

**Town of Gnesen Planning Commission  
October 18, 2023 Minutes**

**Members Present:** Carter Williams, Pete Bergman, Sherri Underthun, Carol Jacobson, Joe Ferguson, Dick DeLano, and Kathy Buran; Rick Hogenson, Zoning Officer, Mike Polzin, Zoning Officer and Hannah Jurek, Planning and Zoning Secretary.

**Members Absent:** Matt Thibodeau and Kevin Middleton

**Others Present:** Supervisor Nancy Poppenberg, Theresa Lorentz, Wendy Voudane, Ron Lorentz, AJ/Kyle Jenson, Jay & Marcia Haller, Rick Hanson, Al Werner, Todd Thyneson, Jeff Hosemoller, Jill Helmer, Shannon Montague, Sue Johnson, Phil Mannon, Gary Juten

**APPROVAL OF AGENDA:** Carter asked to add Normanna Road Update to Old Business and Signs under New Business. A motion was made by Carter to approve the agenda after the two items were added; seconded by Kathy. All vote in favor.

**APPROVAL OF THE MN Power Subdivision Public Hearing MINUTES:** A motion was made by Joe to approve the MN Power Subdivision Public Hearing minutes, second by Dick. All vote in favor

**APPROVAL OF THE September 20, 2023 MINUTES:** A motion was made by Joe to approve the September 20, 2023 minutes, second by Pete. All vote in favor

**CONTINUING BUSINESS:**

**Communication Tower:** The Commission was given a copy of the original CUP for the tower that the Clerk's Office has on file. The question is, is this the original CUP that is registered with the land deed? Sarah and Hannah will go down to the County Recording Office for further clarification in the upcoming months, Hannah will put it back on the agenda once the research is complete.

**Land Use Training Proposal:** The Commission was given a copy of the proposal that IversonReuvers Law written up for the Town Board. The Board will discuss what date will work best in the month of November, and strongly encourage the Commission to come.

**Normanna Road Update:** Gary Juten was in attendance and helped give an update on Normanna Road after talking with Sheriff Gordon Ramsey. Sheriff Ramsey asked if the Town had reissue a citation with the property owners, saying that the property owners never came down to meet with Sheriff Ramsey to help with serving an eviction noticed. Two out of what is believed to be multiple squatters are incarcerated. And with that the probation officer gave them the deadline that they need to vacate the home by October 31. With that being said, Sheriff Ramsey let Gary know that that's not the correct process going about this, that that's not the job of the probation officer. Sheriff Ramsey suggested to reissue another citation to the property owner, and that goes through our nuisance ordinance. The question is, who sends the letter? Is it the Zoning Officers, The Planning Commission or the Town Board, with this being a newer ordinance Gary was unsure. Carter clarified by saying that it's the Planning Commission that sends the recommendation for the citation to the Town Board and then the Town Board would have the Zoning Officer draft and send something out. Carol made the motion to recommend to the Town Board that if the squatters aren't out by October 31, to follow through with the second citation to the Normanna Road property owner. Seconded by Dick. All vote in favor.

**NEW BUSINESS:**

**Variance Application 6771 Abbott Road:** Landowner Shannon Montague was present as well as her contractor/designer Jill Halmer who presented and answered question. The Montague's are asking for a variance to build an addition on their home within the shoreline set back. They are requesting a 67'

setback. The current home is already existing within the shoreline setback, in fact it is closer to the lake than the proposed addition. They are looking to add a bathroom, to which they are updating the septic as well. The public hearing is set for Wednesday, November 15, 2023 at 6:30 pm.

**Johnson site sketch change:** Sue Johnson is asking the Commission to change the floor plan of her cabin from what they were granted in their variance hearing back in September. Stating that the new floor plan would make more sense and reduce the foot print, but brings the structure closer to the road, causing the structure to encroach on the road setbacks more than the first floor plan. The question was, do the Johnson's have to go through the variance process again and pay the fee. It was discussed and concluded that the Johnson family has to go through the variance process again, and for the fee, that would need to go to the Town Board. Pete proposed that the Johnson's pay the fee. Seconded by Kathy. Carter amended the motion stating that the Commission make that recommendation to the Board, and the Board can suspended the fee or refund it if they so choose. All vote in favor. The public hearing is set for Wednesday, November 15, 2023 at 6:45 pm.

**Signs:** Carter brought it up the Commission attention that there are some signs around the Township that may be in violation of the sign size limitation for commercial businesses. Carter asked the Zoning Officer's to look into it.

**CUP Reviews:** Sherri clarified that she understands why we're doing the reviews, she is questioning why we are doing a public hearing for the reviews. We're not able to change anything, based on the information we received from the MAT attorney. The CUP's are deeded into the land, so why is so much time being taken, if there is not violations. Sherri suggested, the Commission do the inspection, come to the meeting, and give a quick synopsis of the inspection, if there are no violations, and everything is the same, and there's no reason to revoke any CUP's then next item of business. Carter stated that the reason he feel a public hearing works is because it gives residents a platform to speak if they have seen violations that the Commission members are unaware of. It was suggested that it will be brought to the Town Board, if the public hearing is necessary for CUP reviews. Carol suggests that we wait until after we go through the Land Use Training in November so that everyone is on the same page and understanding. CUP public hearing discussion has been tabled until the December P&Z meeting.

**Guidelines and Parameters for picking Chair, Vice Chair, & Past Chair:** Sherri spoke to how the Commission should proceed picking chair, vice chair, and having a past chair. Looking for suggestion on how to rotate those positions in a way that gives everyone a fair chance, if someone not interested they don't have too anything. The Commission should come up with a system like it was discussed last spring. A Chairs term is one year, from April-April. There was discussion about limiting each position to one year only or do we keep the same people in the position year after year as long as they are doing a good job and want to do it. Kathy stated that it wouldn't be fair to be pressured into those positions. It was suggested that the voting be anonymous. Sherri expressed the importance that this topic needs to be discussed, with Matt who is the Chair being absent from tonight's meeting, meaning that Carter as Vice Chair run the meeting, what if Carter was unable to attend as well? Then who would run the meeting. Stating that the Commission needs to be able to count on more than one person. Pete agreed with Sherri's concerns, we need a process on where we want to be, and suggested that Sherri take the lead in helping figure out a solution.

**ZONING OFFICERS REPORT:** Rick gave an update on Locust Road. There was an anonymous complaint given to the Clerk's Office regarding a property on Locust Road. There was miscommunication involving the septic, but stuff in getting cleaned up there and the Zoning Officers are helping alleviate the problems. Both Rick and Mike are working through second site visits, they were divided 50/50 work load, and hoping to get done by the end of the year.

**BOARD MEMBERS REPORT:** Nancy brought back up that Land Use Training, and looking forward to that.

Before adjourning the meeting, Carter asked if anyone in the audience would like to speak. Theresa Lorentz of 7071 Rice Lake Road, has noticed the amount of dirt work being moved by the neighbors, Lake Effect/MIG, and was wondering what kind of permitting or is there anything there that the Commission worried about how much they are moving and how that affecting West Van Road. Saying they are digging very close to West Van

Road. Who would be responsible if there is erosion? Mrs. Lorentz was just wondering how does that work, is this an issue that is brought to the Planning Commission. Mrs. Lorentz was also questioning, with all the dirt being moved around on their property, how will it affect water run off? Was there an environmental study done? At what point does the DNR, EPA come into play? Al Werner, President of the West Van Road Association was in attendance and mentioned how there are some discrepancies between the St. Louis County Land Explorer Map and the MN Power Platted map. After making some calls, the Land Explorer was updated, to reflect the MN Power Platted map. Which is now resulting in MIG removing dirt from some people front yards. Upon further review, where the surveyor put the stakes, the stake is in the middle of W. Van Road resulting in St. Louis County's legal description, not matching MN Powers Plat. Mr. Werner has talked to St. Louis County twice about this, not getting anywhere. He's been looking into land attorneys for guidance. Mr. Werner wanted to bring it to the attention of the Commission that there is a 66' road easement, that MIG is getting close too, and that there are powerline easements as well. There was also a CenturyLink line that was cut that is waiting to be buried, there was some confusion that resulted in the accidental cutting of the line. The Planning Commission recommended to the Town Board to reach out to MIG to stop all dirt work until further notice. It was recommended that the Zoning Officers go to the site, have a discussion, and make sure erosion practices are in place.

Montague Variance Public hearing will be held on Wednesday November 15, 2023 at 6:30 pm.

Johnson Variance Public hearing will be held on Wednesday November 15, 2023 at 6:45 pm.

Next P&Z Meeting will be held on Wednesday, November 15, 2023 at 7:00 pm.

A motion was made by Pete to adjourn, with a second by Joe. Motion passed. Meeting adjourned at 8:15 pm.

Respectfully submitted,

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Hannah Jurek, Planning and Zoning Secretary

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Carter Williams, Acting Planning Commission Chair

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Date

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Date