

**Town of Gnesen Planning Commission**  
**February 19, 2025 Minutes**

**Members Present:** Carter Williams, Sherri Underthun, Kathy Buran, Joe Ferguson, Dick DeLano, and Pete Bergman, Rick Hogenson, Zoning Officer, Mike Polzin, Zoning Officer and; Sarah Blix, acting as Planning and Zoning Secretary.

**Members Absent:** Matt Thibodeau, Kevin Middleton, Carol Jacobson

**Others Present:** Nancy Poppenberg, Town Board Liaison; Sara Rowe, Jay Haller, Mary Shaw, Jean Law, Jamie McDevitt, Bob and Joanie Vavrosky, Gary Juten, Sue Lyons, AJ Jensen, Kaylee and Isaac Bergstrom, Lee and John Stubenvoll, Tim Grahek, Jeff Carlson, Deke and Christine Melone, Nate and Tessa Horyza, Patty DeLano

**Approval of agenda:** A motion was made by Kathy to approve the agenda, seconded by Sherri. All voted in favor.

**Approval of the January 15, 2025 minutes:** A motion was made by Joe to approve the January 15, 2025 minutes, seconded by Kathy. All voted in favor.

**PUBLIC DISCUSSION:** None

**CONTINUING BUSINESS:**

**Ulland Oscar Pit** – Carter informed everyone in the audience that there would be a time limit of 15-20 minutes for this discussion and that people would be allowed to speak but please do not repeat what others already said. Carter gave a brief history on the Ulland Oscar Pit CUP and that it had never been recorded up until recently. The CUP is operating under the ordinance that was in affect in 2003 and a copy of the recording should be available at the St. Louis County Recorders Office. Based off the 2003 CUP conditions, there are no violations of the permit. Initially the township thought Ulland’s was in violation of not sending in water testing reports, but it was discovered that the tests required were actually pertaining to water levels and that has always been included in the packet Ulland’s sends to the township each year during gravel pit review time. Nathan said he wanted to have a discussion specific to the hot mix plant. Deke said he thought based on experience, the smell continues to persist. Carter reminded all that there is a call number that Ulland set up where complaints could be called in. Carter mentioned that to the best of his knowledge only one call was made early in the summer and one in the fall. Carter also said the MPCA monitors smells, not the township. Ulland is meeting state standards, and their current CUP does not have a condition relating to smells. Nathan said the smell is affecting surrounding communities. You can’t stay outside because of how bad the smell is. The pit is located in a suburban residential district, not industrial. Bob said he does not believe there are any results when you call the hotline number. Zoning Officer Rick mentioned sitting down with residents and sorting through their comments and figuring out what are facts and what are options and trying to deal with the issue properly. Nathan said they are asking the Planning Commission to take action and enforce the rules to which he believes Ulland’s are ignoring. Nathan went on to say that he believes Ulland’s is operating a hot mix plant without approval. They say it is a portable plant but it remains in the pit 365 days of the year. Carter said because it is portable does not mean that it has to be removed as it is not a condition of their CUP. Nathan mentioned that the ordinance says portable hot mix plants cannot remain in the pit permanently, although it is not confirmed that what Nathan said is in the ordinance that Ulland’s is actually working under. Nathan also mentioned the tac oil spill that occurred in the pit last year. Nathan said that hot mix plants are limited to operating 2 working days per 1,000 tons of asphalt made when they are not under a CUP. Nathan said it is unfair to ignore the ordinance conditions and residents are requesting to revoke Ulland’s current CUP and issue an IUP. This is an opportunity to fix a problem. They are also asking to impose a moratorium on all new hot mix plants. Rick said he has not seen a single complaint form turned into the office and asked that they get turned into the office and then he would be willing to set up a meeting for the residents who are complaining and himself to discuss further. Carter said the process moving forward will be to turn complaint forms into the office and then there will be further discussion. There was question about permanent vs. portable hot mix plants. Carter said Ulland’s has said theirs is portable.

Jeff, president of Ulland's, said their plant is portable and has left the pit many times. Jeff also said they have run the numbers, and they are meeting the rule that states for every 1,000 tons of asphalt made they are allowed 2 working days. He said not only are they meeting that rule but they have days to spare at the end of the season. At that time, Carter ended the discussion.

**Ordinance Changes** - The following proposed ordinance changes were presented and discussed:

- OR-25-05 – STR Ordinance #10 – Section 10.03 Definitions - Add to the definition of recreational vehicle the verbiage, “*A non-currently licensed RV/camper shall be considered a structure.*” Pete made a motion to remove it permanently and have no further discussion, second by Carter. All voted in favor.
- OR-25-07 – Ordinance #10 – Section 10.03 Definitions – Add a definition for tool sheds that would read the following, “*An accessory structure primarily used for the storage of domestic supplies/tool storage. Shall require a no fee zoning permit and meet performance standards.*” Joe made a motion to approve, second by Kathy. All voted in favor.
- OR-25-08 – Ordinance #10 – Section 10.101 Performance Standards – Remove the current performance standards for Tool Sheds and replace with the following: “*Tool sheds are accessory structures primarily used for the storage of domestic supplies/tool storage and shall require a no fee zoning permit if the following standards are all met.*”
  1. *Only one (1) such structure is on the lot*
  2. *The area of the structure shall not exceed one hundred fifty (150) square feet*
  3. *The height of the structure shall not exceed 15 feet*
  4. *The structure must conform to required setback rules”*

Joe made a motion to approve, second by Kathy. All voted in favor.

- OR-25-09 – Ordinance #10 - Section 10.03 Definitions – Replace the current definition of Road with the following, “*A public right a way which affords the primary means of access by pedestrians and vehicles to abutting parcels.*” Joe made a motion to accept the change, second by Dick. All voted in favor.
- OR-25-10 – Ordinance #10 – Section 10.03 Definitions – Change the definition of accessory structure or use to read the following, “*Any subordinate building improvement or modular constructed item on the same lot with the principal structure or use that is customarily incidental and subordinate to the principal structure or use.*” Sherri made a motion to accept, second by Carter. All voted in favor.
- OR-25-12 – Ordinance #10 - Section 10.072 Road Right a Way Setbacks– Remove the current verbiage under section 10.072 and replace it with the following, “*No structure can be built within 110 feet from the centerline of existing road. Corner lots must meet setbacks on each road. This is to protect the rural nature of the township and to provide a clear visual of objects when traveling on the road. The Zoning Officer may permit structures with less than required setback with a variance.*” A motion was made by Joe to accept the proposed change, second by Carter. All voted in favor.
- OR-25-13 – Ordinance #10 - Section 10.054 B1– Changing Planning Commission membership criteria to read the following, “*The Planning Commission shall consist of seven (7) or nine (9) members.*” A motion was made by Sherri to accept the proposed change, second by Dick. All voted in favor.
- OR-25-14 – Ordinance #01092023 – Short Term Rental, Section 4 Number 9– Removing the section that reads, “*owner of a STR property must be listed in the County tax records as having a homesteaded property located within Gnesen Township*” and replacing it with the following, “*The owner of the STR property must be listed in the county tax records as having a homesteaded property within St. Louis County and live within 30 miles of the short term rental property they own.*” A motion was made by Kathy to not accept the change and to leave the ordinance in its original state, second by Joe. Five members vote yay, one nay. Motion passes.

**St. Louis County Drone Usage** – Rick said he is awaiting information from Chair Nelson so he has no update at this time.

**Cell Tower Expansion Update** – Mike said it looks as though the tower company is just updating equipment and not adding anything net. Carter said they are not violating their CUP conditions so there is not much Gnesen can do. Mike asked Jay Haller if it would be beneficial to his family if the township asked the tower company if they could aim the antenna above the Haller home, to which Jay said yes. The Planning Commission agreed to have Mike bring that request to the Town Board for their approval.

**Stewart Camp** – Mike said a letter was sent February 6, 2025 that requested the family to attend the March 19, 2025 meeting to discuss their property. The family states they are unable to attend the meeting and requested a

date further into May/June when they are in town. Kathy said they have had more than 10 years to deal with this issue and enough is enough. Carter asked Mike to send a second letter letting the Stewart family know their issue will be discussed in March. Joe said let the family know that we could have them attend virtually but regardless the Planning Commission will be discussing it in March.

**Cannabis Ordinance** – Sherri said she attended a Town Board meeting for further guidance on this issue. At this time, she has not been able to connect with other members of the subcommittee to have a meeting. Carter asked that the committee meet and bring something to the March 19, 2025 meeting.

**Lower Lot Sizes in RR District** – Carter said the Town Board has made it clear that they are not in favor of reducing the lot size and so discussion on this issue is closed.

**Clarification on Planning Commission Member Size** – Carter said the Town Board would like to see a seven-member commission but will not be removing anyone rather it will happen naturally by attrition.

**Proposed Floodplain Ordinance** – This public hearing is scheduled for Monday, February 24, 2025 at 6:30pm,

**NEW BUSINESS:**

**New Deputy Clerk** – Sarah introduced Sara Rowe as the new deputy clerk. She will be training and will take over as Planning Commission Secretary when she is ready.

**ZONING OFFICER’S REPORT:** Rick said he delivered a letter to David Humes and David responded to Rick so he feels like progress on this issue is continuing. Rick also said he delivered letters to all residents who own property near 4108 Hemlock Drive to keep them in the loop as to what is happening with the abatement.

**BOARD MEMBER’S REPORT:** Nothing new to add.

**CORRESPONDENCE:** None

Next P&Z Meeting will be held on Wednesday, March 19, 2025 at 7:00pm.

A motion was made by Joe to adjourn, with a second by Dick. All voted in favor.  
Meeting adjourned at 8:16pm.

Respectfully submitted,

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Sarah Blix, acting as Planning and Zoning Secretary

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Carter Williams, Planning Commission Chair

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Date