



Minutes

Planning & Zoning Commission Meeting

Location: Zoom Dial: 1-312-626-6799 US (Chicago) Meeting ID: Meeting ID: 840 3352 3131

Passcode: 145329: Town Hall 33155 Hemingway Ave., Stacy, MN 55079

September 8, 2021 7:00 pm

CALL MEETING TO ORDER

M. Willcoxon called the meeting to order at 7:12 pm

Members Present: Chair M. Willcoxon, Vice Chair P. Carlson, J. Johnson

Members Absent: S. Brooks, M. Olson

Others Present: Supervisor B. Seekon, Supervisor C. Cagle, Planner K. Lindquist, Planner Jared Johnson, Clerk K. Wood, Deputy Clerk L. Carr, 5 members of the public (attended virtually/in-person-listed for the record)

PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)

None

ADOPT THE AGENDA

P. Carlson made motion to adopt the agenda. Second by J. Johnson. Votes via roll call, Ayes 3, Nays 0. Motion carried.

APPROVE THE MINUTES OF THE AUGUST 11, 2021 PLANNING COMMISSION MEETING

J. Johnsons made motion to approve the August 11, 2021 meeting minutes. P. Carlson seconded. Votes via roll call, Ayes 3, Nays 0. Motion carried.

NEW BUSINESS

5563 Athens Trail IUP Amendment for Vehicle Parking – Gordon Peterson

K. Lindquist said that G. Peterson submitted an IUP application and there were some issues raised by the Board, including: screening and that there are two parcels. It is a nonresidential use and the freeway borders the land, so screening is a non-issue. The Board requested several conditions and operational uses for parking. Language was used from A1 Tire's IUP (no sleeping in vehicle, no waste, debris, dumping, etc.), not previously captured in the conditions. The Board wants consistency across similar uses. **P. Carlson made a motion to recommend approval of the 5563 Athens Trail IUP to the Board with the added conditions. J. Johnson seconded. Votes via roll call, Ayes 3, Nays 0. Motion carried.**

Olson Preliminary Plat

Jared Johnson from WSB discussed the M. Olson Preliminary Plat at 6364 340th Street (RRII). They would like to subdivide 9.86 acres in to two 2.5 acre lots leaving owner with 4.86 acres. A map was provided to show where the lot is proposed to be divided and to show the shared access off of County Road 30. All of the existing structures will be on the 4.86 acres. The 2.5 acres lots meet the minimum requirements. J. Johnson asked about the access on the County Road and the response was that it was approved by the County Engineer.

Public Hearing M. Willcoxon opened public hearing at 7:15 pm.



P. Carlson made a motion to accept previous testimony into the public comment. Second by J. Johnson. Votes via roll call, Ayes 3, Nays 0. Motion carried.

C. Cagle (Supervisor) made a comment about accesses off of Highway 61. They are approved by the County. **P. Carlson made motion to close the public hearing at 7:17 pm. Second by J. Johnson. Votes via roll call, Ayes 3, Nays 0. Motion carried. P. Carlson made motion to recommend to approval the Olson Preliminary Plat to the Board. J Johnson seconded. Votes via roll call, Ayes 3, Nays 0. Motion carried.**

Right-of-Way Policy

K. Lindquist discussed that the County does not include the right-of-ways or easements, they are accredited to the size. If it was dedicated prior to the subdivision, it does not count as part of the parcel area. The Township requires a right-of-way on a lot. She asked what the Township would like to do from a policy standpoint. About 20% of lots would not be able to be split if it is not included. It is prudent to have this written down so people know how to calculate it.

J. Pelawa commented regarding the M. Olson plat that he wanted to make a clear distinction that a roadway easement is for use of a road. The County looks at the 2.5 acres after it is platted and after the right-of-way. If a person plats property at a dedicated right-of-way, the County will ding them, because what is left will not meet the minimum lot size. If you look from a pre-plat stance, they should not be punished if they dedicate to the road first. M. Willcoxon said allowing people to do these things has very little downside. J. Pelawa feels this would help Lent Township achieve what it wants with very little impact. A lot of people do not take care of the full 2.5 acres, so it should be enough of a buffer. K. Lindquist will make sure everything is worded correctly and asked if they want to see it next month. Tabled until the October meeting.

OLD BUSINESS

B. Seekon would like to put up a pole barn, he has primary parcel and an outlot. He discussed this with R. Keller, M. Willcoxon and has also talked to the County. He asked how to move forward with this. The County will not combine a platted lot with a metes and bounds lot. The County stated that he needs to plat the other lot prior to combining or building. This has to start at the County level to move forward.

Small Horse Ordinance discussion - 35775 Energy Trail

K. Lindquist said that she and K. Wood had discussed that two mini horses (up to 350 lbs., under 38" tall) could equal one standard horse. The language can be changed in the ordinance. M. Willcoxon said he would like to go with two mini horses equals one standard horse as well. Pony of the Americas (POAs) are generally larger than a mini horse, but smaller than a standard horse. Dan Church (35775 Energy Trail) said that their mini horses and pony are well taken care of and have plenty of space as they are smaller. B. Seekon discussed the need to regulate, on a case-by-case basis. J. Johnson discussed humane society guidelines; no more than two mini horses per acre. The resident has five acres, two mini horses, and one POA. Public hearing next month.

32050 Elk Lane Complaint

K. Lindquist was asked about the status of the citation. K. Wood Read P. Teide's email. The Sheriff has issued a warning and has given the property owner 30 days to comply. P. Tiede suggested waiting to file until September. B. Seekon and. P Carlson Agreed to wait. J. Johnson



asked if another letter and fine will be sent. K. Lindquist said we can go after them with another fine, but it did not go well for another government agency she worked with. She will check with the attorney before fines are sent again, but the Planning Commission feels they should continue to fine. J. Johnson said we do not want to be arbitrary, keep to guidelines, and be fair to all residents. K. Lindquist will check with P. Teide regarding the next steps.

5265 318th Street Complaint

K. Lindquist said that this is a similar situation, and asked if we want to handle it the same and issue a citation. M. Willcoxon said yes. Fine and citation, they drove past, very little change except for sale signs. A letter and fine will be sent.

Home Occupation Ordinance Discussion

K. Lindquist said that a person is interested in leasing a portion of someone's property and would like to put an RV storage business on it as a home occupation. Removing vegetation and putting gravel down will not make it look like a residential property as intended in a home occupation. She looked at overlay with M. Willcoxon. M. Willcoxon asked about screening options and said that goal is to keep it from deterring from the look of a neighborhood. The potential applicant does not own the property, but wants to use it as a home occupation. J. Johnson discussed the carbon footprint on the property, with the living area plus the storage. K. Lindquist said the maximum footprint of the business has to be less than 50%, as residence should be primary use of a home occupation. M. Willcoxon said that this had been discussed and that the overlay has not yet been approved by the Board. He wants to start small, work into it, tweak some things and make it work for applicants and the Township. P. Carlson asked about the property owner renting out his property to another person, which K. Lindquist stated would not make it a home occupation. It would be considered commercial, and rezoning it may be required to do what they want to do. J. Johnson clarified that when property owner is running a home occupation versus a renter running a home occupation, it is easier to address issues with owners who are local, than renters who may not comply and live outside of the Township. The Planning Commission said that home occupancy needs to be run by the home/property owner only. There will be a public hearing to approve the language, but not next month. Discussion tabled until October.

COMMISSIONER/TOWN BOARD REPORT

B. Seekon discussed mower issues and said that Fahrner is doing fog sealing this week. The outdoor Pickleball courts are done and an equipment box will be put in next spring. Plumbing issues are being addressed at the Hall.

NEXT REGULAR PLANNING COMMISSION MEETING IS WEDNESDAY, OCTOBER 13, 2021 AT 7:00 PM.

ADJOURN

P. Carlson made motion to adjourn the meeting at 8:08 pm. Second by J. Johnson. Votes via roll call, Ayes 3, Nays 0. Motion carried.


Mike Willcoxon, Planning Chair


Kelly Wood, Township Clerk