



Minutes

Planning & Zoning Commission Meeting

Location: Zoom Dial: 1-312-626-6799 US (Chicago) Meeting ID: 863 6464 3664 Passcode: 584529/

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

February 9, 2022 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, J. McGill, D. Ardolf

Members Absent: S. Brooks

Others Present: Planner K. Lindquist, Planner J. Hartmann, Engineer J. Pelawa, Supervisor B. Seekon, Clerk K. Wood, Deputy Clerk J. Seekon, 9 members of the public (signed in)

PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)

D. Stiers said he would prefer the public comment at the end of the meeting. It was noted that the public is welcome to comment throughout the meeting. It is at the beginning so the Planning Commission can decide if there is something that needs to be added to the agenda for further discussion.

ADOPT THE AGENDA

P. Carlson made a motion to adopt the agenda. J. McGill seconded. Votes via roll call, Ayes 5, Nays 0. Motion carried.

APPROVE THE MINUTES OF THE JANUARY 12, 2022 PLANNING COMMISSION MEETING

P. Carlson made a motion to approve the minutes from the January 12, 2022 Planning Commission meeting. J. McGill seconded. Votes via roll call, Ayes 5, Nays 0. Motion carried.

NEW BUSINESS

Fixed in the Sticks IUP Application

Public Hearing

M. Olson opened the public hearing at 7:05pm.

Dan Church, resident at 35775 Energy Trail and owner of Fixed in the Sticks said that he works out of his attached three car garage. He does small engine repair on ATVs, lawnmowers, and other small engines. He is a sole proprietor, has no employees, and has approximately 2-3 people picking up/dropping off per week. His business is a warranty center and has no current plans for growth. He keeps his place tidy, does not leave items outside and his public hours of operation are currently 9:00 am – 5:00 pm.

Bill Ball (Energy Trail) testified that he has had items fixed there and is okay with the business; no complaints.



P. Carlson made a motion to close the public hearing at 7:15 pm. Second by J. McGill. Votes via roll call, Ayes 5, Nays 0. Motion carried.

The Planning Commission discussed limitations on the home occupation IUP. K. Lindquist stated that there are not currently limits on the number of customers. D. Church said that he works quietly into the evening, but does not take customers after 5:00 pm. Justin Hedgers (358th Street) concurred and said that he has not heard any noise from D. Church working in the garage and lives on the other side of him. After discussion, the Planning Commission determined the customer hours will be 9:00 am - 6:00 pm. They also noted that no outdoor storage is allowed.

P. Carlson made a motion to recommend approval of the Home Occupation IUP with amendments to the Town Board. Second by J. McGill. Votes via roll call, Ayes 5, Nays 0. Motion carried.

Adopting a New Official Zoning Map

J. Hartmann said that the zoning map is in the comp plan and it should be located in the ordinance so that changes can be made without having to amend the comp plan. They are not proposing any changes to the map, just the location.

Public Hearing

M. Olson opened the public hearing at 7:28 pm

J. Selvog asked if this changes anything with commercial properties. J. Hartmann said no, the location of the map is just being changed. The actual map is not being changed.

P. Carlson made a motion to close the public hearing at 7:30 pm. J. McGill seconded. Votes via roll call, Ayes 5, Nays 0. Motion carried.

P. Carlson made a motion to recommend approval of adopting a new official zoning map to the Town Board. Second by J. Johnson. Votes via roll call, Ayes 5, Nays 0. Motion carried.

Text Amendment for the Rural Overlay District

J. Hartmann said that this is for the approval of the Rural Business Overlay District from 340th Street to 360th Street on County Road 30. These home occupations will have special exceptions.

Public Hearing

P. Carlson made a motion to open the public hearing at 7:33 pm. Seconded by J. McGill. Votes via roll call Ayes 5, Nays 0. Motion carried.

J. Hartmann said that this is for home occupations with special exceptions from 340th to 360th Street on County Road 30. They would like language considered by the Planning Commission.

P. Carlson made a motion to close the public hearing at 7:34 pm. Seconded by J. McGill. Votes via roll call, Ayes 5, Nays 0. Motion carried.

There was discussion regarding the number of customers that should be allowed. There is no way to count the number customers or the daily vehicle trips. It was decided to state that neither will cause a nuisance (lines #8 and #9 of the text amendment).

P. Carlson made motion to recommend approval of the Rural Business Overlay District text amendment to the Town Board. Second by J. McGill. Votes via roll call, Ayes 5, Nays 0. Motion carried.



Amendment to the Zoning Map

J. Hartmann said the Rural Business Overlay is from 340th Street to 360th Street on County Road 30. This is in Section 5.13 of the ordinance.

Public Hearing

P. Carlson made a motion to open the public hearing at 7:52 pm. Seconded by J. McGill. Votes via roll call, Ayes 5, Nays 0. Motion carried.

P. Carlson made a motion to close the public hearing at 7:53 pm. Seconded by J. McGill. Votes via roll call, Ayes 5, Nays 0. Motion carried.

The Planning Commission discussed expanding the RBO west to the freeway and K. Lindquist said that the map was the approved map from the approved comp plan. She reminded them that home occupations must have a home as a primary use and just happen to have a business with no outside storage. This is for more intense home occupations and the area around the freeway is for commercial. Some of the Planning Commission members would like to see this area extended.

P. Carlson made a motion to recommend approval of the amendment to the zoning map to the Town Board. Second by J. McGill. Votes via roll call, Ayes 5, Nays 0. Motion carried.

OLD BUSINESS

Forest Lake Contracting

J. Hartmann said they received the maps from 2006 and now have a complete set with the CUP. There is a section in the ordinance that would allow the Township to do an annual review and there would be forms for re-certifications. Staff has a draft of documents for the Planning Commission to review. They would have to apply annually. An EAW was initially done and several borings were needed to start, but eventually someone needs to do compaction testing. M. Willcoxon said that they could go out with a kayak and a depth finder to get an understanding of what they are bringing in and how it will affect wells. The Planning Commission agreed that they should go out there and do a site visit. They would like J. Pelawa to go out there. K. Lindquist suggested a formal tour with the Planning members in the spring. The consensus was that an annual review should be done on the site. K. Lindquist said that they will be required to apply for a review and set up a tour to ensure compliance and make sure they are meeting the conditions of the approval. There will be an application fee. This will be on the March agenda.

31890 Frontier Ave Kennel Permit Complaint

J. Hartmann said that the application along with the fee and escrow was received for the fourth dog. The public hearing will be at the April 13th meeting.

Access Discussion

J. Hartmann said that they made the changes to the policy discussed at the meeting last month. **P. Carlson made a motion to recommend approval of the access policy to the Town Board. Second by J. McGill. Votes via roll call, Ayes 5, Nays 0. Motion carried.**

34585 Kale Lane ADU

J. Hartmann said that there is a secondary structure that has a bedroom, bathroom, kitchen and they are using it as an accessory dwelling. He talked to the property owner in November and they wanted to use it as a medical hardship, but that is not allowed. A letter was sent to the property owner letting them know that the ADU is not an allowed use and that the living quarters in the



accessory building must be removed. The Township has not received a response from the homeowner. Medical hardships were discussed. A letter will be sent.

32050 Elk Lane Complaint

P. Carlson said he and K. Wood drove by this property that is now bank owned. It is not in compliance. Another letter and fine will be sent to the bank and the property.

5265 318th Street Complaint

P. Carlson and K. Wood both agreed that there was no improvement at this property. Only one car had a for sale sign on it. B. Seekon said he talked to the Deputy at the CCATO meeting and he felt like the property owner was making progress. Another letter and fine will be sent.

Slope Discussion

K. Lindquist said J. Pelawa would like to reduce the slope in the ordinance. She said that the DNR requires an 18 percent slope and the Township may have to look into granting a variance to the person building a home on Karmel Avenue. J. Pelawa said that he does not agree and said that the Township should not require the 18 percent. The property on Karmel has some areas that are closer to 20 percent and there is not a steep drop to the lake. P. Carlson asked K. Lindquist to look at the County's slope ordinance. J. Johnson said that the Township should follow DNR guidelines. K. Lindquist said that there are shoreline and bluff requirements. M. Willcoxon asked if the Township only required a half acre buildable if it would solve this issue. The County approved a new ordinance lessening the required buildable area. K. Lindquist said they are still putting the structure within the bluff, but we could look at getting rid of the one acre buildable. P. Carlson agreed and said that we could look at granting them a variance. J. Johnson said local standards may vary, but the strictest apply. J. Pelawa said the slope can be 30 percent. This will be researched more.

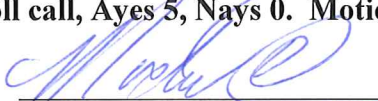
COMMISSIONER/TOWN BOARD REPORT

B. Seekon said that he has installed new lighting at the maintenance shop. The Board met for the Budget Meeting and they are looking at a less than one percent increase. They are looking at potentially purchasing a scissor lift because the current one is unsafe. The Board did the annual reorganization and C. Cagle will be the new Planning Commission liaison moving forward. T. Nelson is now the Vice Chair of the Board and B. Seekon is the Building Supervisor. The previous Deputy Clerk moved on and the new Deputy Clerk has started. B. Seekon said that he has remodeled the office and is getting a lot done at the Hall and shop.

NEXT REGULAR PLANNING COMMISSION MEETING IS WEDNESDAY, MARCH 9, 2022 AT 7:00 PM.

ADJOURN

P. Carlson made a motion to adjourn the meeting at 9:05 pm. Second by J. Johnson. Votes via roll call, Ayes 5, Nays 0. Motion carried.


Mike Olson, Planning Chair


Kelly Wood, Clerk