**Town of Gnesen Planning Commission**

**July 19, 2023 Minutes**

**Members Present:** Carter Williams, Pete Bergman, Matt Thibodeau, Kevin Middleton, Sherri Underthun, Carol Jacobson, Dick DeLano, Kathy Buran, and Hannah Jurek; Planning and Zoning Secretary.

**Members Absent:** Joe Ferguson

**Others Present:** Supervisor Nancy Poppenberg, Ray & Gail Hernesman, Al Werner, Julia Lucente, Becky Nordskog, Mike Polizin, Deke Melone.

**APPROVAL OF AGENDA:** A motion was made by Carol to approve the agenda; seconded by Kevin. Matt asked to have the variance request be discussed before Old Business and adding Planning Commission identification, meeting start time change, and Old Fire Hall. All vote in favor.

**APPROVAL OF THE June 21, 2023 MINUTES:** A motion was made by Sherri to approve the June 21, 2023 minutes, second by Kevin. All vote in favor

**CONTINUING BUSINESS:**

**7195 Island Lake Falls Variance:** Ray and Gail Hernesman are looking for variance for their cabin on 7195 Island Lake Falls Road. They are looking to expand the cabin with the intent on making it their primary residents. The variance is for a 14 foot side yard setback instead of the required 20 foot setback. The public hearing is set for Wednesday August 16, 2023 at 7:00 pm.

**Gravel Pit Inspection Check List:** Tabled for next meeting. Kevin will get the list he created to Hannah and she will then forward to the rest of the Commission for their input.

**Follow up on hot oil spill:**  It was said at the Town Board meeting that there will be a full report sent once the report is complete. Carol informed the Commission that the oil that was spilled was tack oil and that tack oil jells up and that it did not make it to any water sources. Tack oil is used for roads and recently used on Rice Lake Road for resurfacing. There was discussion about when the conditional use permits come to term, that a condition to be added should be containment for such materials as oil.

**NEW BUSINESS:**

**MN Power Hidden Falls at Island Lake Plat:** Becky Nordskog from MN Power was in attendance to discuss and answer questions on the latest plat that is in the preliminary stage. Carter requested that the Commission receive a copy of the plat that includes the outline of stuctures with the lots. Carter had many question regarding multiple lots. Some of the lots question, MN Power will keep as is, one is an access lot, and another out lot that a potential leaseowner would be interested in. There was also a property line that was going through a garage, so the lot line would need to be adjusted. MN Power will reach out to leaseowners affected by these issues and come back to the August meeting with an updates.

**Fee Schedule:** With Ordinance #10 newly amended, the Town Board was looking for guidance on the fee schedule. The Commission suggested adding fees for Lot Line Adjustment- $75, Simple Split- $150. It was also brought up at a Town Board meeting the late fee, which is 3X the permit fee, is not enough, and should be more. Pete suggested changing the late filing fee to a flat rate. After some discussion on how to make that suggestion fesable, Matt suggested to keep the formal as is. Sherri made the motion to change the late fee from 3 times after the fact to 5 times after. Motion failed. Carter made the motion to change the late fee from 3 times after the fact to 10 times after. Motion failed. Kevin made the motion to keep the late fee the same at 3 times after the fact. Seconded by Sherri. Motion vote ended in tie. Motion failed. Pete made the motion that the fee schedule be given to a sub-committee to be worked out with discussion in mind, and be brought back to the Commission a month from now. Seconded by Carter. Motion failed. Carter made the motion to present the fee schedule as presented with the addition of Lot Lines at $75, simple splits at $150. Seconded by Kevin. Motion passed.

**Planning Commission Identification:** Pete suggested that the Planning Commission members should have some form of identification. His concern is for safety of the members when they go about doing site visits for variances or other Planning Commission Member outings. Matt made the motion that the Commission explores getting highway worker style oragnge vest, making it obvious to everyone, and an id. Seconded by Kevin. Motion passed.

**Meeting Time Change:** Kathy suggested that the P&Z Meeting should coinside with the Town Board meeting time of 7:00 pm. Kathy made the motion to get Town Board approval that the P&Z meeting start a 7:00 pm all year around, starting in September. Seconded by Sherri. Motion passed.

**Non-Conforming Septic’s for STR:** The Town Board was looking for guidance from the Planning Commission regarding Short Term Rentals with non-conforming septics. The Town Board wanted to know if the Town of Gnesen should allow STR with non-conforming septics? Currently the ordinance reads that the rental will need a compliant septic. Carol informed the Commission that there are 3 grades for septic systems, fail, non-conforming, and compliant. The cause for a non-conforming septic could mean many things. A soil issue, undersized, etc. Non-conforming septics would have to be treated on an individual basis. Sherri stated that when creating the ordinance, septics were discussed at great lengths, and they decided that only compliant septics would be accepted. The Commission recommendation to the Town Board is to accept compliant septics only.

**Set up date and time for Gravel Pit Inspection:** The Commission will do gravel pit inspections on Wednesday August 23, 2023 with the rain date of Monday August 28, 2023, with the same times as last year.

**Old Fire Hall:** Carter was asked to reach out to the owner of the old fire hall building to discuss options regarding the fine that was issued to them. The reason for the fine was former Zoning Officer Nathan Horyza noted that the property, which is zoned residential, is being used for commercial. And with that he sent a citation of $50. The Board and the Commission want a reasonable conclusion to this issue. It was suggested that a Town Board Supervisor and a Planning Commission Member meet with the land owner and discuss how to alleviate the issue. Town Board Supervisor and P&Z Liaison Nancy Poppenberg will relay that to the Town Board.

**ZONING OFFICERS REPORT:** Nathan Horyza resigned from his position as the Zoning Officer. His last day was July 12, 2023. There are people interested in the position but no applications have been submitted yet. Sarah and Carol have been doing site visits for the building permits in the interim. It was encourage to have two people go until a new Zoning Officer is hired.

 **BOARD MEMBERS REPORT:** Everything Nancy had to report was already discussed throughout the meeting.

**PUBLIC COMMENT:** There was a resident in the audience who asked a question regarding permits and how they are issued. Who looks at them? Do they go in front of the Planning Commission? Carol answered by saying, the Zoning Officer looks over and approves the permits, as long as they abided by the Zoning Ordinance, anything outside of the ordinance would need a variance to which those are presented to the Planning Commission. The resident wanted to know if there was a way to access the building permits online.

Matt, Carter, and Carol informed the resident that the accepted permit should be made available at the job site as well as at the Town Office that they are not posted on the website. He also asked about meeting minutes on the website, stating the last minutes posted were from April. That was because edits needed to be made in the May minutes, so once those get sign they are available to post. That is why there was a delay. Another resident had a question regarding Short Term Rentals, wondering the rationality behind 2 people per bedroom times 2. It was explained that the reasoning was because of children. The resident shared some minor concerns on over worked septics due to the amount of people in the rentals and how often the place is being rented. Sherri informed him that it was something they looked into, and that a residential home surprisingly uses a lot more than a person realizes, but understands his concerns.

Next P&Z Meeting will be held on Wednesday, August 16, 2023 at 7:30 pm.

A motion was made by Pete to adjourn, with a second by Kevin. Motion passed. Meeting adjourned at 9:00 pm.

Respectfully submitted,

Hannah Jurek, Planning and Zoning Secretary Matt Thibodeau, Planning Commission Chair

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Date Date