



REGULAR PLANNING COMMISSION MEETING MINUTES

September 10, 2020 7:00 PM

(Recorded for Transcription Purposes Only)

CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL: Vice Chair Scott Hendrickson called the meeting to order at 7:00 PM and the Pledge of Allegiance was said. Roll Call: Those present: Vickie Kettlewell, Terry Quick, Scott Hendrickson, Dave Johnson – via Zoom, Dave Skogen – via zoom, Board Liaison Yvette Adelman-Dullinger, and Colleen Putnam, Deputy Clerk. Sign-In sheet attached.

Agenda: Terry Quick moved **to approve the amended agenda**, seconded by Vickie Kettlewell and the motion carried.

Minutes:

August 13, 2020 PC Meeting amend/approve: Vickie Kettlewell **moved to approve the minutes as presented**, seconded by Terry Quick and the motion carried.

Public Input:

Heather and Dave Schmit, Hengel Construction: Heather and Dave are present tonight as they would like to put an addition on to their main shop building which would be 44'x88' structure for truck maintenance bays but not attached to the manufacturing building. The parcel is 2.27 acres. The building will be open in the inside, no dividers, no water. All colors will match the existing building, no additional lighting, lighting in the yard should be enough. They are looking at down lighting over the walk-in doors and possibly wall packs in between the garage doors. The septic system will need to be upgraded, they have someone coming to look at it on Friday, September 11, 2020. A new well will need to be drilled. They have submitted their application for a general business permit, along with their drawings. After further discussion Vickie Kettlewell **moved to recommend the Town Board approve the Business Permit for Hengel Construction with facts, findings and conditions**, seconded by Terry Quick. The question was called and the motion carried.

Facts:

- Hengel Construction is a “grandfathered” commercial enterprise.
- The company has applied for a permit for an expansion of their repair shop 88' x44' (3872 sq. ft)
- Stormwater drainage will go to the existing holding pond (drainage plan included in packet).
- Sewer had not been inspected prior to PC meeting. Owner says it probably will not meet standards and most likely will need to install a holding tank. Plan will be available for the Board of supervisors.
- Impervious surface calculation was not requested by PC since it is part of the industrial storm water permit issued by the MPCA.
- A new well will be required due to the location of the new building.
- Colors for the expansion will match colors of the existing shop.

Findings:

- While the company is grandfathered, the expansion is over 25% of the existing business which by ordinance the new construction must meet standards as part of the conditions for the permit.
- Drainage plan indicates the storm water will be managed as it has been prior to new construction.
- There will not be increase traffic due to the addition thus there will not be pressure on township infrastructure.
- Since it is an addition to the shop and colors will match, this addition will fit the surrounding neighborhood.

The Planning Commission recommends granting the permit with the following conditions:

1. Color will match existing buildings.
2. A sewer, meeting Cass County standards, will be constructed as part of the construction process and will be completed by June of 2021.
3. All new lighting will be down lighting using half cutoff standard.
4. Fire protection will include adequate fire extinguishers and a walk through by fire department upon completion.
5. Must meet all other county, state and federal regulations.

Eden Church: Representatives are not present tonight. Chuck Bray with the church is waiting for Steve Statema also with the church to return from vacation then will pursue the application for an amendment to their CUP which has been emailed to them. They want to expand their parking lot. Two PC members will meet with them for a site visit first to look at the drainage to the creek. A question was asked if this needs to go to the PC meeting or if the application can go directly before the Board. Yvette stated it could go directly to the Town Board.

Correspondence Received:

Cass County Permit Log – August 2020: There were 10 building permits; 1 Variance and 1 shoreland alteration issued for the month of August 2020.

Correspondence Sent:

None

Reports:

Yvette Adelman-Dullinger, Town Board Liaison: Yvette Adelman-Dullinger gave a report on their previous meeting:

1. Todd Holman was present at the Board meeting to give some updates. Yvette stated Todd asked if Dave Johnson would be interested in attending the Baxter Planning Commission (PC), and the Parks & Trails meetings. Some items they will be discussing are 2 corridors that would impact Sylvan Township, with the one that would affect Sylvan Township the most being the Veteran's State Trail.
2. Residents were present regarding the elections.
3. The Board is working on Road Right of Way Ordinance and permits. Yvette updated an ordinance that she had received from 2017 legal seminar putting in Sylvan Township's name, etc. The Board sent it to the attorney for his review.
4. Recommendation from the PC regarding hunting the Board checked with their insurance company and attorney who stated there are federal and state laws that are guaranteeing if Sylvan Township allows hunting on Township property

the Township does not have any liability. The Township does need to put up signs stating no rifle and a current date.

5. Yvette stated a resident had contacted her regarding property on Arbor Lane that was going to have a guest quarters. They are questioning if they can do that. Yvette called Cass County who stated there was nothing they could do about it if it is a rental property.

Previous Board Minutes: You received in your packets, please read them over for your information.

Road Committee Report: Scott informed the PC members the committee has met three (3) times and have driven the paved roads. They will meet again and put together the top 10 roads that will need to be addressed and what could be done on those roads.

Old Business:

Sylvan Lake Park: Vickie informed the PC members they took 5 loads of black dirt from the ranch to the park. The PC members looked over a list of materials needed for completion for the pit area restoration that Dave Johnson presented with hopefully most if it getting done this year. One part of the pit area restoration not covered under the grant from Soil and Water is the surfacing for trails from the parking lot and in pit area for HCP. Scott Mudgett is putting together a price on that. Dave Skogen will be looking at a Sourcewell grant and possibly from Anderson Brothers Family trust.

Commercial Zoning: Regarding zoning the parcels on Little Pine Trail the PC members stated at a previous PC meeting if all three (3) residents are not in agreement it will not be pursued. We have not heard back from those three (3) residents. MN Power who will be putting in a solar farm should be zoned commercial. They have gotten an application, but we have not heard back from them. There was discussion on Snow's property, both old and new would be zoned commercial which was their request. The Planning Commission members decided to have the Board go ahead and pursue this. Dave Johnson **moved to recommend the Town Board proceed with the Snow property to be changed to commercial zoning**, seconded by Terry Quick. The question was called and the motion carried.

Hunting Restrictions – East side of Township: Yvette discussed under her report. There was discussion regarding putting up signs. Dave Johnson will check with the DNR regarding how far apart the signs need to be. Yvette or someone from the Town Board will order the signs.

New Business:

Cass County Carlson Variance: Michael Carlson submitted an application to allow for a 16.5' access easement to the existing property to allow for a future split. Dave Johnson and Dave Skogen attended the site visit and they did not believe this should be approved as it doesn't have adequate access to it and it stays an 8 acre parcel. After further discussion the PC members were in agreement with Dave Johnson and Dave Skogen. Dave Johnson **moved to recommend Cass County deny the application based on inadequacy of a 16.5' access particularly if there multiple homes will be built**, seconded by Vickie Kettlewell. The question was called and the motion carried. Here are the facts, findings and recommendation:

Facts:

- The property is located on Mile Lake Road

- The property is riparian to Mile Lake, a natural environment lake
- The property has a deeded access which is part of the 8.1 acre parcel
- The access is only 16.5 feet wide and county ordinance requires a 33 foot wide access
- The request is a variance to waive the 33 foot road access requirement for the access which would be required for the owner to subdivide the property.
- The owner currently accesses the property through the property to the south which is not a legally deeded access.

Findings:

- The proposed access would not provide adequate room for snow storage
- The proposed access does not allow enough room to properly regrade a road into the property especially if the access would be used for multiple homes.
- Inadequate space typically causes puddling and dirt tracked onto township paved surfaces.
- The property owner does have access to the property and can still pursue other approaches to acquire additional property to provide a legal access.
- The property, “as is”, allows the owner, or any future owners to use the property.

Recommendation:

Since the owner has use of the property as he did when he acquired the land Sylvan Township recommends the request for a variance be denied.

SCO Fee Schedule: The Planning Commission members looked over the current SCO fee schedule and made some changes/additions to the fee schedule: added Interim Use permit with a \$250.00 fee and \$750.00 escrow; Home Business took off the 36 month permit; Home occupation changed to 2 types of home occupation – Home Occupation A removed 36 month permit and removed fee charge, added Home Occupation B with a \$50.00 fee. Colleen will look over the wording on the bottom and check to see if the Ordinance as per Section 2200 along with the MN Statutes 429.101 in paragraph two. After further discussion Terry Quick **moved to recommend the Town Board approve the updated fee schedule**, seconded by Vickie Kettlewell. The question was called and the motion carried.

There was discussion regarding the fee schedule from Cass County comparing their fee schedule to Sylvan Township fees. Cass County is almost double Sylvan Township’s. The Planning Commission decided for now to leave as is.

Sylvan Lake Park Additional Discussion: At this time Terry Quick asked if the Board has done anymore on the park event at Sylvan Township. It was decided we had given them a recommendation but nothing more had been done on it. The PC members discussed if it should be done this fall or next spring. After further discussion Vickie Kettlewell **moved to request the Town Board host a fall event on Sunday, October 4, 2020 in the afternoon at Sylvan Lake Park for the public to walk the park to see the progress**, seconded by Terry Quick. The question was called and the motion carried.

Annual Reviews: None

Announcements: Read

Adjournment: Terry Quick **moved to adjourn**, seconded by Vickie Kettlewell and the motion carried with the meeting being adjourned at 8:30 PM.

Minutes submitted by:

Colleen Putnam, Deputy Clerk

PC Member Vickie Kettlewell approved the minutes as presented
seconded by Terry Quick and the motion carried.

Amendments:

Pg. 2: Under Reports #3 – change word reviewal to review

Pg. 3: Top of page #5 – add letter s to quarter

Date: 10-8-2020