

Town of Gnesen Planning Commission
March 16, 2022 Minutes – held both in person and via zoom

Members Present: Kathy Buran, Carter Williams, Pete Bergman, Sherri Underthun, Matt Thibodeau, Kevin Middleton, Joe Ferguson (via zoom), Dick Delano (via zoom), Nathan Horyza, Zoning Officer; and Sarah Blix, Planning and Zoning Secretary.

Members Absent: None

Others Present: Jay Haller, Deke Melone, Christine Melone, Joanne Vavrosky, John Simonson, and Mike Polzine.

APPROVAL OF AGENDA: A motion was made by Carter to approve the agenda, second by Sherri. All vote in favor.

APPROVAL OF MINUTES: A motion was made by Carter to approve the February 16, 2022 minutes, second by Kevin. All vote in favor.

PUBLIC DISCUSSION: None

CONTINUING BUSINESS:

Special Events: Sherri stated that the draft that was sent out to all the Commission members by Sarah covered everything that Sherri thought should be included and she would recommend to approve it. Kathy stated that she thought a sentence to reference attached terms should be added somewhere in the application so that applicants know that when they sign it they are agreeing to the terms. Sherri agreed that somewhere on the application it should say that the applicant is agreeing to both the terms and ordinance. Some discussion took place as to where in the application the sentence should be placed. Carter made a motion to submit the application with corrected verbiage, terms, and ordinance verbiage for consideration at a public hearing, second by Joe. All vote in favor.

Communication Tower Moratorium Subcommittee: Sherri said that the subcommittee is at a standstill. She said she had sent out drafts to the Commission in both February and March but had received very little feedback so she is concerned that people are not getting her emails. Pete stated that there is an issue with communication and there needs to be a better process for sharing information. Pete said he would like to talk about it later in the meeting under New Business. Sarah added communication of P&Z Board Members to the agenda for further discussion. Carter asked to table this topic until everyone has a chance to read the information the subcommittee has created. There was discussion between commission members about the need for legal advice on certain questions that the subcommittee had regarding communication towers. Sarah stated that at the March meeting Dave Opack told the commission that they needed to contact Lottie and have her get approval for someone from the subcommittee to contact a MAT attorney. Sarah said she didn't know if anyone had followed through with that as of tonight's meeting. Matt stated that a member from the Communication Subcommittee needs to reach out to Lottie for permission to contact MAT (Minnesota Area Townships). Kathy stated she feels this is premature due to the fact that there is no clear document that they can present to MAT. Carter agreed and said he would like to wait to seek legal advice until a document has been prepared. Jay Haller told the Commission that there is a video on YouTube from the biggest cell tower attorney in America. Jay said he could send the Commission Members the link to the video if they would like to watch it. Carter asked if Jay could send the link to Sarah and she could distribute it to all Commission members. Sherri said while she would appreciate access to the link to watch the YouTube video she also wants to see both sides of the issue. Sherri stated that with the need to work from home, high speed internet is important and there are ways for the towers to be safe. Sherri said that we can't be so focused on stopping

the cell towers when they provide a much needed service to many people. Matt thanked the subcommittee for all the hard work that they have done so far. Sherri made a motion to table this topic until April, second by Carter. All vote in favor.

Hot Mix Asphalt Plants: Joe said that he strongly believes that this issue requires legal advice. Joe questioned if Ulland may be grandfathered in under the old ordinance. Deke Melone suggested setting up a subcommittee to work on this topic. Nathan stated that he was told by the Town Board to reach out to Ulland to see if there was anything they could do. Nathan said that Ulland's current CUP allows them to have a hot mix plant and Nathan wants to know if there are any updates they can do to help reduce/eliminate the smells and noise. Nathan said he did reach out to Tim Grahek from Ulland and left him a message. Nathan said that allowing Ulland the chance to remedy the problems would be the best choice. Kevin asked if we could invite Ulland to a P&Z meeting to which Nathan said he would ask when he speaks with them. Matt brought up the fact that there are already two subcommittee being worked on – communication towers and short term rentals and questioned if they could be combined in any way to deal with all the issues that come up. Kevin said he feels like talking with Ulland would be a better first step rather than setting up another subcommittee. Carter said that communication towers are a big issue that is time sensitive, short term rentals are another big job that should be kept separate from other issues, hot mix plants are a big issue but there are several months before their CUP comes up for review so therefore, the communication tower and short term rental issues should take priority. Sarah said that before Dave retired from the Board he mentioned that the Board approved the subcommittee on communication towers and that is it. Last month the Board approved setting up a subcommittee to research short term rentals to get verbiage for the ordinance before the topic becomes a big issue. Sarah said she is not sure if the Board wants another subcommittee at this time until the two that are already in progress finish up. Carter said he agrees with what Sarah said. Deke said he will pull together the information that they have collected so that when the time comes to work on hot mix asphalt plants, the commission will already have some background information. Nathan said he was researching the MN state statutes to see how a conditional use permit can be changed. He said that he did find a state statute that stated that municipalities do have the ability to change CUP's. Nathan stated that in order to make changes they would have to go through the process which would allow both the public and the CUP holder to have a chance to be heard. Nathan thought the best time to make any changes to an existing CUP would be at the time of their review. Christine questioned when the public hearing would be held, after the review or before the review. Nathan said it is held at the review in September. Sherri asked if we were planning on inviting Ulland to the April meeting and if so could the meeting be scheduled earlier. Sarah said if the meeting time changes then she would have to post it. Deke suggested to postpone the meeting with Ulland until May so that it's not crammed with other hot topic items. Carter made a motion to table hot mix plants until May, seconded by Kathy. All vote in favor.

NEW BUSINESS:

Short Term Rentals: The Town Board has changed their mind on putting a moratorium on short term rentals at this time, instead they have authorized a subcommittee to be created to research short term rentals. Nathan said that in the three years he has been the Zoning Officer he has not had one complaint regarding short term rentals. Nathan said we do not want to put a moratorium on something that the township really is not having a problem with right now, keeping in mind that we do need to set up a committee to discuss regulations and what some conditions might be. A subcommittee of nine residents including some lake and non-lake residents, commission members, and a Town Board Supervisor, was created to research short term rentals and how other townships have dealt with them and draft verbiage for the ordinance.

Communication of P&Z Board Members: Communication between the members was discussed and it was reiterated that all communication among members must be sent to Sarah and she will filter it to all commission members. Pete suggested that once received, each member should send Sarah an email back

letting her know that they received her email. Nathan asked if when people reply please don't reply all rather just reply to Sarah.

ZONING OFFICERS REPORT: Nathan said he had nothing new to add.

- The next P&Z Meeting will be held on Wednesday, April 20, 2022 at 7:30 pm.

A motion was made by Sherri to adjourn, with a second by Kevin. All voted in favor. Meeting adjourned at 8:49 pm.

Respectfully submitted,

Sarah Blix

Sarah Blix, Planning and Zoning Secretary

4-20-22

Date

Matt Thibodeau

Matt Thibodeau, Planning Commission Chair

4-20-22

Date