads are constructed. The ordinance could use some updating relating to this.

35775 Energy Trail Complaint

This complaint is in regard to the horses and a small engine repair business at this property. M. Willcoxon and P. Carlson took updated photos of the property. They stated that there are appliances in the yard. J. Johnson noted the adequate area, protection and stall space for horses. There are Humane Society standards. The animal must be able to lie down, get up and turn around. P. Carlson stated that the structure looks like it is meant to store hay; it is open and appears too small for the horses. J. Johnson offered to do a site visit with the homeowners to provide them information on shelter for the horses. L. Carr will set that up.

32050 Elk Lane Complaint

M. Willcoxon and P. Carlson went to the property and took photos. Items that were out front are now stored in the backyard within a fenced area. They figured the property owner has removed around fifty percent of the items, but it is still a mess. He had previously made an effort to clean up the property and then it got bad again. He is now cleaning it up for Deputy Carroll. The Deputy has not criminally cited him as requested by the Township. The Township is still fining monthly and assessed the unpaid fines to his property taxes. Another letter will be sent stating



that he should contact the Township when he is ready for an inspection and it will include another \$500 fine.

5265 318th Street Complaint

P. Carlson and M. Willcoxon took pictures and said that there has been no improvement with the property. The 318th Street fines were also assessed to their taxes. L. Carr said that Deputy Carroll gave the property owner a 30 day warning. The Township has requested a criminal citation for both the Elk Lane and 318th Street complaints and P. Tiede wrote letters to the Sheriff, but the Deputy is not enforcing them. P. Tiede said that we should keep doing the administrative part, fine again and send letters asking them when the Township can come to inspect the property. The Township should require a plan from the resident and ask them to come to the next meeting. If they have health concerns, the Township will listen and work with them. The officer is not enforcing the Township's requests. M. Olson is going to address this with the Deputy. A letter and a \$500 fine will be sent.

Home Occupation Ordinance Discussion

J. Hartmann said that boat and RV storage is not consistent with other standards for a home occupation. He asked if the Planning Commission would like to include outside storage with a text amendment. P. Carlson suggested inside storage because most of the parcels are large enough, but they are residential. The accessory building cannot be taller than the primary structure. M. Willcoxon suggested screening located in the back of the property. There is a need for this kind of storage in the Township. There was discussion on how to properly allow the storage of items such as RVs. K. Lindquist said unless that area is rezoned, the primary use has to be residential. K. Lindquist is going to look at other municipalities and what they are doing as far as commercial properties; lot sizes for small businesses, room for septic, etc.

Escrow Payments

The escrow amount is on the checklist to make it clearer and the escrow amount is obtained up front. The escrow covers the Planning and Engineer costs and if there is any leftover, it is returned to the applicant. B. Seekon said that M. Fehrman is the driveway inspector. Clerk note: there is a \$1k culvert escrow and a \$225 access escrow collected for driveways.

COMMISSIONER/TOWN BOARD REPORT

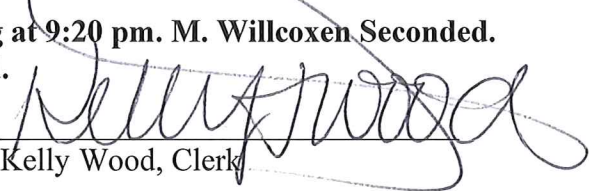
B. Seekon said the surety ordinance was approved at the last Board meeting. The Township bought new tires for the one ton and the single axle plow truck. Maintenance is brushing. The CCATO meeting is canceled due to Covid and the January meeting will be at the Sheriff's Office. B. Seekon said that he is going to fix the Zoom audio issues. ARPA funds and remote options were discussed.

NEXT REGULAR PLANNING COMMISSION MEETING IS WEDNESDAY, JANUARY 12, 2022 AT 7:00 PM.

ADJOURN

**P. Carlson made a motion to adjourn the meeting at 9:20 pm. M. Willcoxon Seconded.
Votes via roll call, Ayes 5, Nays 0. Motion carried.**


Mike Olson, Planning Chair


Kelly Wood, Clerk

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KELLY J. WOOD
Clerk, Lent Twnshp., Chisago Co., MN
Notarial Officer (ex-officio notary public)
My term is indeterminate