



Minutes
Planning & Zoning Commission
February 13, 2019

CALL MEETING TO ORDER

M. Willcoxon called the meeting to order at 7:03 pm

Members Present: Vice Chair P. Carlson, J. Johnson, D. Milles, Chairperson M. Willcoxon (Skype)

Members Absent: D. Carlson, L. Sinna

Others Present: Supervisor B. Seekon, Supervisor C. Cagle, Planner E. Maass, Clerk K. Wood, Deputy Clerk B. Schule, 2 members of the public (signed in).

PUBLIC COMMENTS *(ITEMS NOT ON THE AGENDA)*

B. Randt lives on Foxhill Ave. and wanted to bring up a Level 3 sex offender ordinance. The County has one as well as Linwood Township and the City of Wyoming. There is an offender moving in to the Township and it mentioned they are not allowed to live within a 1000' of children. The person appears to be moving into the Sunrise Prairie Trail area and is not allowed to live near any park areas. He would also like to look at an adult use ordinance. B. Randt mentioned some of the surrounding townships have put in place an ordinance for this type of situation. M. Willcoxon said the County has adopted some as well. B. Randt said it is any public park owned by government and the trail should fall within the definition. M. Willcoxon said we have a meeting with the Sheriff coming up. M. Willcoxon said we will talk about it at that time. P. Carlson said this is already covered and thought they adopted an ordinance. He said we had a troubled youth farm that wanted to come in. J. Johnson asked if B. Randt brought anything in writing that list his proposal or solutions to share. The committee looked at what was considered prejudice and biased. E. Maass reviewed the Chisago County ordinance. Similar to adult uses, an ordinance cannot outright ban them. The Township is covered by the County by default. D. Milles said we need to find out from the Sheriff why they are letting him live here. J. Johnson stated that the level of offence has different stipulations on where they can live. D. Milles mentioned we need to find out if this is a group home or if he is buying this home. B. Seekon said he and R. Keller were talking today and there is a parcel the Township purchased. It is not listed or named as a park. B. Randt said he has a letter that he showed neighbors where Lent Township purchased 31617 Frontier to be used as a park in July of 2016. We can put a bench or picnic table there. J. Johnson said if the default code is the County then we should stay with the County.



C. Cagle said there was a discussion with Family Pathways and St Johns Church stating if there are very strict guidelines they do not register and will live with their family. They like the Chisago County ordinance. Individual communities can get too strict and it forces them underground so they can't keep track of them. J. Johnson said he doubts you can tell people where they can live. D. Milles said we don't have our own ordinance. M. Willcoxon said he will take a look at it along with everyone else. D. Milles asked if we know if he is for sure moving in. He is supposed to move in March 2nd. M. Willcoxon stated they might not consider the bike path a park. J. Johnson mentioned E. Maass should be able to find out. E. Maass stated based on the letter it would. He would have to look at the zoning map. He said maybe the County doesn't know it is a park. The letter may help them know it is intended as a park.

C. Cagle reminded everyone that the upcoming meeting is only an informative meeting.

ADOPT THE AGENDA

D. Milles made a motion to adopt the agenda. P. Carlson seconded the motion. D. Milles asked if they could move the appointment of S. Brooks up, but she said she was happy staying the entire meeting. All in favor, motion carried.

APPROVE THE MINUTES OF THE JANUARY 9, 2019 PLANNING COMMISSION MEETING

M. Willcoxon said there is a joint work session on the 25th at 6pm. D. Milles made a motion to approve the meeting minutes. P. Carlson seconds the motion.

There were some changes to the language to the minutes: Solar gardens replaced accessory ground mount. Also changed was WACA to WCA.

Page 6 was changed: 4th paragraph from the bottom taking out the battery storage in that section and also removed the reference to WCA.

D. Milles made a motion to approve the minutes as amended. J. Johnson seconds the motion. All in favor, motion carried.

OLD BUSINESS

Frontier Complaint

M. Willcoxon asked E. Maass where we are at with this complaint. E. Maass said we have sent a couple letters are waiting for them to respond to them. B. Schule sent the Planning Commission an email stating that he responded and invited the committee out to look at the property showing that he only has two dogs. E. Maass said the resident has invited you on their property and he feels they should go. E. Maass mentioned that if someone should go to the property to verify, and there were only the two dogs, then you have done your due diligence.



M. Willcoxon said the complaintant volunteered that she has three dogs. P. Carlson said they told her she needs to get a kennel permit and that we should go verify if the resident the complaint is about has three dogs. J. Johnson said we are not trying to get fees and licenses. The whole idea is to regulate bad behavior. We are not going to go count dogs.

C. Cagle stated he was complained about and he responded and there needs to be a paper trail that the Planning Commission went out there. M. Willcoxon said he agrees with C. Cagle. He said we need to explain to the complaintant. C. Cagle said no, we can just send an updated letter that we visited the sight. PZ is going to follow up with an inspection. C. Cagle and D. Milles are going out to residence to verify.

Elk Lane Complaint

D. Milles stated we should probably create a letter. E. Maass said there is so much snow and asked what they can do to achieve compliance. J. Johnson said we can give him an extension in the letter for weather. E. Maass will invite him to the next Planning meeting. We want to see a good faith effort. D. Milles said we need to have him tell us what he is doing, and ask if he is operating a business. D. Milles said he has an outdoor storage problem and should come talk to us. E. Maass is going to write a letter, without sending certified. It will give them the opportunity to come forward to the Planning Commission.

Lindgren Property

M. Willcoxon said he received and signed for the letter stating he needs to contact the office for a walk through with PZ. D. Milles said he had until 2-6-19 to clean it up. M. Willcoxon asked if should we notify the judge and let him know he is in contempt or send a letter stating fines will be invoked. P. Carlson asked if we should have our attorney look at it. J. Johnson asked what the purpose of the fine is. E. Maass stated the fine is a part of the fee schedule. Failure to comply and for not cleaning it up. It is a violation of the zoning ordinance. E. Maass stated what the fees are. P. Carlson we should give him a date to comply by.

E. Maass stated “here is your # violation and you have 30 days to correct the violation and we have notified the court and if this continues it will escalate to X amount of dollars”.

E. Maass said it could say, here is your fine with a 3 fine escalation system. Deal with what the County is going to do or abate and put it on the taxes. D. Milles said every day can be a violation. J. Johnson said he should know that it will go on his property taxes. E. Maass said failure to do this will be assessed on your property taxes. E. Maass said it would be cheaper for him to come in and write a check. M. Willcoxon said we will issue fine and notify the judge. E. Maass received permission from C. Cagle and B. Seekon to contact P. Tiede on this topic.



Karmel Fines

P. Carlson said E. Maass will send a letter with the second fine. K. Wood will fill out an affidavit of mailing, but will not send certified.

An ordinance repealing in its entirety Chapter 2, Section 4.18, of the Township ordinance regarding Zoning Solar Energy Systems

E. Maass said the Planning Commission forwarded this to the Board and there is a work session scheduled for the 25th of February at 6:00 pm. He asked if there was anything the Planning Commission would like him to review prior to the meeting. D. Milles said he would like to wait until the meeting.

An ordinance amending Chapter 2 of the Zoning Ordinance Section 3.0 Definitions - Ordinance 2019

No comments

NEW BUSINESS

S. Brooks

M. Willcoxon welcomed S. Brooks to the Planning Commission. He added that L. Sinna has not given us a letter of resignation yet. D. Milles said he had to do one.

D. Milles made a motion to recommend S. Brooks to the Planning Commission, to the Town Board. P. Carlson seconds the motion. All in favor, motion carried.

S. Brooks said it is an honor to be considered and has great respect for the committee. She is impressed with what the Township does and is honored to join. D. Milles said this is for the alternate position when someone is not on the commission.

Mailbox Ordinance

D. Milles said the people are not putting the proper mailbox posts where we have a standard. If people do not do this, we can take action. E. Maass has not really seen an ordinance but he has seen design standards. P. Carlson stated we should not have to repair or replace those that are not swing away built. It was mentioned that some townships will pay up to a certain dollar amount for a damaged mailbox.

C. Cagle asked if we offered to install or set up mailbox posts for those that cannot do it themselves and charge them for the labor. The answer was no we don't offer that service.



The swing away posts are sold in the office. D. Milles said we need a regulation stating they have to move their post and have a swing away. We need to adopt the code by reference. B. Seekon said a number of mailboxes were knocked over today and that we were looking at replacing quite a few temporarily. B. Randt said he is going to send his cities policy to K. Wood. B. Seekon said we need to take pictures when this happens. C. Cagle asked why we don't have a dash cam. B. Seekon said they would not be able to see anything because of the blowing snow. J. Johnson asked if we should have a written code for the design. D. Milles said we should adopt the postal code by reference. J. Johnson said it has to be stated as to what we replace and it is only the post structure. He asked if we have a document stating the guidelines on putting in the mailbox post. C. Cagle said currently, when they knock it down the post gets fixed. J. Johnson said we have to tell them it is only the post attachment and not the box. Only if it is in compliance with the postal code.

E. Maass asked the Board members if they had any input on the solar ordinance that they would like him to look into. B. Seekon asked what if he had a 5-acre parcel and bought a 40-acre property along County Road 18. P. Carlson said you would comply. D. Milles asked what happens if they bring in 3-phase power in other areas of the township.

C. Cagle was wondering if they are being too restrictive for people who buy for investment purposes. P. Carlson said you buy property for the use of it right now. P. Carlson said the 3-phase by him is underground. M. Willcoxon said we have a comprehensive plan and would like everyone to take a look at it. There is language that direct where these things go. We need to come to a reasonable conclusion. He wants to be more restrictive than liberal. If managed poorly, we could look like Lino Lakes along 97. It is our responsibility to manage growth. D. Milles said at the time of writing it we didn't know the solar was coming. He would like to address it at the meeting on the 25th.

C. Cagle said she received her first 'citizen mad call' regarding the property on 335th. The house has been built and it is close to the road. The builder and property owner did everything they were supposed to do. The land owner made the property a nice little place which will be good for the community. With time, everything will be fine. She said it was a good move for the community.

P. Carlson said solar continues to pay green acres. Rule is 80/20 for production tax which is twice as much for the solar farms where 20 % will go to the townships. M. Willcoxon said he talked to M. Koran about the solar property values and tying up the land. They are looking into some language to allow us to tax more on the solar property owners. J. Johnson asked if that would be retroactive for existing solar farms.

M. Willcoxon said the new definitions CSES (Community Solar Energy Systems) as being up to 1MW, not to be sold to Xcel and to be sold to the community. He is not sure if that is what is happening. E. Maass is going to look into it. B. Seekon said from talking to P. Schmitt from US Solar it sounded like it was with the green energy where you don't get any of the solar but you



can buy into it and it gives you a break on your bill. D. Milles said you buy into it from the energy company. E. Maass said they got a lease agreement at Cornillie. If 2 projects were in section 1, they would be viewed as a solar farm and all production clumped together. He will look at the CSES definition. We do not want it to be misleading. M. Willcoxon said it seems like a conflict as to what we had before.

COMMISSIONER/TOWN BOARD REPORT

B. Seekon said they have been discussing roads. They thought they had it hammered out and now they owe another \$100k. He said they are making strides to have a specific spec. One of the things they talked about was not bonding this year. They are looking to add to the building fund. All the money from rentals go in the general fund and it needs to go in the building fund. C. Cagle said the building fund can pay the bills for the Hall. Once the bathrooms are done, she feels we can get revenue.

C. Cagle said they have been proactive with spending. We have been stuck with things that have not been touched in years and said the spending has not been over the top. C. Cagle said the goal is to spread the word to get people to come to the Annual Meeting.

D. Milles said the budget meeting was the best one he has ever been to. We are light years ahead of where we were ten years ago. B. Seekon said the Maintenance Staff labor will start coming out of general because they do more than just roads. C. Cagle said we have to look at that money as spent money. We may have to hire someone to do the work so Maintenance can do their jobs.

NEXT REGULAR PLANNING COMMISSION MEETING IS MARCH 13, 2019 AT 7:00 PM.

ADJOURN

D. Milles made a motion to adjourn the meeting at 8:56 pm. Second by P. Carlson. All in favor, motion carried.


Planning Commission Member


Kelly Wood, Clerk

