



## Minutes

### Planning & Zoning Commission Meeting

Location: Zoom Dial: 1-312-626-6799 US (Chicago) Meeting ID: 891 8865 4106 Passcode: 799858 /

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

November 10, 2021 7:00 pm

### CALL MEETING TO ORDER

P. Carlson called the meeting to order at 7:00 pm

Members Present: Chair M. Olson, Vice Chair P. Carlson, J. Johnson, S. Brooks

Members Absent: M. Willcoxon

Others Present: Supervisor B. Seekon, Planner Joe Hartmann, Engineer J. Pelawa, Clerk K. Wood, 5 members of the public (attended virtually/in-person-listed for the record)

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

D. Stiers said there is a situation on Erie Lane. There is a person that no one has seen for two to three years. The Town office called the Sheriff and a Deputy went out. D. Stiers has done a lot of research on this and has found the person living in another state. Sheriff Thyen is also aware of the situation. They have not paid the taxes since 2018 and someone else is paying the utilities. There are junk vehicles. P. Carlson said we can act on that if he writes up a report of complaint with photos. The house is back off of the road and you cannot see the vehicles in the summer. P. Carlson said we can send them a letter. D. Stiers said he does not get his mail because someone else is picking it up.

### ADOPT THE AGENDA

**P. Carlson made a motion to adopt the agenda. Second by M. Olson. P. Carlson added Chairperson to Item G. under New Business. Roll Call, Ayes 4, Nays 0, Motion carried.**

### APPROVE THE MINUTES OF THE OCTOBER 13, 2021 PLANNING COMMISSION MEETING

**M. Olson made a motion to approve the minutes. Second by J. Johnson. Roll Call, Ayes 4, Nays 0, Motion carried.**

### NEW BUSINESS

#### **Olson Final Plat**

P. Carlson said M. Olson will be excusing himself on this vote. J. Hartmann said there is a resolution attached to the packet for the Town Board. If approved, Staff will work with M. Olson. He has 120 days to record it with the County.

#### **Public Hearing**

*P. Carlson opened the public hearing at 7:08 pm*

**J. Johnson made a motion to close the public hearing at 7:10pm. Second by S. Brooks. Roll Call, Ayes 3, Nays 0, Motion carried. M. Olson abstained.**

**P. Carlson made a motion to recommend approval of the Olson final Plat to the Town Board. Second by J. Johnson. Roll Call, Ayes 3, Nays 0, Motion carried. M. Olson abstained.**



### **Application Checklists**

J. Hartmann said by state law, an application needs to be deemed complete or incomplete within 15 days. This will make the process quicker, know what plans are required, know the process for land use, etc. He created 13/14 checklists that will be useful for Staff. These will be updated and amended as needed. P. Carlson said he looked them over and liked them. J. Hartmann said they will come out with more polished documents; this is for discussion. P. Carlson asked if a public hearing is needed once the Township starts using the forms. J. Hartmann said these are all internal and meant to guide the applicant. They can be edited as needed and no public hearing is needed. It lets the applicant know what is expected of them. K. Lindquist said we are going to add the escrow on the application and checklist because it is due at the time of the application.

### **34585 Kale Lane ADU**

The new property owners were sent the original letter sent by the Township in 2019 and a new warning letter stating that the Accessory Dwelling Unit must be removed. The Township has not received a response from the resident and it was decided that another letter will be sent by Planning.

### **Planning Commission Alternate**

P. Carlson said they do not have any alternates at this time and currently have three applicants. They would like some more diversity on the Planning Commission and noted that a younger guy and a woman have submitted a letter of interest. P. Carlson noted that he will be taking some time off this winter. He asked the other Commission members what they thought of the candidates. S. Brooks said all three of the candidates look good and it will be hard to pick. She asked what will happen with D. Stiers' letter of interest. P. Carlson said his letter will be kept on file. P. Carlson made a recommendation of Dustin Ardolf and Jennifer McGill as Planning Commission Alternates to the Board. The rest of the Planning Commission concurred with P. Carlson.

### **35775 Energy Trl Complaint**

P. Carlson said there was a complaint regarding the horses at 35775 Energy Trail. They took a building down and built a lean to. They are also operating a business. A letter stating that they should have some shelter for the animals and if they are going to run a business, they need to apply for an IUP. K. Lindquist said the Township does not enforce animal welfare; it would be the County. We can follow up on the other issues. J. Johnson said animals and ag are our history and we want to show respect for that. S. Brooks agrees and wants to show that we care. M. Olson said the main concern is the grazing. P. Carlson said they take care of the animals and feed them. We should send them a letter about the shelter and business. K. Lindquist will take care of that. J. Johnson asked if we should separate the letters so that we know both issues are completed. K. Lindquist said that it could be just one letter. K. Lindquist said both issues will be documented in the letter.

### **Parcel Combination Discussion**

J. Hartmann said there have been a couple of residents who would like to combine two parcels into one. There is no discussion in the code for this. He talked to P. Tiede who thought the Township should consider lot consolidations as a text amendment. It would be approved





administratively if it does not create non-conformities. Chisago County already has a form for these that went out with the memo. The Township could use that form. B. Seekon he has had issues combining his outlot with his main lot. His main parcel is metes and bounds and his outlot is platted. K. Lindquist said to uncombine them, you would have to plat or go through the subdivision process. It is easy to combine them, but tough to go back. J. Johnson said there is nowhere on the form that the accessory buildings have to be equally distributed on the property. K. Lindquist said it functions as a large lot and they would have to meet setbacks. J. Hartmann will make another application checklist and will give it to the Planning Commission to review. Public hearing next month.

### **Temporary Chairperson**

P. Carlson said that M. Willcoxon is unavailable for the winter. **P. Carlson made a motion to nominate M. Olson to be temporary Chairperson.** This is just temporary until M. Willcoxon comes back. It takes a lot of time because you work with K. Wood and Planning. **S. Brooks seconds. Roll Call, Ayes 4, Nays 0, Motion carried.**

### **OLD BUSINESS**

#### **Access Discussion**

K. Lindquist said she and J. Pelawa have been talking about the accesses when new lots are created. P. Carlson suggested requiring people that do a subdivision put in 66' easement. J. Pelawa said that we do not want to landlock any parcels. Lot frontage and width requirements may have to be changed. P. Carlson said we should add that to the requirements for people who are platting the property. They have to give the back lots access. J. Pelawa said there can be two parcels on a public access. The Township should have something in writing regarding accesses. K. Lindquist said that there are quite a few things that need to be defined such as how many lots we would allow to access from a private drive, how many lots would trigger a road, etc. Potentially three lots would trigger a road and we would want a concept or a layout for the future. There should be an internal access road to a public road, especially when connecting to a higher traffic road. A public road would be better for the Township. P. Carlson said the most the County will allow on a quarter of a mile is three driveways. The subdivision ordinance will need to be revised for an access requirement. Requiring easements for a public road was discussed along with requiring a road be built to Township specifications. Based on discussion, a third home would trigger the requirement for a road to be constructed in the right-of-way. M. Olson noted that it is quite expensive to build a road. K. Lindquist stated that we cannot have landlocked parcels. M. Olson said that it seems like a hardship to put that kind of cost on residents and agrees we should not have landlocked parcels. He also said that hammer handle and dead-end roads are not allowed in the Township. J. Pelawa noted that the Township currently has landlocked parcels. K. Lindquist said this came up because the subdivision ordinance is quiet on this and the Township needs to state something on accesses. K. Lindquist said if you have an interior lot, the middle person is going to have a turn around, and this may come in phases, the road may not go through immediately. K. Lindquist is going to come up with something for the subdivision ordinance for discussion for next meeting.



### **An Ordinance Amending Chapter 6 Section 4 Fees: D Surety**

J. Hartmann added withdrawing the escrow money to the draft ordinance per the discussion last month. B. Seekon asked to add that the Board have the authority to determine what they will accept as far as the payment type. The word City needs to change to Town. K. Lindquist said that she has an idea of how much the escrows will be. You want to recoup the costs pretty early in the application process. The more time intensive applications will have a \$1000 escrow and the other ones \$500. K. Lindquist said this is an escrow to pay the bills. It is not a fee on the fee schedule. Anything not spent goes back to the applicant. It is good to get the escrow at the beginning of the process. We can set the escrow now and see how it goes and if it is covering all of the costs, adjust it. M. Olson said if a developer does not finish a road, we would finish it. K. Lindquist said that is different and is in the Developer's Agreement. B. Seekon asked if we could do a percentage for the valuation of the project. K. Lindquist said it depends on the applicant and their consultant. The Griffith property has not applied for anything and the Board would like them to apply. They contacted the Township and are using resources. If you are going to move forward, you are going to have to apply. \$500 for small and \$1000 for larger applications. They would like to start small and see where it goes. Staff will give the Planning Commission an update on how it goes.

**P. Carlson made a motion to recommend the surety ordinance to the Town Board. Second by J. Johnson.** The escrow money will be held at the First State bank of Wyoming. **Roll Call, Ayes 4, Nays 0, Motion carried.**

### **32050 Elk Lane Complaint**

P. Carlson said that he and M. Willcoxon went by the property and they were working on a vehicle there. B. Seekon said the Deputy has been working with the property owner, and did not criminally cite him. M. Olson said it is not the Deputy's job to make him feel comfortable. P. Carlson said the criminal route is not really the way to go. B. Seekon said he had a warrant from the Township's previous criminal citation. M. Olson would like to talk to the Deputy and ask what the Township's actions are. The fines are being assessed to their taxes. P. Carlson said whoever owns the property, has to pay the taxes. The property owner has already received 15 letters from the Township. B. Seekon said we can clean the place up and give him the bill. K. Lindquist said the Township can take him to civil court. The Township has been told he is never going to pay. The County does not want to spend the money putting people in jail for ordinance violations. B. Seekon said it could get so messy that no one wants the property. J. Johnson said we have a responsibility to the neighbors to get rid of the eye sore so they are not being hurt by the situation. Another letter and fine will be sent. M. Olson will talk to the Deputy.

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

P. Carlson and M. Willcoxon went by the property and it is still a mess. A letter from P. Tiede has been written to the Sheriff for a criminal citation. Another letter and fine will be sent.

### **Home Occupation Ordinance Discussion**

K. Lindquist said this came up a couple months ago. They discussed having different home occupation standards for the overlay district. The performance standards are listed and it varies from the home occupation standards. She is confused by this because the standards that are written do not comply. When it comes to the storage of recreational vehicles specifically, it says





it cannot alter the residential character or dwelling. It does raise the issue if the Township allows someone to store RVs or pontoons, the house is not going to look residential because there is going to be many pieces of equipment in the yard (outside storage). There can be machine shops, etc. because it is contained in a building. P. Carlson said he agrees why she would question it. Discussion included limiting it to a certain number of feet, not allowing it or containing it. It needs more discussion. We could eliminate outdoor storage, add outdoor storage, and/or add setbacks. M. Olson said to get a commitment from the Board from 360<sup>th</sup> to 340<sup>th</sup>. P. Carlson said they have already committed. K. Lindquist said typically home occupations are to allow someone to do something to keep the look of a residence. It cannot permanently look like a business. It is a home that just happens to have a business. P. Carlson said we require screening. K. Lindquist said we need some limitations. P. Carlson said we could require indoor storage. P. Carlson asked the Planning Commission to get a list of ideas together and this will be discussed at the next meeting.

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

B. Seekon said J. Triplett talked about the County Road 17 update. It is in the planning stage and they are moving forward with it. The Board talked about the complaint properties. They had a CCATO meeting at the Hall with the County EDA to get an idea of businesses and development in the near future. M. Olson said the Zoom is working better. The Township has ARPA money and Linwood has a good system. B. Seekon did some updating and our security system needs some updating. He will look at speakers. P. Olson can provide some information.

#### **NEXT REGULAR PLANNING COMMISSION MEETING IS WEDNESDAY, DECEMBER 8, 2021 AT 7:00 PM.**

#### **ADJOURN**

**S. Brooks made a motion to adjourn the meeting at 8:53 pm. Second by J. Johnson. Roll Call, Ayes 4, Nays 0, Motion carried.**

  
Mike Olson, Planning Chair

  
Laura Carr, Deputy Clerk

