

**Town of Gnesen Planning Commission  
November 20, 2024 Minutes**

**Members Present:** Carter Williams, Sherri Underthun, Kathy Buran, Carol Jacobson, Joe Ferguson, Dick DeLano, Pete Bergman and Kevin Middleton, Rick Hogenson, Zoning Officer, Mike Polzin, Zoning Officer and; Sarah Blix, Clerk.

**Members Absent:** Matt Thibodeau

**Others Present:** Nancy Poppenberg, Town Board Liaison; Jay and Marcia Haller, Kyle and AJ Jensen, Becky Nordskog, Mike Farrell, Nathan Horyza

**Approval of Agenda:** A motion was made by Pete to approve the agenda with the addition of yard setbacks, seconded by Kathy. All voted in favor.

**Approval of Minutes:** Carol mentioned that she found many mistakes in all three sets of minutes including grammatical errors, word changes, and information that was left out. After discussing with Sarah so she could make the appropriate changes, the minutes that were set to be presented were fixed and some information was added for clarification purposes.

**Approval of the October 16, 2024 Agneter Variance Public Hearing Minutes:** Kevin made a motion to approve the Agneter Public Hearing Minutes with the grammatical error changes made, seconded by Dick. All voted in favor.

**Approval of the October 16, 2024 Shaw Variance Public Hearing Minutes:** Sarah read from the corrected minutes the additions that were made to the Zoning Officers Report section of the minutes. A motion was made by Kathy to approve the minutes with the additions, seconded by Sherri. All voted in favor.

**Approval of the October 16, 2024 minutes:** Sarah read from the corrected minutes the corrections that were made for clarification purposes. There were also several grammatical errors and word changes that were made. Sherri made a motion to accept the minutes as changed, seconded by Kevin. All voted in favor.

Carter asked that all future Planning Commission meeting minutes be presented the Monday after the meeting rather than waiting to present just before the meeting so that the commission has ample time to proofread them.

**CONTINUING BUSINESS:**

**MN Power Hidden Falls Plat:** Becky Nordskog from MN Power was present at tonight's meeting to present the final plat map for Township signatures. Becky read through the list of changes that were made since the preliminary map.

- Page 6 Block 2 Lots 5&6 there was additional land added by the shore. Lots 6&7 the lot line between them was adjusted.
- Page 7 Block 3 Lots 2&5 there was additional land added by the shore. Tracy Road was also renamed Tracy Circle East and Tracy Circle West.
- Page 10 Block 4 Lot 1 was reconfigured due to the lot being in the project boundary zone. The road was reduced from 66ft to 33ft throughout the entire platted portion of Block 4. \

Sherri made a motion to accept the final plat map as presented, seconded by Dick. Roll call vote.

Carol – yay  
Dick – yay  
Joe – yay  
Kevin – yay  
Pete – abstain  
Sherri – yay  
Kathy – yay

Carter – abstain

The motion passed with 6 votes in favor and 2 abstaining.

**Ordinance Changes:** There was discussion by Sherri that ordinance changes need to continue moving forward. She suggested reviewing the list of changes at the December meeting and plan on having a public hearing in February. Carol said there are more ordinance changes that need to happen, and that Sherri's timeline may be too quick. Carol also mentioned that FEMA should be looked at first as there will need to be a public hearing held in January. Carter said FEMA will likely need to be done sooner as a draft of the ordinance Gnesen is proposing to approve needs to be sent to the DNR for their approval first. There was mention of unlicensed vehicles and Mike stated that the ordinance contradicts itself. Both Carol and Sherri said they thought this was already discussed. Sarah will look back at past minutes and provide at the December meeting.

**FEMA:** Carter said that Pete, Dick, Mike, and himself will work together as a subcommittee to work on FEMA ordinance verbiage. They are planning on starting soon and will provide some documentation of their work at the December meeting. Sherri questioned if all the subcommittee members were lake residents to which Carter said yes. Carol mentioned the current ordinance already has FEMA language in it and asked Sarah to add removing that language from ordinance #10 once new language is adopted to the list of ordinance changes. Carol also questioned if the FEMA ordinance would be a stand-alone ordinance to which Carter said yes.

**Ordinance Clarification - Ordinance 01092023 STR-** There was discussion about the property manager response time and that currently the ordinance is vague only stating, "a reasonable amount of time." Carter asked Sarah to add STR property manager response time to the list of ordinance changes to reword what a reasonable amount of time really is.

#### **NEW BUSINESS:**

**St. Louis County Proposed Cannabis Ordinance #68** – Kevin and Sherri will work together on this as a subcommittee.

**Cell Tower – Questions Regarding Expansion/Additions to the Existing Tower** – Mike stated that Fullerton Company wanted information about what kind of permits Gnesen would require for updates to equipment on the cell tower located by Thompson Lake. Mike said the current CUP does not require permits for upgrades as long as it does not change the height or size. Carter questions how much equipment can be added and that changing a light bulb or swapping out aging equipment seems reasonable while adding additional equipment should be questioned. Marcia Haller said they are currently in a lawsuit with the tower and are supposed to be notified of all changes that are made to the cell tower. Marcia asked the commission members to consider what happened the last time the cell tower did upgrades to the tower and how negatively it impacted their lives. Carol said that tower companies in other areas have been asked to submit letters stating specifically what they want to do when requesting to make upgrades. Both Kathy and Nancy agreed that a letter stating specifically what Fullerton Co would like to upgrade/swap out should be provided to the township anytime changes are made. Carter asked Mike to send Fullerton Co. a request that they put in writing to the township specifics of what they would like to change and have them include exactly what they are adding, removing, and swapping out.

**Ulland Oscar Pit-** Nathan Horyza was in attendance at tonight's meeting to discuss Ulland's Oscar Pit and asked the commission to enforce the CUP for the Oscar Pit.

Carol provided a timeline of information that she has found regarding the Oscar Pit

- 1984 – permit applied for a gravel pit and hot mix plant
- 1995 – Glacier Paving purchased the pit
- 1996 – Gnesen P&Z agreed to transfer the original CUP to Glacier Paving. At this time the pit was operating under the St. Louis County Ordinance and Gnesen was giving the pit a new CUP each year.
- 2000 – Gnesen updated the gravel pit ordinance – and modified the zoning regulations for existing borrow pits.

- 2002 – Glacier Paving applied for an expansion. The ordinance stated to do so they had to reapply for a CUP.
- 2003 – Glacier applied for an expansion, and EAW was completed which included a hot mix plant. A \$500 fee was paid for. Public hearing and conditions were given. Carol offered to read the conditions; however, Sherri asked them to be sent electronically instead.

Carol said there is a lot of missing information in the paperwork that the office has but at one time Gnesen was making the pits get a new CUP every year which was incorrect. Nathan read from the Gnesen ordinance 10.11 section 3 regarding CUP's and said he believes Ulland's to be operating illegally since there is no CUP application for them and nothing has been recorded. Kathy mentioned that on December 6<sup>th</sup> a group of commission members has a meeting set up with an attorney to discuss the townships CUP situation and see how to move forward. At that time Nathan requested that he be able to attend that meeting. Nancy said she will discuss this with the Town Board at their next meeting. Carter cut off the meeting and said the CUP situation is messy and that the township is trying to resolve it, specifically Carol and Kathy have been working hard to figure it out. He stated that the MPCA has stated the Oscar pit is meeting all rules and regulations and if Nathan has issues to call the hotline number. Nathan said the pit has expanded way beyond its intent. Carol mentioned again that the township must meet with their attorney to get some answers and will have more information after that. Nathan requested copies of all the paperwork that Carol had. Carter called an end to the discussion, however because that request was not observed and there continued to be constant talking over one another and interrupting, Pete asked to rule Nathan out of order, seconded by Carter.

**Rezoning Inquiry-** Sherri questioned rezoning the RR District from 9 acres to 4.5 acres. Sherri said this would make zoning easier as all lot sizes would be uniform and that she feels it is better to have land being used rather than sitting empty. Carter said if the entire township was zoned the same it would make issuing permits easier. Carol said at a past Town Board meeting she brought up this issue and was told that rezoning the northern portion of the township would not be fair to the people who moved there for larger lot sizes. Carter said he would feel comfortable bringing this question back to the Town Board. Sherri asked to table this topic for now to provide time for thought. Pete made a motion to table, seconded by Kathy. All voted in favor.

**Yard Setbacks** – Carter suggested removing the current yard setbacks from the ordinance and replacing the verbiage with “no structure can be set within so many feet of a road right of way.” Nancy thought this would provide a lot of issues as many lots around the lakes have roads running through them. Carter said it would only apply to new structures, not existing ones. This topic was tabled for now.

**ZONING OFFICERS REPORT:** Mike gave a brief update on Hemlock Drive and said he had no updates on Stewart Camp. Carter mentioned that he was disappointed with the Town Boards lack of motivation to bring the Stewart Camp into compliance. Kathy mentioned she would like to see the Town Board set deadlines for Stewart Camp and enforce the ordinance. Nancy will bring this up at the next Town Board meeting. Rick discussed the Hemlock Drive water issue and stated the MPCA has done a huge disservice for Gnesen with their lack of investigating the water complaint. Rick said he will be scheduling a meeting with the MPCA investigator and his supervisors to see if he can obtain any kind of reports or other information from them. Rick did mention that Sandra Beck from the MN Department of Health has been very helpful.

**BOARD MEMBERS REPORT:** Nothing to report

**CORRESPONDENCE:** An email was received from American Towers confirming that the burnt-out lightbulbs that were discussed during CUP reviews have been fixed.

Next P&Z Meeting will be held on Wednesday, December 18, 2024

A motion was made by Kathy to adjourn, with a second by Kevin. All voted in favor.  
Meeting adjourned at 8:31pm.

Respectfully submitted,

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Sarah Blix, Clerk

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Carter Williams, Planning Commission Chair

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Date

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Date