



Minutes
Planning & Zoning Commission
Location: Town Hall 33155 Hemingway Ave., Stacy, MN 55079
September 11, 2019

CALL MEETING TO ORDER

M. Willcoxon called the meeting to order at 7:01 pm

Members Present: Chair M. Willcoxon, J. Johnson, S. Brooks, D Milles, B. Schule

Members Absent: Vice Chair P. Carlson

Other Present: Supervisor B. Seekon, Planner R. Krzos, Clerk K. Wood, 4 members of public (signed in).

PUBLIC COMMENTS *(ITEMS NOT ON THE AGENDA)*

NONE

ADOPT THE AGENDA

D. Milles made a motion to adopt the agenda. Second by J. Johnson. All in favor, motion carried.

APPROVE THE MINUTES OF THE AUGUST 14, 2019 PLANNING COMMISSION MEETING

D. Milles made a motion to approve the minutes of the August Planning Commission meeting. Second by S. Brooks. All in favor, motion carried.

NEW BUSINESS

Solar Garden IUP and Variance – Cooperative Energy Futures

Public Hearing

R. Krzos from WSB said the applications were submitted by Cooperative Energy Futures. This project will be in Chisago Lake Township and Lent Township. There is an IUP and a Variance application at 35120 Kost Trail for a proposed 1-megawatt solar facility. The variance was applied for because of the road setback requirement. Staff is in support of the variance and the IUP subject to conditions: fencing would have wildlife pass throughs, be constructed with code compliant materials, coated in black vinyl and be six inches off of the ground. The duration of the lease is a 25 term which is the duration of the IUP too. B. Konewko said that the total array will be 5.7 acres. R. Krzos said it is an Administrative permit from the County. D. Milles said the County and Township should make it contingent on each other approving. B. Seekon said an escrow account is required. Discussion took place regarding the decommissioning required by Lent.



M. Willcoxon opened the public hearing at 7:12 pm

D. Milles made a motion to accept the previous discussion and the explanation of the Planner be included as testimony. J. Johnson seconds. All in favor, motion carried.

J. Johnson asked about trucks pulling in to the access. D. Milles said S. Putman addressed that at the community workshop. D. Milles said it should say contingent on the approval of Chisago County and also put the condition that the decommissioning has to be paid prior to construction. M. Willcoxon said he would like them to pay a percentage of the decommissioning. J. Johnson said they are going to use fence all around and he does not feel that it is necessarily screening. D. Milles said there is already vegetative screening. There is boat storage on the north side and apple trees on the west side. D. Milles said the applicants have discussed this and there are no impacts on land owners.

M. Willcoxon closed the public hearing at 7:22 pm

M. Willcoxon said he would recommend approval contingent on County approval and taking 50% of the typical decommissioning plus escalator. There was discussion regarding the decommissioning.

D. Milles made a motion to recommend approval of the Interim Use Permit and variance with the conditions of them paying 50% of the decommissioning and the 3% escalator as well as the permit being contingent on also being approved by Chisago County. S. Brooks seconds. All in favor, motion carried.

The applicants and Planning Commission discussed the subscriber signup. They will provide information to the Township.

Monthly Permit Count

D. Milles said we have been generating a good amount of money, are self-sufficient and can afford to pay P. Tiede when complaint properties escalate. M. Willcoxon stated, if you are going to hire a fulltime employee, you will need someone with the proper education. J. Kramer does his own schooling, loves what he is doing, takes a hit when the economy is down and is dedicated. You would have to pay an employee base pay plus benefits. He does not feel this is a good idea. D. Milles said it would be a good service to the tax payers if there was someone at the Town Hall. M. Willcoxon said someone from the Planning Commission can go out to look at complaints and get paid on an hourly rate. D. Milles said he knows inspectors who would do this. D. Milles said it would be nice for someone to take a look at these complaints. M. Willcoxon reiterated that the Planning Commission does the complaints.

D. Milles said he did not know that his final had been done and still had the yellow card hanging up. J. Johnson asked if K. Wood gets complaints with J. Kramer's timeline. She said no. K.



Wood will ask J. Kramer to let people know when he does a final. B. Seekon said he agrees with M. Willcoxon; it is Jack's own business so it is on him. He does not feel it is not the job of the Planning Commission to look at the complaints. M. Willcoxon said we (Planning Commission) do things to make our community better and we spend a majority of the time dealing with complaints. It would be nice to have someone deal with the complaint properties, someone to be the investigator. D. Milles said he does not have a problem going out to places and taking photos.

Honest Abe Discussion

This is a fiber project on Ivywood Trail and there is a public hearing in October.

4709 358th Street – Tiny House

R. Krzos said that E. Maass and J. Kramer determined the only options are to remove it or convert it into storage because it cannot be brought up to residential standards. The principal structure is on the other lot which is for sale. They never applied for a permit for the tiny house. M. Willcoxon said we have language regarding seasonal cabins and need a text amendment to remove it. D. Milles said we want stable residential structures because they contribute to the tax base. D. Milles said J. Kramer's cease and desist letter to the resident was straightforward.

D. Milles stated that he wants people to start coming to the meetings. He would like it stated in the letters that, "you are expected to come to the Planning Commission meeting and if you do not appear, we are going to proceed with the process". M. Willcoxon said he would like to talk about this at the next meeting. D. Milles said we do not want tiny houses. M. Willcoxon said he brought up a tiny home, regulated community last year. D. Milles said to let E. Maass proceed and tell the resident to come a meeting to explain to us what they are doing. He has to build a house.

M. Willcoxon called a recess at 8:10 pm

M. Willcoxon called the meeting back to order at 8:14 pm

D. Milles said there needs to be a formal written Lent Township fining protocol. This will be on the October agenda. They want to talk about including "we have the right to fine you every day if you do not appear" and "If you feel this is unreasonable, appear at the next meeting" to letters as well as escalating fines.

D. Milles made a motion to allow E. Maass to follow up J. Kramer's letter and state that the property owner has to make a legit building or come to the Planning Commission meeting. Second by B. Schule. All in favor, motion carried.

34585 Kale Ave – Pole Barn Living Quarters

R. Krzos said you cannot have a dwelling in an accessory building. They would have to remove the structure or convert it to storage. The plumbing and any bedding materials will have to be removed. M. Willcoxon explained that this would never meet the building code. D. Milles said we do not have any seasonal cabins in the Township so a text amendment is needed. D. Milles



told a story about a neighbor living in their pole barn in 2003. He called the County and nothing ever happened with it. That is how Lent took over their own zoning. D. Milles said E. Maass should send him a letter stating to remove or convert and if you do not, the Township will take action.

31720 Foxhill Ave Complaint

This is a new complaint stating they are not mowing their grass. M. Willcoxen said someone will take a look at it.

OLD BUSINESS

31658 Foxhill Ave Complaint

D. Milles said that he and S. Brooks looked at it today. R. Krzos said they sent a close out notice stating that screening should be added for any future outdoor storage.

Lindgren Property

D. Milles said they looked at this property today, but did not take new photos. He said he would like to move forward with telling the property owner to come to the October meeting or the Sheriff will be contacted. He added that M. Lindgren should continue to be fined. J. Kramer can go to the property without a search warrant. D. Milles further explained that a complaint can be filed with the Sheriff, they will write a summons stating the property owner violated the code, then he will have to go to court. The Township can proceed with civil and criminal. M. Willcoxen said that the Township must wait to get the proper evidence in order to get this right. M. Willcoxen explained the location of watercraft on the property and stated that he still has not received proof that the five boats were the property of M. Lindgren. M. Willcoxen stated that M. Lindgren told him that he had a lien on some of the boats. B. Seekon said he admitted he had/has a business by stating that there is a lien on the boats. We can continue to fine him because he has not done anything on the list he was given. M. Willcoxen said he submitted a letter as to what he wants to accomplish. D. Milles made a motion to write the property owner a letter stating he has to appear at the next meeting and explain the work that has been done. D. Milles rescinded his motion. M. Willcoxen said this should be addressed at the October meeting.

32050 Elk Lane Complaint

D. Milles said he and S. Brooks looked at the property today. He said to send another letter and a fine. M. Willcoxen recommended sending a fine of \$100 per day. J. Johnson said we need to be reasonable with every resident. D. Milles said before the next fine is sent, they should come up with the protocol first. He said they can work it out at the October meeting. Discussion on the amount took place. \$500 to \$1000 per month. M. Willcoxen said it could be subject to the Board if it is really bad. B. Seekon said he disagrees and feels it has to be the same across the board.

6260 337th Complaint

R. Krzos said a third notice was sent 8/28/2019 and an inspection is needed on 9/27. M. Willcoxen said the property owner had initiated cleanup at first and it has now stopped. M.



Willcoxon said the inspection dates should align with the meeting dates by being due the day before. It was decided that the Planning Commission is going to wait until the next meeting to address this complaint.

Karmel Fines

D. Milles said they have cleaned up a majority of the property, but there are some items in the way back. There is a dock and a crane for sale. After discussion, it was decided that they will be fined again if they do not comply by the next meeting. This will be discussed at the next meeting.

35902 Grand Ave Complaint

R. Krzos said they were sent the second notice and given until the 30th of September to comply. They will wait until next month to discuss this complaint. J. Johnson said he would like updated photos of this property.

32301 Elk Lane Complaint

R. Krzos said the second notice was sent out. They will talk about it next month.

Country View Marine

R. Krzos said that there is a revised permit included in the packet. M. Willcoxon said there are State mandates that all storage is on impervious surface; not on swamp. They have vehicles parked on the ROW. After discussion, it was decided that K. Wood is going to write them a letter stating that their CUP was never recorded with the Chisago County Recorder and if they do not have a copy of their approved CUP, another one will be issued to them.

Complaint driven fines for property tax procedures

Previously discussed

Building Inspector/Zoning Administrator Options

Previously discussed

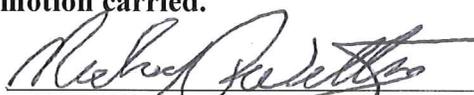
COMMISSIONER/TOWN BOARD REPORT

B. Seekon said the Township is still waiting on the shouldering machine to come.

NEXT REGULAR PLANNING COMMISSION MEETING IS OCTOBER 9, 2019 AT 7:00 PM.

ADJOURN

D. Milles made a motion to adjourn the meeting at 9:20 pm. Second by B. Schule. All in favor, motion carried.


Mike Willcoxon, Chair


Kelly Wood, Clerk