



Minutes

Planning & Zoning Commission Meeting

Location: Zoom Dial: 1-312-626-6799 US (Chicago) Meeting ID: 842 4697 0988

Passcode: 518812

June 9, 2021 7:00 pm

CALL MEETING TO ORDER

M. Willcoxon called the meeting to order at 7:04 pm.

Members Present: Chair M. Willcoxon, Vice Chair P. Carlson, B. Schule

Members Absent: S. Brooks, J. Johnson

Others Present: Supervisor B. Seekon, Planner K. Lindquist, Clerk K. Wood, Deputy Clerk L. Carr, 8 members of the public (attended virtually/in-person-listed for the record)

PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)

D. Stiers followed up about the trucks parking at Station 17. M. Willcoxon stated the Planning Commission is looking into the parking at the gas station. It was noted that the gas station does not charge for vehicles to park there.

A. Tschida (34486 Iris Ave.) stated that he had requested a permit to build a pole barn on his 20 acres and was told he must have a principal structure on the property, as it is zoned RRA. In order to have an accessory structure without a principal, the property can be rezoned Ag through the County. The resident asked why he cannot have a pole barn prior to a home and was told that it is a Township ordinance. The Planning Commission explained the difference between RRA and Ag.

ADOPT THE AGENDA

P. Carlson made a motion to adopt the agenda. Second by B. Schule. Votes via roll call Ayes 3, Nays 0. Motion carried.

APPROVE THE MINUTES OF THE MAY 12, 2021 PLANNING COMMISSION MEETING

P. Carlson made a motion to approve the minutes from the May 12, 2021 Planning Commission Meeting. Second by B. Schule. Votes via roll call Ayes 3, Nays 0. Motion carried.

NEW BUSINESS

Text Amendment regarding Commercial Fines in Chapter Six: Section 5 Enforcement

K. Lindquist clarified the resolution. \$300, \$500 and \$1K, respectively for non-residential.

M. Willcoxon opened the Public Hearing at 7:25 pm

No Public Comment

P. Carlson made a motion to close the public hearing at 7:26pm, Seconded by B. Schule. Votes via roll call Ayes 3, Nays 0.

Planning and Zoning Commission Meeting

June 9, 2021 Page 1 of 5



P. Carlson made a motion to recommend approval of the Commercial Fine text amendment to the Town Board. Second by B Schule. Votes via roll call Ayes 3, Nays 0. Motion passed.

Code Enforcement Policy

K. Lindquist discussed code enforcement. She put together a policy for all residents/violators so that everyone knows what to expect. There is a difference in fees for residential vs non-residential. It was agreed to give more courtesy to residents before starting the fine, which is consistent with other townships. K. Lindquist said if the property owner calls and negotiates with the Township, we may not have to fine. They may need months to continue the abatement and the Township can wave the fine until an agreed upon date. Also, if there is an imminent health or safety threat, the Township could fine daily. This would allow the Township to vary from the current policy if there is an impact on the neighborhood. Code enforcement from Chisago County stated it has a similar process, and they do not have many issues with criminal citations. M. Willcoxon said we can leave it up to our discretion, but the 10th letter would go to court. B. Schule said he does not see a problem with the Board changing or modifying what the Planning Commission does per the situation. K. Lindquist said we do not need to list all the violations when we send the letters. B. Schule stated that it could say, "they will be getting fined until they are in compliance", and this may make them resolve it. He is not sure if going after them criminally will work.

33675 Grand Ave Complaint

Ivan Johnson explained what he is doing at his property at 33675 Grand Ave. In February 2020, he purchased property with the intention of fixing it up. The property was in bad shape and the land was falling apart; like a sandy beach. He hauled out concrete, garbage, etc.

J. Kramer came out to review a complaint in 2020 and found that no one was living in the pole barn. A. Villeneuve is his renter who lives in the home on the property has a kid who rides an ATV. The kid will have friends ride with them on occasion and does not host motocross events as stated in the complaint. P. Carlson said the complaint inferred multiple renters on property. I. Johnson said that the property has 3 outbuildings, plus garage and house with one renter.

A complaint was made that he had a contractor haul many trucks with dirt. I. Johnson was not previously aware he needed a grading permit, he has paid for it and submitted a site map and a plan. He is going to send J. Pelawa some more detail and measurements. He plans to haul in gravel to finish the driveway and add trees. He noted that it has taken a lot of work and noise to make the property look better.

M. Willcoxon said a letter will be sent to I. Johnson outlining what was discussed at this meeting and said to be respectful of the time when doing any work. I. Johnsons has tried to keep work within parameters of 8:00 am to 7:00 pm. They had 10 trucks running for 15 hours, as it is a big area, 4 acres of black dirt. He does not want it to be an ongoing problem if they keep seeing trucks, to plant trees and resurface driveway.

J. Kramer inspected the property recently as well as Jeff Fertig from the County and there were no issues with the wetlands. J. Kramer confirmed that no one is living in the pole barn.

P. Carlson has seen the property and said it looks good.



M. Willcoxon suggested that I. Johnson introduce himself to the neighbors. I. Johnson said that he has been meaning to, but COVID has delayed it.

M. Willcoxon stated that there was a complaint about running a business on the property. I. Johnson asked about applying for a permit to run a car restoration company on the property. M. Willcoxon said he could not run a home occupation business unless he lives there as the primary resident. There would be conditions, due to it being residential. It was stated that no business is currently being run out of the property.

The homeowner and renter were told: No more running dirt bikes late at night, try to keep the work hours between 8:00 am and 7:00 pm, no running a business until he lives on the property and applies for a home occupation permit but he can store things in the out buildings and be respectful of the neighbors.

The Planning Commission will follow up next month, and I. Johnson will keep the Township updated. This complaint letter and fine is pending investigation

35775 Energy Trail Complaint

M. Willcoxon and P. Carlson went by property and took photos. The complaint stated the driveway has motorcycles, tractors, equipment, ATV's etc., they also have horses, goats, in supposed violation of covenants, many vehicles all over yard, and the land is a mess. The Township does not have anything to do with enforcing the covenants. If neighbors want to pursue the matter, it could be brought to court with association. P. Carlson suggested sending a letter to complainant stating the property owner can have horses, an excess of lawn mowers and motorcycles were not seen, and send a letter to homeowner letting them know they cannot run business out of property. Two letters will be sent. This complaint was tabled.

Chapter 3 Section 1.06 Platting Requirements

K. Lindquist stated this was prompted from the amendment last month regarding platting requirements, previously, we could do minor subdivision if a lot was 5 acres and had 330 feet of frontage. If people want to split their lot, they cannot do a minor subdivision, they have to plat because of 2.5 acres and 165 foot minimum lot width. The platting requirements should be modified to be consistent with new RRA Standards.

Driveways

K. Lindquist said that J. Pelawa suggested changing the width of the separation between driveways. With the smaller minimum width, they may want to look at allowing only one driveway per property. She is going to check on the County regulations. There will be a public hearing on a driveway text amendment next month.

Lot Width for RR-II and RR-I

There will be a public hearing for a text amendment at the July meeting.

Planning Commission Alternate Member



Mike Olson submitted a letter of interest to be a member of the Planning Commission and B. Schule is moving out of the Township. S. Brooks was the alternate and is now a regular member. M. Olson will be the alternate and will move to the regular member position when B. Schule leaves. The Planning Commission recommends M. Olson to be a member of the Commission to the Town Board for their approval.

K. Lindquist read the kennel definition. 3 or more dogs or cats and 10 or more exotic animals require a residential kennel permit. The resident who applied would like 3 dogs. She suggested changing the ordinance so residents can have more dogs or cats without a permit. It is a Chisago County ordinance. Topic tabled so that K. Lindquist can look into this.

OLD BUSINESS

5563 Athens Trail Complaint

P. Carlson said the Planning Commission will do some research on the background of the vehicle parking because the Township had initially asked G. Peterson to allow vehicle parking at the gas station. M. Willcoxon said we need to fully understand it, as we asked G. Peterson to do truck parking. P. Carlson said he would talk to him. Tabled until there is more information.

32050 Elk Lane Complaint

Photos were taken and it appears the property is getting worse. P. Carlson suggested that another letter and fine be sent. He noted that if unpaid, it will be assessed to the taxes again. M. Willcoxon stated that they have the option to discuss criminal action. P. Carlson said to leave it up to the Board. K. Lindquist will write another letter and another \$500 fine will be sent. P. Carlson suggested to put in the letter how much the total due is and to clarify it will go on property owner's tax levy.

5265 318th Street Complaint

The property has not improved and new photos are on file. K. Lindquist will write another letter and a fine of \$500 will be sent. The total owed will be included on the letter.

Comprehensive Plan Update

There is an Open House scheduled for July 13, 2021 from 6:00 pm to 8:00 pm. The public hearing to adopt the Comprehensive Plan will most likely be scheduled for the August Planning and Zoning meeting. The Open House will explain what is changing, what has changed, and information will be available for residents. Any comments regarding the Comp Plan should be sent to K. Lindquist.

COMMISSIONER/TOWN BOARD REPORT

B. Seekon said the Town is interviewing for the Maintenance position. The outdoor Pickleball court and Hall restrooms are being worked on. Karmel Avenue was discussed at the Road Committee meeting and the Township shares ownership with Chisago City. There are no plans to pave the road in the near future.

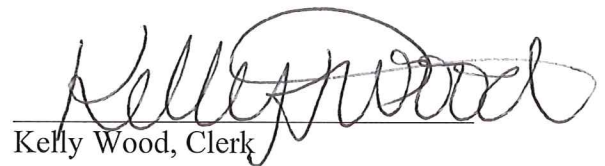


NEXT REGULAR PLANNING COMMISSION MEETING IS WEDNESDAY, JULY 14, 2021 AT 7:00 PM.

ADJOURN

B. Schule made a motion to adjourn the meeting at 8:12pm. Second by P. Carlson. Votes via roll call Ayes 3, Nays 0. Motion carried.


Mike Willcoxon, Planning Chair


Kelly Wood, Clerk

