



## Minutes

### Planning & Zoning Commission Meeting

Location: Zoom Dial: 1-312-626-6799 US (Chicago) Meeting ID: 856 2084 1002 Passcode: 918399 /

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

January 12, 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, J. Johnson, S. Brooks, D. Ardolf

**Members Absent:** M. Willcoxon, Alternate J. McGill

**Others Present:** Planner K. Lindquist, Planner J. Hartmann, Supervisor B. Seekon, Supervisor C. Cagle, Supervisor J. Eischens, Clerk K. Wood, Deputy Clerk L. Carr, 8 members of the public (signed in)

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

None

### ADOPT THE AGENDA

**P. Carlson made motion to adopt the agenda. D. Ardolf seconded. Votes via roll call Ayes 5, Nays 0. Motion carried.**

### APPROVE THE MINUTES OF THE DECEMBER 15, 2021 PLANNING COMMISSION MEETING

**P. Carlson made motion to approve the December 15, 2021 Planning Commission Meeting Minutes. D. Ardolf seconded. Votes via roll call Ayes 5, Nays 0. Motion carried.**

### NEW BUSINESS

#### **4460 Echo Lane Home Occupation IUP**

J. Hartmann said that C. Cagle, the applicant at 4460 Echo Lane applied for a Home Occupation IUP for her business Strikke Knits. The memo outlines the standards in the IUP. There was discussion regarding lowering the fee of the Home Occupation applications back down when they are simple. The fee schedule would have to be changed. K. Lindquist said they do not know how much time will be spent on an application at the time an applicant applies. She said that the Township receives an application fee and an escrow; the unused escrow is returned to the applicant. A Home Occupation IUP is a lower fee than a major use permit.

#### *Public Hearing*

**M. Olson opened the public hearing at 7:07 pm.**

**J. Johnson made a motion to close the public hearing at 7:08 pm. P. Carlson seconded. Votes via roll call Ayes 5, Nays 0. Motion carried.**

**P. Carlson made a motion to recommend approval of the 4460 Echo Lane Home Occupation IUP to the Town Board. D. Ardolf Seconded. Votes via roll call Ayes 5, Nays 0. Motion carried.**



### **Wedding Venues in the RRA as a Conditional Use**

J. Hartmann said that Staff received an inquiry from someone who is interested in purchasing Falcon Ridge Golf Course. They would like to host wedding receptions, dances, etc. This is not a permitted conditional use in the RRA and the code would have to be amended to allow those types of uses. This is not rezoning; it would be allowing an additional conditional use to allow certain types of events in the RRA. K. Lindquist said there could be requirements such as setbacks, additional parking, limited hours, etc. B. Seekon noted that something like this could impact neighbors because of noise and more parking would be needed. P. Carlson said that he would be open to it with strict conditions, but more information is needed. M. Olson said that there are not enough details regarding parking, hours, etc. K. Lindquist said that she hears that the Planning Commission may consider this as a use if the Township can limit the impact on neighbors, and they are requesting more specifics on the potential venue. K. Lindquist will talk to the buyer. J. Johnson said this may cause other residents to want barn weddings and he is concerned that bands or music could be heard from this location. K. Lindquist said that the music would usually take place indoors with set hours. These types of venues are typical in many communities. If the code was changed to allow this, an applicant would have to meet the criteria. Tabled for more information.

### **OLD BUSINESS**

#### **Forest Lake Contracting Discussion**

Bob Vollhaber from Forest Lake Contracting was in attendance to give an overview of what is going on with their CUP for sand and top soil mining. J. Hartmann discussed the three written complaints the Township received regarding the property. B. Vollhaber said that they received the CUP in 2006 from the County when Gene Olson owned the property and they purchased the property last year; he has been involved with the project since 2006. They have used 340<sup>th</sup> Street as a haul road from the beginning. He explained that he met with Township officials two years ago to discuss the plans for the future. B. Vollhaber said that most of the material is used for north metro roads, the site is 50 percent finished, and they plan to finish the second part of the project quicker than the first portion. M. Olson asked about the pumping of water from the ponds. B. Vollhaber said that the DNR has been involved with that and the water had too much sediment in it and they are going to restore the slopes by the old school house. The well by the school house is the only one they are aware of with issues. They have a drainage pipeline to the county ditch. They are now concentrating on the east area. They quit pumping in October and they were pumping at about 12 feet. They were pumping some overnight. The long-term plan is to plat the property off and put in a cul-de-sac. Fencing was discussed and B. Vollhaber assured the Planning Commission that everything is secured and safe; they have put up orange fencing as necessary. M. Olson said that the operation is noisy. B. Vollhaber said they are required to have back up alarms, tail gates, etc. The ponds were discussed and there is no digging more than six feet down in the wetland and they are not allowed to fill the wetland. They go down about 25 to 30 feet in other areas. K. Lindquist asked if the material (clay, topsoil, dirt) being brought in was tested to make sure that it was good for future development. It is only being brought in on the slopes and it is coming from construction sites that is tested by engineers. J. Hartmann discussed the complaints and was unable to find violations in the Township code. B. Vollhaber said they are watching the well at the rental home; they are 300 feet away and it did not dry up.





He said that it is not clear in their CUP about the engine hours and he said they ran the pump overnight. He ran an eight inch pump that was louder. He would like to hear about the complaints when they come to the Township. P. Carlson said that they need to stay within the working hours listed in the CUP, reduce sediment and control the dust on the road. They do have a water truck. Forest Lake Contracting upgraded the road to a nine ton road with good sand and recycle. The project is slated to last about ten years. He said that he would like to be a good neighbor and the Township will let him know when complaints come in so they can be addressed.

### **Rural Business Overlay District**

J. Hartmann shared a map on Zoom and said that the Business Overlay district would allow for more intensive home occupation uses in the area. There will be a public hearing at the next meeting. During review, he recognized that the official zoning map will have to be amended and a new official zoning map will have to be adopted. These actions will require public hearings next month.

### **31890 Frontier Avenue Kennel Permit Complaint**

B. Seekon said that he and K. Wood went out to this property and they found two things; there are four dogs, but it is an emotional support dog in which they provided verified documentation to the Township and the second item is that the dogs do not get close to the property line. There are no dog tracks in the snow anywhere but in the back yard and the Township has many photos on file as proof. M. Olson said that in the winter, dogs do not go too far from the door to use the bathroom or that maybe they do and do not sink down if there is an icy layer over the snow. B. Seekon said that is not possible because he saw that the tracks are not even close to the neighbor's property. He said that the Board said that they did not need to put a chain link fence in. K. Lindquist said that they should add dog number four to their kennel permit. C. Cagle said the Board discussed that if the kennel permit did not work out, they would require them to add an additional fence, but the majority of the Board said they did not want to require it; it was not unanimous. M. Olson discussed a similar situation in another Township and said that it may be in the best interest of the Township to require the chain link fence. B. Seekon said that if someone keeps complaining with no proof, they may not be a reliable source. A letter will be sent stating that they need to apply to amend their kennel permit to have four dogs.

### **35775 Energy Trail Complaint**

J. Hartmann spoke to Dan Church about his home business, Fixed in the Sticks. The homeowner has applied for a home occupation Interim Use Permit (IUP). J. Hartmann has sent D. Church an incompleteness letter because a few more items are required. The IUP application is set to be presented next month with a public hearing. J. Johnson said that he and M. Willcoxon did a site visit regarding the animal welfare complaint. J. Johnson gave the property owners some suggestions and knowledge from the perspective of a veterinarian. He explained construction upgrades that would be beneficial to the miniature horses and pony. G. Church said that the original complaint was regarding the grazing space. She said that they are willing to make adjustments and have a plan to move the animals closer to the back of the property. She assured the Planning Commission that her horses are well taken care of and healthy. She said that some of the structures were on the property when they purchased it and they are slowly doing some



updating. J. Johnson discussed screening, watering, exercise, wind/sun protection, etc. He noted that the set up at the property was not deemed inhumane in his opinion, and the horses looked healthy. G. Church said that the horses do not need shelter with a roof. She would like to make sure that they do not have a deadline to upgrade their property for the horses. Her ponies are older and do not need much room to exercise. The current shelter is not long term and they plan to remove a shed. They take their horse ownership seriously and feel they are well cared for. J. Johnson mentioned that they could wear blankets. B. Seekon said that the Township does not have the authority to bring this issue up because we do not have control over it. He stated that it is not the Township's job to tell people how to take care of their animals and this conversation is inappropriate. G. Church said that they have plans to shift things down the road, but none of them affect the health of the animals. M. Olson clarified why this was being discussed. He said that the Township received a complaint and it must be pursued. He said that they care about the welfare of animals and when people drive by and see the ponies outside in cold weather, they may get concerned. E. Kietzman (Elk Lane) said that she agrees that the Township should listen to complaints and that citizens should be informed, but this conversation was overstepping in her opinion. P. Carlson said that moving forward the Township will refer these types of complaints to the Humane Society or the Sheriff.

#### **34585 Kale Lane ADU**

J. Hartmann said a second letter was sent regarding the accessory dwelling unit. The property owners wanted to use the garage as a medical hardship, but it is not an allowable use. The property was closed on in September 2020. There was a letter sent to the previous owner and there has not been a response from the new owner. The topic is tabled until next month to anticipate a response from the homeowner.

#### **32050 Elk Lane Complaint**

B. Seekon said they drove by and they noticed that this property is still out of compliance and that items have been moved in the backyard behind what looks like wooden spools. P. Carlson and M. Willcoxon also went by the property and saw that it has not been brought to compliance. The Deputy feels that there has been improvement at the property. P. Carlson agrees that there has been some improvement, but the property owner has not called the Township for an inspection. He said that if the property owner does not pay the fines, they go on to the taxes. Another letter and fine will be sent.

#### **5265 318th Street Complaint**

P. Carlson said that some progress has been made at this property, but the property owner has not contacted the Township for an inspection. The Township spoke to the Deputy who issued a warning, not a citation. B. Seekon said that he talked to the Deputy about the history with the issues on this property and Elk Lane. Another letter and fine will be sent.

#### **Access Discussion**

J. Hartmann said that there is a draft policy for Planning Commission to consider. K. Lindquist said that an easement is an ordinance requirement. J. Pelawa would like to have everything laid out in a policy so that residents know what the required criteria is. M. Olson said that he feels that there is a gray area in the policy. Planning is going to continue to work with J.





Pelawa on refining this policy. K. Lindquist said that M. Willcoxon is interested in looking into affordable, age restrictive townhomes in the Township. The Township would have to offer some incentives such as TIF. M. Olson said there is assisted living in North Branch. K. Lindquist said that she is gauging the interest of the Planning Commission at this point.

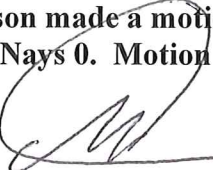
#### **COMMISSIONER/TOWN BOARD REPORT**

B. Seekon said the Board passed the lot consolidation ordinance, fee schedule and 2022 WSB rates. The Township passed the building inspection agreement with the County. He has been working on the Zoom sound, lighting at both the Hall and Maintenance Shop, fixing the flag pole, purchased new office furniture at the government surplus place and he installed a bottle filler at the Hall.

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

#### **ADJOURN**

**P. Carlson made a motion to adjourn at 9:02 pm. D. Ardolf seconded. Votes via roll call  
Ayes 5, Nays 0. Motion carried.**

  
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Mike Olson, Planning Chair

  
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Kelly Wood, Clerk

