



Minutes

Planning & Zoning Commission Meeting

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

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

November 9, 2022 7:00 pm

CALL MEETING TO ORDER

T. Schroeder called the meeting to order at 7:03pm

Members Present: Chair T. Schroeder, J. Johnson, D. Stiers

Members Absent: S. Brooks

Others Present: Planner K. Lindquist, Board Supervisor B. Seekon, Clerk T. Smolke, 7 members 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. Votes via roll call, Ayes 3, Nays 0.

APPROVE THE MINUTES OF THE OCTOBER 12, 2022 PLANNING COMMISSION MEETING

J. Johnson made a motion to approve the minutes from the October 12, 2022 Planning Commission Meeting. Second by D. Stiers. Votes via roll call, Ayes 3, Nays 0. Motion carried.

NEW BUSINESS

9080 347th St Complaint – Bur Oak Stables Interim Use Permit Request

Public Hearing

T. Schroeder opened the public hearing at 7:06pm

K. Lindquist explained this is for a home occupation and the applicant provided information. They own more horses than allotted per code. This was prompted by a complaint so the ordinances were reviewed. The Township would be allowing a home occupation with boarding activity, as they only take them in for training. The stable owners own eight horses and take two or so horses at a time in for training. On some occasions there could be more. The Geographical Information System, or GIS, clearly shows the property is set up the same as before it was sold. The permit would allow for a horse barn. T. Schroeder asked if this should be tabled to discuss in detail with the planner or if it can simply be modified. She said they would allow four, but asking for up to fifteen might cover all bases. K. Lindquist added that some instances are brief and recreational based. J. Johnson asked how many stalls are in the barn, to which S. Bell replied there were eight, including one full. J. Johnson questioned disposal of manure and N. Stener said the neighbor handles it and most is out of there now. T. Schroeder and K. Lindquist discussed the Interim Use Permit, or IUP, would be the special permit needed to increase the number of horses without adjusting the ordinance itself. J. Johnson and S. Bell discussed the onsite shelters and lean-tos along with heated water for proper hydration. When asked if someone is supervising the site, N. Stener said S. Bell or someone is always around.



T. Schroeder read in the application that insurance allowed 25% teaching and all liabilities are covered. J. Johnson asked if people left horse trailers on site when they bring their horses and S. Bell said no, although they are covered by said insurance. K. Lindquist reassured with reminding everyone the applicant is present and wanting to bring their property into compliance. There was a discussion regarding the option of a variance versus and IUP. K. Lindquist explained the criteria for a variance and why this particular situation does not apply. J. Johnson asked, in relation to leaning and grazing, how far beyond the fencing is the property line. There was concern of possible toxicity of neighboring vegetation. N. Stener explained the fence is electric so the horses will not lean and will stay far away and there will not be an issue.

T. Schroeder made a motion to close the public hearing at 7:27pm. Second by J. Johnson. Votes via roll call, Ayes 3, Nays 0. Motion carried.

D. Stiers made a motion to recommend approval to the Board to allow the IUP for Bur Oak Stables and accepting K. Lindquist's information. Second by J. Johnson. Votes via roll call, Ayes 3, Nays 0. Motion carried.

Rural Business Overly Home Occupation

The Commission briefly discussed and decided to wait until the regular Board liaison was present.

J. Johnson made a motion to table until December. Second by D. Stiers. Votes via roll call, Ayes 3, Nays 0. Motion carried.

Objects in ROW Draft Ordinance

K. Lindquist said at the last meeting, there was concern about residents placing items in the Right of Way, or ROW, and it affecting snow plowing and maintenance. An ordinance review was requested and K. Lindquist found other communities that require permits for small items in the ROW, but that is less common in rural areas. B. Seekon said the concern is damage to Township equipment. The Board discussed a light post that was damaged by a plow last winter and they turned down replacing it. K. Lindquist said the main issue is the stuff close to the road, not by the culvert. J. Johnson questioned the house number posts but B. Seekon said they are installed by Township Maintenance. K. Lindquist explained residents should know about the easement and the Township is protected if their equipment damages items in the ROW. She then read the statute and explained that different places regulate easements to fit their needs. The Commission discussed sending a violation letter and reinstating this in town code. K. Lindquist said it needs to be an ordinance or it cannot be enforced and J. Johnson asked her to draft an ordinance that meets the state language.

Interim Ordinance Update

K. Lindquist addressed the Commission. In September, there was one gentleman that came and spoke about the system and another that was a septic inspector. The main points seemed to center around metering information and an attendant. She added language to meet direction of the group. D. Stiers asked if an attendant required around the clock and compared this to a service station that operates with the same hours. K. Lindquist reminded him that this was prompted by M. Lundeen, the Regional Sales Manager from Westmatic. He said it would be good to have someone there at all times. J. Johnson said that was just a suggestion. D. Stiers said he is not sure that is needed with how the system works as there are built in safety features and if something went wrong, the system would shut down. J. Johnson said that some of it had to do with the specific trucks that are not allowed in the wash and taking action if the reservoir is filled, etc. J. Selvog asked if there is an option to have a camera and record what comes through, view the recording in the morning, then take notice if any biohazard - prompting the wash to close down and get sprayed out. That would be the responsibility and moral liability on J. Selvog. T. Schroeder asked if a livestock trailer went through with disease, could it spread to the next truck. J.



Selvog reiterated what F. Weck, the septic inspector, said. The water could potentially be land-spread. He wondered why it would need to be metered. B. Seekon said they already talked about that major concern and D. Stiers said J. Selvog is not trying to spread the water. T. Schroeder said the responsibility is on the hauler and if contents are able to be land-spread, they will be. B. Seekon asked, as a governmental entity, where does our legal and moral obligation end. We could take the lowest road but that is not the right thing to do. T. Schroeder said the meter is to depict major differences in the water counts and K. Lindquist added it for use during operation and not after the water is hauled away. J. Selvog said the company that would pump is the same that does the flam trap at A1 Tire so J. Johnson asked if that information was in the permit, two which J. Selvog replied he would not like to be bound to a specific one. J. Johnson asked T. Schroeder to consider changing the attendant requirement to camera because D. Stiers said it is a huge burden. T. Schroeder brought up M. Willcoxon's thoughts about certain vehicles not being allowed. J. Selvog said he has 19 cameras at A1 tire and would like to do something similar at the truck wash. K. Lindquist questioned how he could pinpoint which truck caused an issue, like a clog. S. Bell spoke to the Commission about her personal experience and knowledge of hauling livestock and washing the trailers. K. Lindquist will draft an ordinance.

Planning Commission vacancy

B. Seekon said the gentleman in attendance looking to fill the open seat decided not to. T. Schroeder reminded the Commission there are still two vacancies to fill.

OLD BUSINESS

Countryview Marine Screening

K. Lindquist said the county went out and said the issue is with the original building so a building inspector should go out there. The Pollution Control Agency, or PCA, the County, and the Department of Natural Resources, or DNR, are done with it now. J. Johnson was hoping for a summary from all organizations but K. Lindquist said she has a letter on this being referred to the county, but since then the county is done with it too. J. Johnson reported the defects in the screening on the southside where the storage is can be seen from the neighbors. There are stored materials hanging over the fence which decreases value; the fence should be continuous. Then on the westside, the arborvitaes and small trees will not provide adequate screening even after they mature. Salvaged scraps that may be used for parts and storage trailers seem to be right next to the property line. K. Lindquist discussed positioning of the fence and screening locations compared to the original permit, are not the same. J. Johnson asked, since the county is not doing anything, if the permit discusses and kind of waste management. K. Lindquist said the permit is not very specific but must be managed and in compliance with the state. J. Johnson says the county has a program but it is only for continuous use. K. Lindquist brought the conversation back to the building structure issue, being that it is the cause. Adding fencing and screening to appease the permit was discussed and the northside, that has been a focus, is not even in the Conditional Use Permit, or CUP. The southside has a hold and a 200 foot section that is not fenced. K. Lindquist said we need to tell them to fix that and screen the boats appropriately. J. Johnson said there is no screening on the west. Neighboring business owner, Wayne, said the floor drain was constructed by them and they kept adding fill to carry it out to the field. The entire back side was woods and they took all of those trees out. They used to have junk boats out in the field but brought them forward. They are fixing and winterizing boats in the front but half of the business is boats for parts in back. There was a boat right next to the property line for seven years, he said. It is a total junkyard. T. Schroeder asked what the permit includes and K. Lindquist read it off and said it is hard to differentiate the boat part sales and boat repair. Screening was discussed and the permit only mentioned specifically, was the southside. K. Lindquist will talk to the attorney to see if we can require more screening and/or specify the details 10 years after issuing the permit. Wayne said there is also 200 boats out front and his customers always ask what is going on over



there because it is such a mess. The oil from the lower units is going to a field and he is watering 15 greenhouses out there. The Commission talked about the slatted chain-link fence on the eastside and how it does not adequately screen anything. Wayne said there is between 15 and 18 semis full of parts on their property at the moment. J. Johnson said there seems to be a lot of material that will never be actually sold. D. Stiers said salvage cannot fall under repair and K. Lindquist said she will check on that and draft a letter to review at the December meeting. B. Seekon said some complaints go on for a decade, so hopefully it is not a big deal to specify the permit. The Commission then went on to discuss the 2019 review of Countryview's permit and screening that came about then.

Wayne's Nursery Complaint

Wayne explained this complaint is clearly retaliation. The complainant has operated next door since 2008 and has never complained before. Most greenhouses are poly-covered, last a certain amount of time, and this was the year to replace some as they are in rotation. Wayne went on to read the complaint and gave reasoning, stating the complaint is embellished. He has done some reframing, replaced plastic, etcetera. J. Johnson asked if all greenhouses are operational. Wayne replied, saying all structures are functional and provided pictures. There have been recent long-standing repairs. J. Johnson declared the nature of the complaint has been addressed.

30186 Ivywood Trail Complaint

D. Stiers said K. Lindquist received a phone call from the father saying the kids were moving out, which prompted him to go check it out. He told the complainant to keep an eye out and if there is anything concerning, he should call it in to the Township.

Planning Commission Training

K. Lindquist explained the training is short and suggested we start next month's meeting early to discuss. The Clerk will post the quorum notice with the new meeting time.

COMMISSIONER/TOWN BOARD REPORT


B. Seekon reported on the Stacy annexation. The Town Board is seeking pay equity and the city staff are underpaid. The township employees will keep their wages and the pay matrix will be adjusted after the pay study is complete. J. Johnson wondered if there would be two voting places and D. Stiers said the Town Hall was quite busy during elections. J. Johnson asked if the Township got paid for the roads over there and what happens to the escrow for the demo of the solar garden.

NEXT REGULAR PLANNING COMMISSION MEETING IS WEDNESDAY, DECEMBER 14, 2022 AT 6:30PM

ADJOURN

D. Stiers made a motion to adjourn at 9:26 pm. Second by J. Johnson. Votes via roll call, Ayes 3, Nays 0. Motion carried.


Chair Signature


Clerk Signature

