



## Minutes

### Planning & Zoning Commission Meeting

Location: Zoom Dial: 1-312-626-6799 US (Chicago)

Meeting ID: 894 6586 6220 Passcode: 572728

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

January 11, 2023 7:00 pm

### CALL MEETING TO ORDER

T. Schroeder called the meeting to order at 7:02pm.

**Members present:** Chair T. Schroeder, J. Johnson, D. Stiers, J. Willeck

### **Members absent:**

Susie Brooks

**Others present:** Clerk T. Smolke, Treasurer S. Aker, Board Supervisor C. Cagle, Planner K. Lindquist, and 15 members of the public (signed in/ attended virtually)

### PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)

none

### ADOPT THE AGENDA

**T. Schroeder asked for a motion. J. Johnson made a motion to adopt the agenda. Second by D. Stiers. Votes via roll call, Ayes 5, Nays 0. Motion carried.**

### APPROVE THE MINUTES

**J. Johnson made a motion to approve the minutes from the December 14, 2022 Planning Commission meeting. Second by D. Stiers. Votes via roll call, Ayes 5, Nays 0. Motion carried.**

### NEW BUSINESS

#### **33289 Forest Blvd – Manhammer Ranch**

K. Lindquist explained this is a preliminary plat before the Board. It is a ten-acre parcel with an existing house that will have 2.5 acres and the southern portion will be 7.5 acres. There is .68 acres of Right of Way (ROW) along the road to facilitate the project. It does meet minimum standards. The ROW, lot depth, existing home on lot 1, also comply with the requirements for the lot split. This project is a little unusual because it would have a split driveway so it would push the driveway all the way to the south. It will have a shared portion of the driveway and a condition will be an agreement so it is clear on the responsibility and maintenance. C. Cagle talked about the survey and neighbors- those surrounding this property.

### *Public Hearing*

**T. Schroeder opened the public hearing at 7:15pm.**

T. Schroeder read aloud an anonymous letter from a neighboring property that is opposed. B. Zilinka said she was in attendance on behalf of A. Nip and read a letter to the Commission. This resident lives adjacent to the proposed subdivision and is opposed. The wooded property is home



to an abundance of wildlife. She is a volunteer at the local humane society and a retired police officer.

**T. Schroeder requested a motion. J. Johnson made a motion to close the public hearing. T. Schroeder second.**

J. Johnson asked K. Lindquist if she sees a development coming in, to which she replied: not with current ordinances. He could get 2.5 acres lots but there is not enough road frontage. C. Cagle and J. Johnson discussed buildable space and the lack of space to build a third house. C. Cagle said an easement would be needed to get back to the far lot, as it is landlocked. J. Johnson said subdivisions need to allow a road to get to landlocked properties. A possible road and dedication were discussed. K. Lindquist said there could be a road at the developer's expense for one house and J. Johnson verified it would have to go through the Commission. C. Cagle said they always had a policy where people purchase a bunch of property to buy, build, and sell-within code. She said the Commission cannot tell someone they are unable to sell their own property because a neighbor prefers quiet. T. Schroeder said she would recommend approval. C. Cagle said it would then go to the Board and any stipulations should be defined now.

**T. Schroeder made a motion to recommend approval of the Manhammer Ranch to the Town Board. Second by d. Stiers. Votes via roll call, Ayes 5, Nays 0. Motion carried.**

#### **05.00165.00 – 40 off Kable**

K. Lindquist said this property owner applied to divide into two, twenty acre lots. This is between the DNR drive to the pond and the southeast corner of Kale. The Commission decided on not recommending approval at this time as they received a item tonight that did not meet the agenda deadline. This will be tabled until February after the new proposal is vetted. The public hearing will remain open.

#### *Public Hearing*

**T. Schroeder opened the public hearing at 7:33pm.**

**A member of the public asked what side of the property would the access be located.**

**Knowing that it is only being split into two lots he does not believe there will be an issue with the neighbors. He pictured eight and thought it would disrupt the area. K. Lindquist said this conversation will continue to decide access to the site. The property owner has no plan to develop it, but as a township, we would want to always think about future development. She explored the thought of the eight lots in the future and proposed a public lot to access all lots. T. Schroeder pointed out that the drawing proposes an easement with two driveways and K. Lindquist said that specific proposal was just received. The member from the public discussed neighbors and easements that currently exist and questioned if the proposed public easement would be maintained. K. Lindquist replied: not yet, but could possibly when it turns into a public road.**

**T. Schroeder made a motion to continue the public hearing until the February 8<sup>th</sup>, 2023 meeting. Second by J. Johnson. Votes via roll call, Ayes 5, Nays 0. Motion carried.**

Planner Lindquist asked if there is anything else from the Commission. J. Johnson asked about Kable and K. Lindquist explained that is DNR land. J. Johnson asked if it was on septic and K. Lindquist said yes. T. Schroeder asked for clarification on whether this is landlocked and K. Lindquist said: technically, yes on the Kable side. This is a bit complex and needs to be discussed thoroughly.





### **Escrow policy email**

K. Lindquist explained she has been discussing this with the Board and staff members. About a year ago, there was a policy put in place to have the residents reimburse the community for township consulting and legal fees. She explained that if a resident has a specific zoning question that the clerk is not able to answer, she consults. Some inquiries are charged to the cost of doing business. She referenced a recent plat to compare. She spoke with the applicant for six months. The township should not respond unless there is money returned to the community. She talked to the Town Attorney and the applicant must sign an agreement pertaining to escrow. C. Cagle asked if the proposed policy would add a significant amount of work for the office. She asked if a monthly invoice would be something they should consider. K. Lindquist agreed there would be more paperwork involved. D. Stiers as what the actual question at hand was and K. Lindquist explained that the Township absorbs the cost of a lot of advice given. There was discussion on where the line should be drawn. K. Lindquist compared a couple free hours to a free phone call. She explained a recent code violation brought the residents in to apply for a permit and questions prior to the application were not charged. C. Cagle added that the fee is for the office time, public hearings, and such. She compared two types of applicants: those prepared, that educate themselves, versus those that require a lot of counseling. J. Willeck asked about the process, how many lines of communication are there, and if there is anything that comes before the Commission that is not from the Town Clerk. Planner Lindquist answered: no, everything that goes to the Planner and Engineer also come from the Clerk. C. Cagle said that even if an applicant calls the county, they are told to call the Clerk. T. Smolke will then tell them any applicable ordinances, then send them back to the county for a building permit if need be. With T. Smolke being the main filter, she would be able to track everything as well. J. Barrett said the one channel would be better customer service as it would be more organized. C. Cagle said even when she receives calls at home, she tells the resident that the proper channel to go thought is T. Smolke. She said that long ago the process was backwards and every project was a huge debacle and added that it works much better this way. T. Schroeder asked why this is being discussed and C. Cagle said there was a large deficit in our Planning & Zoning budget line and escrow owed might have a lot to do with it. T. Schroeder asked how we would collect escrow to answer questions from the start. J. Johnson said we need to identify a serious applicant but the Commission will have to deny a lot of applications that are non-compliant and like the Planner stated, any work on a proposal can get paid with the preliminary application. J. Johnson asked if T. Smolke could give the applicant an estimated time frame the project would take with the Clerk, Planner, and/ or Engineer and collect a fee based on that. K. Lindquist said between the Planner and Engineer, an hour would be \$250 but the leftover escrow could roll into the application. After J. Johnson asked, the Planner suggested this was brought to the Board, as it was discussed last month and they wanted to ask the Commission. J. Willeck asked if the escrow is returned if an application does not go forward and K. Lindquist said no because the money is still owed and should not fall on the taxpayers.

**J. Johnson made a motion to forward this to the board to continue to develop a preliminary review and formulate and escrow policy. Telise second. Votes via roll call, Ayes 5, Nays 0. Motion carried.**



### OLD BUSINESS

#### Variance Training

K. Lindquist gave an overview and went over training on variances. Some cities use them more often than they should and they are heavily regulated. Variances are related to innate property that may make it difficult to develop, unlike the permits issued for horses. Unlike Use permits, variances cannot be issued for use. K. Lindquist went over the five considerations.

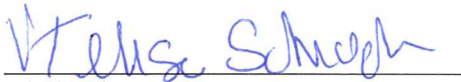
### COMMISSIONER/TOWN BOARD REPORT

C. Cagle requested a meeting with the Commission to introduce the current working projects to the newer members of the Commission. She said fresh eyes could help and the intro would be presented with no bias. T. Schroeder agreed and an early meeting was scheduled for February 8<sup>th</sup> at 6pm.

### NEXT REGULAR PLANNING COMMISSION MEETING IS WEDNESDAY, FEBRUARY 8, 2022

### ADJOURN

T. Schroeder made a motion to adjourn at 8:54pm. Second by D. Stiers. Votes via roll call, Ayes 5, Nays 0. Motion carried.

  
Chair Signature

  
Clerk Signature

