



Minutes

Planning & Zoning Commission Meeting

Location: Zoom Dial: 1-312-626-6799 US (Chicago) Meeting ID: 824 4648 7095 Passcode: 279585 / Lent Town Hall: 33155 Hemingway Ave., Stacy, MN 55079

July 13, 2022 7:00 pm

CALL MEETING TO ORDER

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

Members Present: Chair M. Willcoxon, J. Johnson, D. Stiers, S. Brooks, T. Schroeder

Members Absent: None

Others Present: Planner J. Hartmann, Planner K. Lindquist, Supervisor C. Cagle, Board Chair R. Keller, Vice Chair T. Nelson, Clerk K. Wood, Deputy Clerk T. Smolke, one member of the public (signed in/ attended virtually)

PUBLIC COMMENTS *(ITEMS NOT ON THE AGENDA)*

None

ADOPT THE AGENDA

J. Johnson made a motion to adopt the agenda. Second by D. Stiers. M. Willcoxon moved the Planning Training to item L. Votes via roll call, Ayes 5, Nays 0. Motion carried.

APPROVE THE MINUTES OF THE JUNE 8, 2022 PLANNING COMMISSION MEETING

J. Johnson made a motion to approve the minutes of the June 8, 2022 Planning Commission Meeting. Second by T. Schroeder. Votes via roll call, Ayes 5, Nays 0. Motion carried.

NEW BUSINESS

Text Amendment Chapter 2 4.15 Driveways and Access Aprons

J. Hartmann said that there is a sentence regarding a second driveway only to access an accessory building will be removed. This will give residents the ability to have a second driveway without the requirement of it going to a building. This was discussed at the meeting last month.

Public Hearing

M. Willcoxon opened the public hearing at 7:08pm.

T. Schroeder made a motion to close the public hearing at 7:08 pm. Second by J. Johnson. Votes via roll call, Ayes 5, Nays 0. Motion carried.

J. Johnson asked if the change will encourage people to have more driveways. M. Willcoxon said that they will need a 165' road frontage between the driveways.

J. Johnson made a motion to recommend approval of the text amendment to chapter 2, 4.15 Driveways and Access Aprons to the Town Board. Second by D. Stiers. Votes via roll call, Ayes 5, Nays 0. Motion carried.



Jeff Sampson – Letter of Interest for PC Alternate

M. Willcoxon read J. Sampson's letter of interest. **D. Stiers made a motion to recommend approval to the Town Board for J. Sampson to be an alternate member of the Planning Commission. Second by T. Schroeder. Votes via roll call, Ayes 4, Nays 0. Motion carried.** J. Johnson abstained from voting.

9080 347th St Complaint

D. Stiers said that he and T. Schroeder went to the property to take photos; the property is neat and orderly. T. Schroeder said that they have a Facebook and Instagram page for their business, Bur Oak Stables. They will need to apply for a CUP. The horses look well taken care of, but they do not know how many they have; they could see seven. Animal welfare is not monitored or enforced by the Township. **T. Schroeder made a motion to send a letter asking the property/business owner to fill out the proper paperwork to properly run their business. J. Johnson seconded. Votes via roll call, Ayes 5, Nays 0. Motion carried.**

OLD BUSINESS

A1 Tire CUP Application

M. Willcoxon told the applicant that this item was tabled for him to withdraw or be denied by the Town Board. J. Selvog asked about the research that has been done and J. Hartmann told him that the interim ordinance/moratorium is different from his application. None of his application money or escrow was used for that purpose. He was given a copy of what the Township has so far. C. Cagle explained that she showed J. Selvog the invoices of the money spent on his application at the last meeting. He said he understood what the money was used for. T. Nelson said he feels like the Township is putting a hardship on J. Selvog with the moratorium. T. Nelson said that the stuff they received at the last meeting was junk. The solar moratorium was discussed and that it was done during an application for a solar garden to better understand the ordinance. J. Selvog noted that his system will be totally enclosed. J. Hartmann said that the language prohibits changes to washes or new construction. K. Lindquist said that if the Board does not act on a permit within 120 days, it is automatically approved as is. She said that the Board asked them to look at performance standards, it was not just about the septic waste. The Board needs to approve a new ordinance regarding washes before they approve a CUP for a car/truck wash. C. Cagle said she has been in contact with Sarah from the UofM. J. Selvog noted that there was nothing stating that he could not apply for his truck wash in the ordinance at the time when he did. C. Cagle told him the moratorium is not to restrict him from having a wash, it is to answer questions and do it right. Hazardous waste containers were discussed. J. Selvog said that he has seven septic companies interested in doing his pumping. D. Stiers said he sees the tendency of J. Selvog not being trusting of the Township because on May 11th the turn lane was discussed and the project sounded like it was ready to move forward. He asked why the Board did not look at everything at that time. M. Willcoxon said that K. Strobel from the County said that washes were not allowed in the County which caused them to want to do further research to protect the Township and applicant. R. Keller said that he should have come to the Board prior to applying. A lot of people bring their concept to the Planning Commission prior to applying. There is probably two to three months of research left to do on this. J. Selvog noted that he spent \$20k on drawings for his wash. He will have to reapply after the moratorium is lifted.



Public Hearing – Continued

M. Willcoxon opened the public hearing at 8:02 pm

J. Johnson made a motion to close the public hearing at 8:03 pm. Second by T. Schroeder. Votes via roll call, Ayes 5, Nays 0. Motion carried.

J. Johnson made a motion to recommend the denial of the existing A1 Tire Truck Wash application to the Town Board. Second by T. Schroeder. Votes via roll call, Ayes 5, Nays 0. Motion carried.

Performance standards in the RTC

J. Hartmann said that a memo was included in the packet based on the discussing from the joint meeting. Some of the items for discussion include: glass percentage requirements, ceramic or wood facades, stone facing requirement, and other building requirements. Currently, there is a 15% glass requirement, but that could go up to 30%. C. Cagle said that before looking at the building requirements, they should define the use of the RTC. M. Willcoxon said that they want to maintain a high standard in the RTC and a warehouse would go to an industrial park, not the RTC. He explained why there needs to be standards and why character of an area is important. This will make is clear what is required when someone applies. He said in 2008, they wanted standards in writing. J. Johnson said that crossing out 15% glass and 65% class 2 benefits the applicant, giving them some discretion and more opportunity. C. Cagle and R. Keller do not think they should be crossed out. The consensus was that they do not want to require a large amount of glass. J. Hartmann talked about trees and landscaping which was discussed at length. One tree per fifty feet is standard. There needs to be a minimum size at planting, prohibited species, and how many are required. Drainage and curbing requirements need to be addressed. Types of prohibited trees were discussed. They do not want to see cotton trees, willow, or other invasive species. They continued to discuss the other line items and outside storage was discussed. This is something that can be outlined in an IUP. K. Lindquist said they can clarify they need a building. She said that they want to be clear about outside storage in the ordinance. They will strike asphalt if it is in conjunction with a principal use. Hospitals and nursing homes were discussed for the RTC, but they have too much toxic waste. Seamless metal was discussed. J. Hartmann will bring an updated list for the next meeting.

Cluster Mailbox Discussion

J. Hartmann spoke with the attorney and because the USPS is the Federal Government, they have the final say when it comes to the mailboxes. It is the responsibility of the builder and the Township does not have a say.

Interim Ordinance Update

J. Hartmann is working on the ordinance and cannot find an example of a community that allows a car/truck wash on a septic system. The model that J. Selvog is looking at is a Swedish model and the City of Hudson has one, but it is on city water/sewer. C. Cagle said that the one J. Selvog is proposing does not touch the septic, is pumped and picked up. R. Keller said that is 'if' someone picks it up and he does not like the *what ifs*. He said often times it is picked up and dumped in fields. T. Nelson said to research what the EPA requirements are for testing. R. Keller said the container cannot be used for anything else. M. Willcoxon said they separate the salt, minerals, etc. and the rest gets reused. T. Nelson said that the Township can put parameters on



him that if the container is X amount full, and not pumped, he has to shut down. D. Stiers said it takes a certain amount of water to wash a truck and J. Selvog would have a count somewhere. T. Schroeder said that she would like to see the Township only allow closed, contained systems. It was determined that it would be best to have the sales representative to come speak at the next meeting to explain the system to the Township.

34585 Kale Lane ADU

J. Hartmann said that he has had correspondence with J. Rice and they are not interested in having Planning conduct a site visit. The resident is going to continue to use it for his father's extended care home. M. Willcoxon said to continue to send them a violation letter. D. Stiers suggested that he do a site visit with the homeowner. He explained there is value in having a face-to-face visit with another resident. He will bring a report to the next meeting if he makes contact.

Forest Lake Contracting

J. Hartmann said that he, M. Willcoxon and S. Brooks met with B. Vollhaber to go over their permit. They are excavating at a 6' depth of the wetland and knew about the two-meter DNR codes. R. Keller confirmed they are still within the criteria and that they are adhering to their permit. M. Willcoxon said they brought in too high of topsoil; 14' versus the 10' allowed. They did not find anything objectionable while they were on the site visit. J. Johnson confirmed they are creating a pond for future development. K. Wood will continue to let B. Vollhaber know of any complaints as soon as they are received in the office. M. Willcoxon said they brought in clay and the water table is 10'/12' down. R. Keller explained how wells work and a well kit can be purchased so that a shallow well can be put in. J. Hartmann said they received a list of the materials and they have satisfied the requirements.

35902 Grand Avenue Complaint

C. Cagle met with the residents' handy man who showed her around the outside of the property. She reported on the following: the yard is mowed, new windows were installed, need siding (tarp on side), new fence on north side to screen items was added, new rubber roof (no permit), and the residents sleep there. They would like a detailed list of what needs to be done to gain compliance with Township code and they will give the Planning Commission a timeline. C. Cagle said outside storage cannot be seen from the road and health/welfare of residents is not within the jurisdiction of the Township. J. Hartmann reminded the Planning Commission that the County Building Inspector is not interested in getting involved. R. Keller said that the house and the yard need to be cleaned up. Another letter will be sent outlining the violations.

31945 Forest Blvd Home Occupation Violation

C. Cagle said that they moved their business address to North Branch, but still have junk on their property which is a violation of outside storage. They need to be notified that it cannot be stored there. Another letter will be sent.

32420 Elk Ct Complaint

J. Hartmann said that the driveway was never permitted. The homeowner sent a building permit for something else approved by J. Kramer showing the existing driveway, but that does not mean that the driveway was approved. The Township has ordinances with setbacks. T. Schroeder said



that she and D. Stiers took photos and talked to the complainant. The survey marker is in the driveway. This is a property line issue and the Township would not get involved. The Township could enforce the shed if it is oversized and needed a permit. There is a carport there which is a temporary structure. K. Lindquist said there is the inverse condemnation issue if they make use of the neighbor's property. They need a survey.

Countryview Marine Screening

J. Hartmann discussed the trees for screening with Dustin from Countryview. They are working with a local nursery. T. Schroeder said they have cleaned up the trailers. M. Willcoxon said that the trees should be around the back northwest corner as well as due south and east.

5265 318th Street Complaint – Criminal Citation

M. Willcoxon said that the criminal citation was not served the last time the Township asked the Sheriff's Department. T. Nelson said if it is not served this time, we will bill the department. A criminal citation will be sent to the Sheriff.

Planning Commission Training

Going to discuss next month because of time constraints.

COMMISSIONER/TOWN BOARD REPORT

R. Keller said the annexation is the big news and the attorneys are finishing up on the resolution. Chisago City may pay Lent for some of the newly paved roads in the area they are annexing, but he cannot be certain.

NEXT REGULAR PLANNING COMMISSION MEETING IS WEDNESDAY, AUGUST 10, 2022

ADJOURN

T. Schroeder made a motion to adjourn at 10:10 pm. Second by D. Stiers. Votes via roll call, Ayes 5, Nays 0. Motion carried.

Mike Willcoxon, Planning Chair

Kelly Wood, Clerk

