**Town of Gnesen Planning Commission**

**November 16, 2022 Minutes**

Members Present: Matt Thibodeau, Carter Williams, Pete Bergman, Dick Delano, Carol Jacobson, Joe Ferguson, Sherri Underthun, Kevin Middleton; and Sarah Blix, Planning and Zoning Secretary.

Members Absent: Kathy Buran, Nathan Horyza

Others Present: Dan DeArmond, Andrew Knutson, Gary Juten

**APPROVAL OF AGENDA:** A motion was made by Carter to approve the agenda with the addition of discussing short term rentals and which members of the planning commission are up for reappointment this March, second by Dick. All vote in favor.

**APPROVAL OF MINUTES**: A motion was made by Carol to approve the October 19, 2022 minutes, second by Kevin. All vote in favor.

**PUBLIC DISCUSSION:** None

**CONTINUING BUSINESS:**

**Nuisance Ordinance and Administrative Fine Ordinance:** Carol stated that the subcommittee is having difficulties finding a time to meet that works with all the members. Carol said she feels the Town Board is looking for an overall process for more than just a nuisance ordinance but a process that can cover all issues. Carol said she feels like what they are working on now is strictly for nuisance ordinance. Carol said the subcommittee is planning on meeting on November 22, 2022.

**IUP vs CUP:** Tabled until the December meeting.

**Update Regarding Action Items from CUP Reviews**: Viele’s has turned their updated reclamation plan into the office, and it was noted that Ulland has been utilizing trucks hauling signs. Sarah said that a letter was sent out to Ulland requesting a letter from the DNR showing that it is allowable that they use groundwater to wash aggregates in their Oscar Pit. Carol stated the DNR website states that unless they are using 10,000 gallons of groundwater a day or one million gallons per year then they don’t need a permit. Sarah stated that our ordinance states, “*No surface or groundwater may be used in borrow pit operations unless specifically authorized by the Department of Natural Resources. The Town shall receive proof of such authorization.”*

**MN Power Unnamed Plat 11:** Mn Power chose not to come to tonight’s meeting since Nathan was not going to be in attendance and there was question about what permit was required for them to fill out. For Plats 7&8 Mn Power had filled out a Land Alteration Permit, however Nathan feels as though they need to complete a subdivision permit which would have to be done through St. Louis County since Gnesen does not currently have their own. St. Louis County is not requesting a subdivision permit to be completed. Gary asked why Mn Power would be requested to fill out a subdivision application when they were not required to do one last time. Gary stated he felt as though since nothing new is being created Mn Power should just follow the same process they did last time. Carter made a motion for Mn Power to follow the same process that was done last time for Plats 7&8 using a Land Alteration Permit, second by Joe. All vote in favor.

**Gravel Pit Inspection Sheets:** Tabled until the December meeting.

**Ordinance Updates:** Carter brought up as a reminder all the ordinance updates the commission has already had discussion on and that we need to set up a public hearing so they can be approved and made in the ordinance.

**Email from Carol Jacobson regarding MN Department of Health rules on STR’s:** There was discussion about the email Carol had sent out regarding the requirements that the MN Department of Health requires for STR’s. Carol said according to the State’s rules a short-term rental consisting of 0-6 days requires a Lodging License whereas anything 7 days and more does not. Carter said Gnesen can require all applicants to get a Lodging License because we don’t know if they will ever rent it for less than 7 days. Sherri suggested the committee relook at certain areas of the STR proposal prior to the reconvened public hearing. Carter said the subcommittee cannot make changes to the ordinance verbiage, but they can make suggestions to the Town Board at the public hearing. Gary reminded the commission that Nathan was given 11 action items that he is supposed to bring back to the reconvened public hearing. Joe stated that STR are really becoming common across the U.S. because of the profits they bring in and stressed that the ordinance proposal really needs to get reviewed by legal council prior to being put in the ordinance. Gary said that it was already reviewed once by Mike Couri. Gary said at the public hearing that was held on October 24, 2022 Carter made a good point that there are no penalties stated for those who may continue to operate a STR without going through the proper procedures. There was agreement among the commission members that there needs to be penalties put into place.

**NEW BUSINESS:**

**Dan Dearmond- Boondocks Proposal:** Dan Dearmond and Andrew Knutson, two representatives from Midlife Investment Group who are the new owners of the Boondocks property, the pole barn and Porky’s gas station, gave a presentation of their future plans for the property. Dan stated that when they purchased the property, they assumed it was all zoned commercial, however it is not. They are asking to go through a rezone to get their entire parcel zoned commercial. Carter suggested they turn in a rezone permit and then they will need to go through a public hearing process with the Town Board. Carter asked if this could be put on the December agenda to further discuss.

**7049 Van Road:** The new owners of 7049 Van Road are requesting a variance due to the fact that prior to them purchasing the property an unpermitted addition that is not meeting setback requirements was added to the home. As new owners they accept responsibility for the unpermitted structure so therefor were charged 3x the fees for both the building permit and the variance that would have been required to allow the addition. The owners have already submitted the required permits and violation fines and now need to go through the variance process. A variance public hearing was scheduled for December 21, 2022 at 7:00 pm.

**Commission members who are up for reappointment:** Sarah stated that Joe, Dick, and Kathy are up for reappointment this March. Both Joe and Dick said they would like to be reappointed. Since Kathy was not in attendance at tonight’s meeting, Sarah will reach out to her and ask if she would like to be reappointed as well.

**ZONING OFFICERS REPORT:** Nathan was not in attendance at tonight’s meeting.

**BOARD MEMBERS REPORT:**

DeGuzman Variance will be held on Wednesday, December 21, 2022 at 7:00 pm.

Next P&Z Meeting will be held on Wednesday, December 21, 2022 at 7:30 pm.

A motion was made by Joe to adjourn, with a second by Dick. All voted in favor. Meeting adjourned at 8:56 pm.

Respectfully submitted,

Sarah Blix, Planning and Zoning Secretary Matt Thibodeau, Planning Commission Chair

 \_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Date