



## Minutes

### Planning & Zoning Commission Meeting

**Location: Zoom call 1-312-626-6799 US (Chicago) Meeting ID: 857 2239 3956 Password: 916802**

**May 13, 2020**

#### **CALL MEETING TO ORDER**

M. Willcoxon called the meeting to order at 7:00 pm

Members Present via Zoom: Chair M. Willcoxon, Vice Chair P. Carlson, D. Milles, J. Johnson, B. Schule, S. Brooks

Members Absent: None

Others Present via Zoom: Planner E. Maass, Supervisor B. Seekon, Supervisor T. Nelson, Clerk K. Wood, Deputy Clerk B. Schule, 9 members of the public (signed in)

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

None

#### **ADOPT THE AGENDA**

**J. Johnson made a motion to adopt the agenda. Second by P. Carlson.** E. Maass suggested moving Jesse Pawlik COC, 32301 Elk Lane and the Foxhill Complaint up under New Business. **Votes via roll call Ayes 5, Nays 0. Motion carried.**

#### **APPROVE THE MINUTES** OF THE MARCH 11, 2020 PLANNING COMMISSION MEETING

**D. Milles made a motion to approve the March 11, 2020 Planning Commission Meeting. Second by P. Carlson. Votes via roll call Ayes 5, Nays 0. Motion carried.**

#### **NEW BUSINESS**

##### **Jesse Pawlik COC**

E. Maass stated that Staff received a permit for an accessory building which showed a bathroom on the first floor and he questioned if the Planning Commission would like to continue to allow for it. After discussion, the Planning Commission agreed to allow for a bathroom to be located on a first floor of an accessory building. The Pawlik permit is approved.

##### **32301 Elk Lane Complaint**

E. Maass said he has provided pictures from the 22<sup>nd</sup> of April and the homeowner is working on cleaning up. T. Dorsher, the homeowner is working on cleaning up the property.



After discussion, it was decided that E. Maass will write the homeowner a letter stating the property must be cleaned up by July 1, 2020 and no fines will be issued at this time.

**J. Johnson made a motion to adopt the proposed timeline T. Dorsher stated and for E. Maass to write a letter to the property owner so that there is a clear timeline for property cleanup. P. Carlson seconded. Votes via roll call Ayes 5, Nays 0. Motion carried.**

### **31658 Foxhill complaint**

E. Maass stated the complaint is for a possible business and damage to the right-of-way. After discussion, it was decided that the homeowner is going to be invited to the June Planning Commission meeting. A letter from E. Maass will be sent.

### **A1 Tire CUP Amendment Public Hearing**

E. Maass there is a request to amend the original CUP. The project is in the RTC. The conditions of the CUP that are being requested to amend:

- Exterior building and parking
- Outdoor storage and parking
- Maintenance agreement -Lots 2,3,4.
- Revisions to 2,6,8,9 with crushed stone
- A metal building and wainscot

Staff took some pictures of existing developments in the RTC and the Archery building is mostly metal. They have a mixture of pavement and gravel. Tesoro has a wood building. Parking is asphalt and gravel. E. Maass noted that Nancy Hoffman is on the Zoom meeting too. She provided requirements of the tax abatement from the County. There is a private drive that will be extended westward. Due to the distance between the intersection, the only access is this intersection. The applicant has marked up the site plan as to where they would like to asphalt. They are close to requesting a building permit and would not like any project delays.

M. Willcoxon opened the public hearing at 7:45pm

**D. Milles made a motion to accept E. Maass' presentation as testimony for the public hearing. Second by J. Johnson. Votes via roll call Ayes 5, Nays 0. Motion carried.**

J. Johnson said his concern is with dust mitigation and he is fine with metal on the building because it aligns well with a tire business. J. Selvog said he is not concerned about dust in the driveway because he will be using millings. As far as the wainscot, he has an image of a building example. His building will be beautiful for the public and his customers. He has a 4-wheeler with a watering system if dust is a problem. The service road is unclear to him. He does not plan on doing anything with the other properties and does not feel the road to nowhere should be paved right now.

M. Willcoxon closed the public hearing at 7:53 pm



**J. Johnson made a motion to close the public hearing at 7:53 pm. D. Milles seconds. D. Milles asked if they required that road be blacktopped in the subdivision. M. Willcoxen said we left it open to our discretion. Votes via roll call Ayes 5, Nays 0. Motion carried.**

D. Milles made a motion to pave in front of the building and some sort of aggregate in the storage area. Jeff Johnson seconds. P. Carlson asked if it is crushed rock in the storage. Entrance and parking area is to be asphalt or concrete. In option 5 and everything in back will be impervious surface. D. Milles said we do not change anything in item 2. Amend item #8. E. Maass said there are two parking areas. M. Willcoxen asked if they are okay with the brown area being paved and the green area being class 5 or crushed rock. J. Selvog said he only has a small part he would like to pave. M. Willcoxen said he would like to see a pavement plan. P. Carlson said he is not paving soon. E. Maass said it is important to get an answer tonight.

M. Willcoxen said we have higher standards on the westside and we do not compromise. The new paving plan is considerably less than what we talked about when we did the first CUP. The road running westward can be eliminated from it. B. Schule said J. Selvog has a 20-foot apron in front of his building he is blacktopping in front of his building to the property line. He is going to use the crushed concrete which will be strong. That is going to be an awful lot of tar. For heavy trucks, that is not going to be good. J. Selvog drew a line where he would be asphaltting to show the Planning Commission. D. Milles said the whole area should be concrete. J. Selvog said he has a 20' apron on the building. There was a lengthy discussion regarding placement of asphalt and aggregate. There were lines drawn and displayed on the Zoom video. B. Schule said he agrees with J. Selvog and where he proposes to blacktop. He said you do not want asphalt where the trucks are driving or parking. M. Willcoxen said some of the tire shops where the trucks are going are asphalted. That is not a good enough reason and should not lower our standards. Discussion continued for the best placement of the asphalt. E. Maass noted that the greenspace will help with the runoff. J. Selvog does not want to lose the area of greenspace. He is going to put pavers in. J. Johnson said it is his business and does not want him to change his building plan or layout. J. Selvog said some places the Planning Commission is suggesting having asphalt will just sit there and never be used. He said he could use some black rock. Motions rescinded.

M. Willcoxen called a recess 8:41pm

M. Willcoxen called the meeting back to order at 8:48pm

E. Maass said that N. Hoffman will share at this time. N. Hoffman said basing it on a 1.1-million-dollar project and it has been recently subdivided. We are looking at the use of tax abatement, with the use of decorative siding. At the full amount of \$97,500 over 5 years once it is commercial. Looking at impacts of tax abatement: They pay \$23 per hour plus benefits and they are adding two more full-time jobs. They must meet two of these criteria per the statute. It creates 2 jobs and the others they really do not fit. Additional criteria are at the bottom of the paperwork she provided. Quality of employment is listed at the bottom and anything over \$12 per hour is decent. Projects that have decorative material fit. It is not a redevelopment project. Construction of the building might fit. M. Willcoxen would like clarity on TIF and tax abatement



because the two are different. N. Hoffman explained that TIF is approved by the Township. It has many more requirements. Tax abatement is much broader. There is a 30-day time to approve. Tax abatement is approved by Township and County and possibly the school district. P. Carlson asked if the additional cost of the concrete could be added on the tax abatement. N. Hoffman said yes. E. Maass said you are not forced to make a decision tonight. The Planning Commission could consider a middle ground.

**D. Milles made a motion to recommend approval to the Town Board with number 8 amended and everything on the right of the green line blacktopped. M. Willcoxon said they need a direct line in. D. Milles amended his motion to amend item #2 and #8 and use some sort of aggregate left of the green line. J. Johnson seconds. M. Willcoxon recommends a 66-foot arc so it is parallel to the south wall of the building so it goes 90 degrees. Nothing will change with the green space. M. Willcoxon said item number 6 will have to be amended as well. It says it shall be surfaced with bituminous or concrete. E. Maass asked if any space be used later can remain gravel. M. Willcoxon said to do the 66' and go parallel to Athens facing the wall up to the building as long as it is inclusive of the parking area. As long as he has a route in on concrete or asphalt. E. Maass said that with the area that is paved they would find a radius that would go along and cover the parking and come back around the green space. The area over to north of the asphalt would be crushed aggregate. Votes called by roll call: B. Schule: nay, D. Milles: yay, J. Johnson: yay, M. Willcoxon: yay, P. Carlson: abstained. Motion passed**

E. Maass said the building amendment considerations should be addressed next. The current CUP states that the structure shall have brick or stone on the building. J. Johnson said they showed us the picture of the example of what the building will look like and he thought it was attractive. He thinks steel is okay for a tire company. He said a tire store is industrial. It is consistent with what the public thinks it should look like because it is a tire shop. As long as it looks as nice as the example, it would not be *an eye sore*. M. Willcoxon said in the future, it may not be a tire shop. J. Johnson said that still does not change his opinion. D. Milles said he agrees with J. Johnson. If someone changes the use, they will change the building. B. Schule said he likes it with the wainscot. S. Brooks said it looks great. J. Selvog said the wainscot is steel and his building would have the look of the example he found online. E. Maass said this is not a color elevation of the building. He would like the entrance dressed up. J. Selvog said the plans are pretty much drawn up. He has double doors with side windows and 9' wainscot. D. Milles said we would want to see his final plan before it is approved. D. Milles said he has until Tuesday to get us the plans.

**D. Milles made a motion to recommend the Town Board amend item number 9 to allow for a steel construction with using appropriate color tones as shown in the elevation they will submit. M. Willcoxon said there were no boxed eaves on the building. J. Selvog said they do not do them that wide. E. Maass said that they are required in residential districts. The building will have a 9' wainscot with a complementary color. The applicant is required to provide a color for the Town Board prior to their meeting Tuesday. The eastside and southside will have the 9' wainscot. E. Maass recommends westside. D. Milles added wainscoting the westside to his**



motion. **J. Johnson seconds. Votes via roll call. Ayes: 4. Nays 0. P. Carlson abstains. Motion passed.**

J. Johnson asked if we have to exclude the road right now. E. Maass said no. E. Maass said in regards to screening in the back around the tractor trailer, he will follow the recommendations and provide a resolution to the Town Board. A1 Tire will provide an elevation of the building. J. Selvog said the screening was evergreen trees and he is good with that. E. Maass stated he is too. M. Willcoxon said we wish you (A1 Tire) well with your project. P. Carlson said we have to look out for the citizens of Lent Township.

#### **A1 Tire Tax Abatement Consideration**

D. Milles said we need guidelines and criteria. E. Maass said in terms of process they could have a public hearing at the June Board or at the Planning Commission meeting to discuss it in more detail. He said N. Hoffman went through what is required at the County which is a good starting point. E. Maass said the hearing would be conducted and the amount would be put in the paper. D. Milles said he would not support that. He wants criteria to support it. The Planning Commission discussed their opinions on tax abatement. The consensus is to create criteria prior to approving tax abatement. J. Selvog said he followed the rules by filling out the paperwork with Nancy Hoffman. E. Maass said it would not have to be a decision. The Town can make a policy. This is a call for a public hearing, not a vote. J. Johnson said a thoughtful presentation should happen. A public hearing is required to give a tax abatement. It would be nice to have criteria to see if J. Selvog qualifies for it. P. Carlson said we need to determine what kind of businesses should we give this to and we need this laid out first. J. Johnson said the Township should adopt the County's standards for abatement and then have the public meeting. We may want to change some things. Maybe we want to leave it open. E. Maass said it does not sound like to Planning Commission is ready to recommend a public hearing. He would like the Planning Commission to look at the County's and talk about it in June. N. Hoffman said you can be more restrictive and follow the state statutes. N. Hoffman will share her phone number with the Planning Commission and she is invited to the June Planning Commission meeting.

#### **Fence Ordinance Conversation**

E. Maass said the Township fence ordinance is confusing and the Board may want to consider adopting the County ordinance. After discussion it was decided that a public hearing will be posted for June.

#### **Seekon Variance Discussion**

B. Seekon said he is looking at building on a pole barn on the northside of his property. He is going to get rid of his other garages but he needs a place to keep his stuff while he is building the new pole barn. He will be over his square footage and is asking how that will work. He said there is an outlot there and asked if he will have to legally combine the outlot. P. Carlson said, yes. B. Seekon said he feels his hardships are caused by him. P. Carlson said they are acts of God.



B. Seekon stated that the road is not put where it was supposed to be. P. Carlson stated that the hardship is the low ground. D. Milles told him to have a new abstract drawn up. B. Seekon said he will probably move forward with this project next year.

## **OLD BUSINESS**

### **32050 Elk Lane Complaint**

E. Maass said the property owner showed up for the meeting, but due to the meeting length, he had to leave. E. Maass talked to him on April 22<sup>nd</sup>. The property owner provided a receipt showing that he removed 2.5 tons of metal and 5 vehicles off of the property. The property owner estimates being done with the cleanup by the end of June. E. Maass said we have traction now and this is going in a good direction. D. Milles noted that the property owner has not paid his fines. P. Carlson reminded him that a lot of the fines were assessed on the taxes. He drove by too and saw the progress. E. Maass said he recommends granting them an extension like they did with the other Elk Lane complaint. M. Willcoxon told E. Maass that he is getting the property owner to move forward with the cleanup of the complaint. He asked E. Maass to relay that the Planning Commission will not recommend fining him at this time if the property is cleaned up by the end of June 2020. All Planning Commission members were in agreement. A letter will be sent.

### **4480 Fawn Lake Drive Complaint**

E. Maass reminded the Planning Commission that this complaint relates to the two tiny homes located on a property. They were given until May 1, 2020 to remove one of the homes and apply for a medical hardship for the other. The people residing in the tiny homes sent two letters and plan to move into the tiny home village at the church in Forest Lake and as a result of the pandemic, they are on hold. D. Milles made a motion to give them until September 1, 2020. We will still have to fine them because they are in violation. After September 1<sup>st</sup>, they will receive their first fine if the home is not moved off of the property. E. Maass will note they have to apply for the medical hardship as well. A letter will be sent.

### **Lindgren Property**

There was discussion regarding E. Maass following up with the Township Attorney on further proceedings.

## **COMMISSIONER/TOWN BOARD REPORT**

B. Seekon reported on the following:

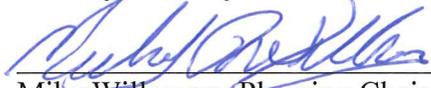
The building will be painted for under \$10k, the Board is switching the insurance to MATIT from Country Financial and they are not going to get the forestry mulcher at this time.

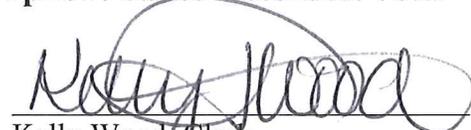
## **NEXT REGULAR PLANNING COMMISSION MEETING IS JUNE 10, 2020 AT 7:00 PM.**



**ADJOURN**

**D. Milles made a motion to adjourn the meeting at 10:24 pm. P. Carlson seconded. Votes via roll call Ayes 5, Nays 0. Motion carried.**

  
Mike Willcoxon, Planning Chair

  
Kelly Wood, Clerk

