

Town of Gnesen Planning Commission
January 15, 2025 Minutes

Members Present: Carter Williams, Matt Thibodeau, Sherri Underthun, Carol Jacobson, Joe Ferguson, Dick DeLano, Kevin Middleton, and Pete Bergman, Rick Hogenson, Zoning Officer, Mike Polzin, Zoning Officer and; Sarah Blix, acting as Planning and Zoning Secretary.

Members Absent: Kathy Buran

Others Present: Nancy Poppenberg, Town Board Liaison; Jay and Marcia Haller, Dave and Mary Shaw

Approval of agenda: A motion was made by Joe to approve the agenda, seconded by Kevin. All voted in favor.

Approval of the December 18, 2024 minutes: A motion was made by Sherri to approve the December 18, 2024 minutes, seconded by Joe. All voted in favor.

PUBLIC DISCUSSION: Sherri asked that the Cannabis Ordinance discussion be put on the agenda for February along with another discussion regarding changing the lot size for the rural residential district from 9 acre minimum to 4.5 acre minimum.

CONTINUING BUSINESS:

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

- OR-25-01 – STR Ordinance #01092023 - Under Section 4. 3b, *“Property manager and/or secondary contact person/firm must be located within 45 minutes of STR to ensure prompt response to serious complaints.”* Under Section 4. 11, *“The applicant shall provide names, addresses, and telephone numbers of nearest property owners (minimum of 4).”* Under Section 8. 14, *“Short term rental managers must forward all complaint information that has been received concerning their property. Information must be forwarded to the Town of Gnesen either by phone at (218) 721-3158 or by email at clerk@gnesen.org within 48 hours of complaint.”* On the STR application under Additional Required Information & Attachments add a line 7 that reads, *“Nearest property owner information (4 minimum) on attached sheet.”* Joe made a motion to approve proposed changes, second by Dick. All voted in favor.
- OR-25-02 – Ordinance #10 – Section 10.03 Definitions – Remove current definition for Junk, Salvage, or Wrecking Yards and replace with the following, *“Junk, salvage, or wrecking yards – Any location where vehicles are brought to for disassembly, sale of removed parts, and/or scrapping purposes. No new junk, salvage, or wrecking yards will be permitted in the Town of Gnesen.”* Motion by Pete to approve as presented, second by Carter. All voted in favor.
- OR-25-03 – Ordinance #10 – Section 10.03 Definitions – Remove the current definition of Storage Structure and replace with the following, *“The term storage structure shall include shipping containers, and any modular constructed item designed and built for the purpose of shipping, movement, or storage of products, produce, or persons. A storage structure shall be considered an accessory structure. A commercial shipping trailer with landing gear, tires, and suspension still attached shall not be included as a storage structure.”* A motion was made by Sherri to approve, second by Joe. All voted in favor.
- OR-25-04 – Ordinance #10 - Section 10.03 Definitions – Remove the current definition of Private Roads and replace with the following, *“Private Road. A road open to public travel that is not maintained by the state, county, or township.*
 - A. *Private roads may be established using the approved platting process*
 - B. *Private roads not established using the approved platting process that serve two or more parcels,*
 - a. *Must have a 33.5ft right a way*
 - b. *Must have a 25ft wide year-round maintained road surface*

- c. *Must follow the county naming process*
- d. *Fire numbers must be located at each driveway.”*

Matt suggested retaining that old definition of private roads rather than the new one as he stated private roads are not open to the public rather they serve the people who reside on that road. After some discussion it was decided to use the old definition but with the proposed standards so the change would read the following, *“Private Road. A purported roadway or strip of land reserved for the use of a limited number of persons or purposes as distinguished from a publicly dedicated road.*

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- B. *Private roads not established using the approved platting process that serve two of more parcels,*
 - a. *Must have a 33.5ft right a way*
 - b. *Must have a 25ft wide year-round maintained road surface*
 - c. *Must follow the county naming process*
 - d. *Fire numbers must be located at each driveway.”*

A motion was made by Sherri to approve of the changes discussed, second by Joe. All voted in favor.

- OR-25-05 – Ordinance #10 – Section 10.03 Definitions – Add to the definition of recreational vehicle the following, *“A non-currently licensed RV/Camper shall be considered a structure.”* After some discussion it was decided to table this ordinance proposal until the February meeting as there were concerns that it may contradict other sections of the ordinance.
- OR-25-06 – Ordinance #10 - Section 10.03 Definitions – For the definition of Regulatory Flood Protection Elevation change *one (1) foot to two (2) feet* to align with the FEMA Floodplain ordinance criteria. A motion was made by Sherri to approve the proposed change, second by Kevin. All voted in favor.

FEMA/Proposed floodplain ordinance update – The proposed ordinance is in review with the DNR. The town board scheduled a public hearing for February 24, 2025 at 6:30pm.

Feedback from St. Louis County Regarding Drone Usage – Deputy Wade Rasch from St. Louis County Sheriff’s Department spoke at the January 13, 2025 Town Board meeting about zoning and drone usage. The takeaway from the meeting was that unless a warrant was obtained drones cannot be used to investigate zoning complaints. An administrative search warrant can be obtained if one of our zoning officers is denied access to private property by the property owner. The administrative search warrant would allow access to property in question along with a deputy accompaniment so that a thorough search could be done. Rick will get further guidance on whether an administrative search warrant only allows for a one-time search or if it would cover multiple searches on the same property.

Cell Tower Expansion Request: Mike said he was told by Fullerton Co. that there is currently no new information available as to what they are requesting. Mike said they are hopeful to have more information in February.

CUP Updates: Carol reported that all CUP’s have been successfully recorded.

Stewart Camp Update: Mike said that St. Louis County has come back and said they do not approve of the septs that are on the property. Rick questioned if the Stewarts could be sent a letter requesting their presence at a meeting so this issue could be discussed. Mike said that when the inventory of the property was created the Stewarts were informed that they had until August 31, 2025 to come into compliance which would include removing three campers and getting permits for all structures that are on the property. With Nancy’s approval to continue moving forward and dealing with this issue Carter asked that it be put on the March agenda and that the Stewart family be sent a letter providing them a list of expectations for their property and requesting them to attend the March meeting.

NEW BUSINESS:

Commission Members up for Reappointment – Pete, Carter, and Carol are all up for reappointment. All three Commission Members stated that they would like to continue on the commission for another term.

ZONING OFFICER’S REPORT: Mike said he and Jon Nelson have been meeting with the attorney to move forward with the Hemlock Drive abatement. Rick said the MNPCA told him that there is an active investigation into the water issue but so far Rick has not been provided with any reports. St. Louis County Environmental Services is willing to help look into the water issue and the illegal burying of junk. Carter asked if any neighbors have done any recent water testing. Rick said he and Mike are in the process of setting up an informational meeting with all the neighbors and at that time they will inform them of the exact water test they would need to have performed and explain to them what is going on with the property issue and the plan moving forward. Rick said he had sent a final letter to David Humes asking him to respond and work with Rick to set up a clean up plan for his property on both Rice Lake Road and Normanna Road. Matt questioned what the issue was with David’s home on Normanna Road to which Rick explained that David has three shipping containers located on his property which are not allowed in waterfront districts. Mike said he had a recent inquiry regarding someone who would like to operate a STR in Gnesen but is not a resident.

BOARD MEMBER’S REPORT: Nothing new to add.

CORRESPONDENCE:

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

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

Respectfully submitted,

Sarah Blix, acting as Planning and Zoning Secretary

Carter Williams, Planning Commission Chair

Date