



Minutes
Planning & Zoning Commission
November 14, 2018

CALL MEETING TO ORDER

P. Carlson called the meeting to order at 7:03 pm

Members Present: Vice Chair P. Carlson, J. Johnson, D. Carlson, D. Milles, L. Sinna

Members Absent: Chairperson M. Willcoxon

Others Present: Supervisor B. Seekon, Planner E. Maass, Clerk K. Wood, 1 member of the public (signed in).

PUBLIC COMMENTS *(ITEMS NOT ON THE AGENDA)*

None

ADOPT THE AGENDA

D. Milles made a motion to adopt the agenda with the addition of the continuing violation of M. Lindgren.

E. Maass suggested moving Definitions 2018-4 to b under New Business and adjusting the others accordingly.

Second by J. Johnson.

All in favor, motion carried.

APPROVE THE MINUTES OF THE OCTOBER 10, 2018 PLANNING COMMISSION MEETING

D. Carlson made a motion to approve the October 10, 2018 Planning Commission meeting minutes. D. Milles seconded. All in favor, motion carried.



OLD BUSINESS

Karmel Ave Update

P. Carlson said he and M. Willcoxon drove by about a week ago and not much has changed. They got rid of one small truck, but it is still a mess. A certified letter was sent to them.

D. Carlson said the time is up for them. J. Johnson said there is a set amount they have to pay according to the ordinance. There was discussion pertaining to the letter and fines.

D. Milles made a motion to have a letter sent in accordance to what the ordinance says. L. Sinna seconded. The Planning Commission will receive a copy of the letter E. Maass writes. **All in favor, motion carried.**

Frontier Ave Complaint Update

K. Bearinger sent a letter and the property owner has not responded. J. Johnson said he would be inclined not to approve their permit due to the lack of response. P. Carlson said they are required to apply for a residential kennel permit. D. Carlson said to send a second letter and this time send it certified. E. Maass is going to draft a letter. D. Milles said it is not based on the behavior of dogs, it is based on the number of dogs.

J. Johnson made a motion to have the second letter sent certified. D. Carlson seconded. L. Sinna would like to see the letter K. Bearinger sent. K. Wood is going to send a copy to the Planning Commission.

All in favor, motion carried.

Solar Ordinance Discussion (Ordinance 2018-__)

E. Maass said he has made some updates to the solar ordinance and provided a copy to the Planning Commission. By updating the ordinance, they are trying to cut out the confusion. E. Maass said the table labeled “Solar Energy Systems Allowed by District” has been updated. Solar overlay district was replaced with established solar corridor.

E. Maass reminded the Planning Commission that the solar site permit was removed from everything because it is similar to the building permit.

Rooftop: Setbacks from roadways would be measured from the center of the roadway. This would make it easier for the applicant.

The screening requirement may be waved or reduced by Township discretion.

D. Milles commented on the 12’ height limitations and noted that his neighbor thought that may not be high enough and because of it, he had to make his longer. E. Maass said he would rather see a longer panel than a taller panel.

CSES/Solar Gardens: E. Maass said the solar overlay district would be adjacent to the existing 3-



phase power. D. Milles asked if they were going to identify it on a map. P. Carlson explained where the 3-phase power is. P. Carlson said they do not want the power to expand, it has to be existing.

D. Milles felt they should consider amending the comp plan.

E. Maass said by saying 3-phase “existing at the time of” should cover it. Prefer: They could be along the major ROW to existing 3 phase power lines. P. Carlson said existing power lines as of the adoption of the ordinance.

D. Carlson said at one point he saw a map, but Xcel did not officially provide a map. D. Milles asked if Xcel is the only power company. No

E. Maass said if they have to have 20 acres, then the map is getting really small and seems difficult to enforce.

J. Johnson said it should say pre-existing.

Xcel could put it in for something other than solar; Industrial, etc.

J. Johnson asked the Planning Commission if they are okay with someone building a garden if the power is pre-existing. D. Milles said yes.

L. Sinna asked what we are trying to prevent.

P. Carlson said the spread of solar.

E. Maass said the intent is not to limit or prevent; it is to regulate.

P. Carlson said the Cornillie has two on the property. E. Maass said Cornillie only happened because it is at section 1.

D. Milles said people cannot subdivide without proper road frontage. D. Milles asked if they should have a road frontage minimum. E. Maass said that would not be applicable.

Letter D. building permit shall be required and approved by the Planning Commission and the Town Board. He said more eyes should be on the project. A Public Hearing will not be required. This is for gardens and farms.

The work hours will remain the same with no work on federal holidays

E. Maass suggested 1000’ setbacks from County and 500’ from roads. P. Carlson said he would like it 660’ back. Wetland setbacks 25’

There are no pictures on the new ordinance. Security fencing: metal or wood. No barbed wire. Chain link fence: coated in black vinyl because the silver is too easy to see.



Solar farms: located by substation. Review by Town Board and Planning Commission. Same prohibited districts. Township roads 660' setbacks. There was discussion referencing private and farm roads.

E. Maass said it is the same requirements for screening. If there is existing screening, it could be waived by the Town Board.

Decommissioning Escrow: No bonds. \$20k + 3 percent escalating.

L. Sinna asked if it was practical to have the same decommissioning for a farm and a garden. The Planning Commission discussed reasonable decommissioning options.

P. Carlson suggested it say, \$20k per megawatt.

E. Maass asked if the Planning Commission was good with the revisions. They said yes and there will be a public hearing in December. He suggests lifting the moratorium in January if everything goes well. It is a possibility, but they are not looking to do it at this time.

M. Lindgren

D. Milles said M. Lindgren has to serve ten days in jail and must report within 30 days. The office has requested a Judge's order. D. Milles said we reserve the right to fine him. P. Carlson said the Judge was going to fine him. D. Milles explained how the fining and enforcement process worked at his previous position.

D. Milles made a motion to find out the Judge's order, discuss the issue at the next meeting and move on to a civil order. D. Carlson seconded. All in favor, motion carried.

NEW BUSINESS

County Septic an Ordinance Repealing in its entirety Chapter 4 of the Township Ordinance Regarding Sewage and Wastewater Treatment Ordinance 2018-05 (Septic) Public Hearing

E. Maass reported that J. Kramer said the MPCA rules have been updated. The County updated their ordinance and the Township needs to update theirs to match the County's. The Township does not have the discretion to do its own. Lent Township needs to keep on file because we enforce our own septic. D. Milles asked what the County did to meet MPCA standards. D. Milles said the 3-year mandate on septic pumping is procedural and would like to find out if the County is requiring the 3-year septic pumping.

P. Carlson called a recess at 8:22 pm

P. Carlson called the back to order 8:25 pm



The Planning Commission would like J. Kramer to come to the next Planning Commission meeting with the County ordinance.

D. Milles made a motion to table the topic until the next meeting as well as the public hearing. L. Sinna seconded. All in favor, motion carried.

Ordinance 2018-04 (Definitions)

There was a short dialogue with regard to the definitions.

D. Milles made a motion to have a public hearing at the next meeting to adopt the definitions. Second by D. Carlson. All in favor, motion carried.

337th Street Complaint

D. Milles read the complaint. P. Carlson and M. Willcoxon visited the site. There was discussion regarding the property. P. Carlson said a letter should be sent. E. Maass said it sounds like it is a public nuisance with the trash and will draft a letter.

Elmwood Trail Complaint

P. Carlson and M. Willcoxon did a site visit and did not think it was too bad. There are 3 or 4 cars and a dumpster. P. Carlson said he did not see if the cars were registered. E. Maass said a courtesy notice can be sent that includes the outdoor storage ordinance. L. Sinna asked about the leaching toxins portion of the complaint. P. Carlson said there is a drainage pond and a berm so nothing can get into the pond.

Elk Lane Complaint

P. Carlson said they visited the property and recognized they have been out there before. He said he figures there are over 20 cars on the property. It was decided a violation letter will be sent. It will include the outdoor storage ordinance. They will receive the 1st warning letter.

COMMISSIONER/TOWN BOARD REPORT

B. Seekon reported on the following:

- The double doors were installed today
- The security cameras are now working
- Someone ran into the maintenance gate
- Road meeting tomorrow
 - They took borings on all blacktop roads
 - Supposed to be 2" on the roads and a lot of them are deficient
 - There was discussion regarding the roads and the bidding process



- The Hall/office furnace went out and there is a part on order
- The Road Committee is meeting tomorrow night with Knife River
- The bidding process is going to start earlier next year

L. Sinna is joining the Town Board. E. Maass said it is not uncommon to have a Town Board member also serve on the Planning Commission.

NEXT REGULAR PLANNING COMMISSION MEETING IS DECEMBER 12, 2018 AT 7:00 PM.

ADJOURN

D. Milles made a motion to adjourn 8:50 pm. D. Carlson seconds. L. Sinna said she would like to continue as an alternate on the Planning Commission. It is a discussion for the Town Board. All in favor, motion carried.

Phil Carlson, Vice Chair

Kelly Wood, Clerk

