Town of Gnesen Planning Commission
August 20, 2025 Minutes

Members Present: Carter Williams, Sherri Underthun, Matt Thibodeau, Dick Delano, Pete Bergman, Kathy Buran, Zoning Officer, Mike Polzin, Zoning Officer Rick Hogenson and Deputy Clerk Sara Rowe, Planning and Zoning Secretary.

Members Absent: Kevin Middleton, Joe Ferguson

Others Present: Nancy Poppenberg, Town Board Liaison, Randy Dulinsky, Deke and Christine Melone, Mike Rowe

Carter asked if anyone in the audience wants to speak tonight raise your hand to speak.

Approval of the agenda: The motion was made by Kathy and seconded by Carol to approve minutes as presented. All voted in favor.

Approval of July meeting, 2025 minutes: A motion was made by Sherri and seconded by Kathy to approve the July 2025 minutes. All voted in favor.

OLD BUSINESS:

Stewart Camp: Mike was open for questions on the Stewart Camp letter. Carter asked for an update. Mike reported he typically gives the letter out to Sarah Blix and she sends it out certified. The letter dated August 4, 2025 was not received by the Stewarts. Mike said he communicated to them the details of the letter, what Option One are, and what Option B are. Mike asked the Deputy Clerk if it got sent out. The Deputy Clerk said it had but wasn't sure of the day. Carter said it wasn't sent out quickly and that explains why they didn't have it yet. Mike reviewed the options that were in the letter. He said the Stewarts wanted to provide Option 3.

In Option 1, they don't use it for 120 days. After four months that time is over. Carter said they would be removed and the time would start when they bring them back. Carter clarified, for example, if they bring the campers back on March 30th, that's when the 120 days would start. Mike said Brenda told Mike about complaints on other campers in the area that are used seasonally, and why is she getting treated differently. They desire to leave their campers on the property for twelve months out of the year until they can get a cabin built. They guaranteed they will be down to one camper on each lot. The IUP response is they are not full owner of property and don't want to sign papers for legal reasons and they would want in the IUP that if they don't have control over both lots, they want to be grandfathered in or allowed to build a year round home on the one lot where they put in the septic tank or appropriate septic design. They want to make sure if they apply for an IUP, they would be able to build on half the property. Carter said that would require a variance. Mike said they don't want to go through that process and not get the permit. Carter said without them being here how can that be seriously discussed. Mike said they have until September first to apply for the IUP. They want to make sure they are granted future access to build on one lot. They talked about a three year trajectory to start building. Carter said that was the basis for the IUP, to put a timeline on it. If they are unwilling to do that, he doesn't know what more they can do. Mike said he did remind them they were out of compliance and they could get fines. Carter made a suggestion if we do not get an IUP application by September deadline, then that time frame has passed for them. Then we need to send out another letter that talks about the fines for violations, but he doesn't want to do it until they have an opportunity to do the IUP. Mike said the IUP application is due on September 1. If they pass that timeframe without an IUP, October 1, they have to move their campers off the property. That then initiates potential for fines. Carter said it needs to be made clear that all the owners are responsible and letters need to sent out to all. Kathy asked shouldn't we wait and have them respond formally. Sherri didn't think more time was needed because they knew this was coming down the pipe. They have time to do the IUP. Randy asked about it being private land. Carter affirmed it is. Randy asked why can't they leave them there. Carter said the Ordinance is very specific. Randy asked about the option of changing the Ordinance. Carter said it is a possibility. Randy said to make it so when they do have private property they are allowed to keep the campers

on there, otherwise it opens up a can of worms. Dick said you can have them on your property but you can't use them for living quarters. If you are just storing it on your property, that's one thing. If it's living quarters, that's another thing. Randy asked what living quarters means, once a month, six times, the whole summer, that's not living quarters. Carter said 120 days apply to a calendar year. Randy said they are not in there the whole time. Carter said this goes back to 2008. Carol said the big thing is there are three campers. Mike said the Stewart family does find vagueness in the 120-day rule. They can cite other campers on properties where they are being used during summer, but don't leave their own property. Carter mentioned there was a complaint made on the Stewart property. Mike Rowe asked what the reasoning is behind the 120 days. Nobody on the board had an answer. Randy said that should be reopened. Carter said part of the issue is they are using it as a campground, then they need to follow the ordinance for a campground. That requires them to be in a commercial zone. Randy said they should change the ordinance or lighten up. Mike Rowe asked what is the process to change the ordinance. Carter said to submit a change order to the office. Then, we have set aside one meeting a year and make a decision to move forward Carol said we have to be as strict or stricter than St. Louis County. Matt read the definition of campground into the record.

David Humes –regarding the Normanna Rd property- The affidavit for the administrative search warrant will be sent on Monday. The attorney submits it to the judge and the judge gives permission for the warrant. Representatives from Gnesen Township to be accompanied by St. Louis County deputy onto Normanna Rd Property to do an inventory of all the items that are in violation of the ordinance. It goes to the attorney on Monday, to clarify.

Cannabis Ordinance: It was passed by the Board and is now in effect. The ordinance only deals with preapproved state licenses.

Gravel Pit Review: There were no issues seen at this time. It was mentioned to one of the Ulland Brothers's Pit that some reclamation work needs to get started. Sherri thought it was a better inspection format than in the past and we should have been doing it all along. Carter said only one of the pits got their questions back to them. Carol and Sherri had discussion of which pits were missing parts of the inspection questions. A copy of the questions needs to get sent to Tom Kvas. The Deputy Clerk will send it. Carter stated that the County representative for the Twin Pines Pit did not show up and it was thought that pit was to be reviewed every five years. The road did not look like it existed. They talked to Viele Brothers Pit about dust control. The KGM Pit: the size of the bonds were too small. Carol said in they are in conditions which the ~~Ulland~~ Viele Pit for example, the Township cannot change.

Hemlock Drive: Mike reported that the attorney sent affidavits to Jon Nelson and him. It's in the attorney's hands. The attorney has current photography of the property, and we should be able to soon get permission to go in and do an abatement. The property owner does not want to put any more scrap into the dumpsters. Dave Fink has the seventh dumpster out there that needs to be brought back. Mike asked about getting help with the abatement. Kathy at Arrowhead Regional Corrections can get a work crew of five or six guys out there for no cost. That would help the landowner. The owner would not get the value of any scrap material covered. The cost would be our time and the attorney's fees.

STR Question- This item can be left off the agenda until it is discussed in January. Sherri will be submitting paperwork for that.

Review procedure for permit approval: 60-day clarification: We have a 60 day time limit to respond to an application or it is automatically approved. When it first comes in, it goes the Saras and they determine if the application has the payment and appears to be complete, but it may not be correct, so after it goes to the Saras, it goes to the zoning officer. They have fifteen days in which to determine whether the application is actually complete. If it's not complete they are required to send notice to the applicant that it is not complete. When that information comes back to the office a new 60 day time frame starts. Carol said that this is written out in the Minnesota Association of Townships. Building permits are not covered under the 60-day law, nor subdivisions.

It's only variances, CUPS, and IUPs. There's a book in the office called 60-day rule. It's online too. Sherri asked the Deputy Clerk to send them a link. Matt mentioned that the residents of Gnesen have that information accessible; where would they find it? Carter said we have had a couple of items recently before this group that had incomplete information and were supposedly thought we had to make a decision; an example was the plat that came up at the last meeting and there had been no application made for the plat, and that was put on the agenda, so I asked the Sarahs don't put it on the agenda unless it says "For discussion only". We had another application for a water accessory building that was incomplete and that was on the agenda, and he is asking Mike and Rick if it's on the agenda and you know it is not complete, pull it, so we don't take up time if we don't need to. That should have been a variance. Matt clarified that an incomplete application, the Bolf Bunker application was voted on and approved. Carter said yes. Matt asked how and why it was stopped. Rick said you can only have a boat house or water-related building. He already had a boathouse and put in a building permit for a second one, and that was approved. That would be contrary to the Ordinance, and we can't do that, so he withdrew it. It should have been thrown out because it would have been illegal. Matt questioned the process. Carter said we stopped it before construction and let him know he would need a variance. The point was these things were brought up and we were expected to make a decision on it. The MN Power plat should not have gotten to us without an application unless it was put on the agenda as a discussion only.

Ulland Complaint email: Township has a new email for Ulland Pit complaints. It is gnesen6356@gmail.com. The complaints go directly to the Clerk, documented and shared with appropriate personnel and Ullands. It is now on the website and the newsletter. Carter said that Ulland's are logging the complaints. Carol mentioned the EPA spent a day out at Ullands and they were found in compliance. It was brought up that the complaint was living within the blast fumes and are too close to residences. Deke said whether it arises to a nuisance. Carter said they now have a 24-hour camera on the gate. He also talked about water level monitoring. Carol mentioned they are monitoring air. A question from Deke asked why are they not monitoring the water. Runoff was discussed and Carter said they can't go to the water table. KGM is in the same situation.

New Business:

Bergstrom Rd: Nancy said a resident applied for a zoning permit to replace an 8x8 shed. It was granted, but 7 feet from the water. He was told he could, provided it met the same size. It did not meet the same size. It originally started with Mike and then Rick got it. When Rick got out there, there was a lot more going on. He removed a garage from the house and that 8x8 building he put it across the road which he did not have a permit for. Rick said he had a permit to move one of the buildings. Nancy stated there were footings in place for an addition on to the house and there was an area landscaped for a fire pit close to the water. Nancy asked for a cease and desist because of the scope of it. Rick was told the concrete was showing up at 7 the next morning to pour footings for the addition on the house. Rick told the residents if they get new permits put together and get back to him with it right away, being very specific, he would approve the permit for the house. The house was staying the same size. Nancy's concern is this seems to be happening way too much. Things are not getting completed. Verbal agreements to things proceeding without things getting finalized are being done. It can't continue. If we need to come up with an SOP checklist that has to be followed every time. She thought there is some of that there already. The original permit was from August 26, 2024. He just started doing the work now. Rick said the shed they wanted to replace had been there since 1955 and would fall in the grandfather clause. On first visit, the new shed was already there. It was eight and a half by eight and a half, maybe nine by nine. It alarmed Rick that it was that close to the lake. Rick's first words to look at a zoning permit to replace something close to the lake is that we would have to come and look at it and know where it is and what it is being replaced with. They are saying that Mike said you are good to go. So, they tore out the old one and put the new one in and then filed for a permit. Sherri asked why Rick was involved if it was Mike's. Rick said he was the one that got the permit. They called Mike to find out about the permit. What do they need to do. They are saying Mike told them they are good to go. They thought they had permission, that's what they told Rick. Then they turned the permit in for Gnesen's approval, then it was assigned to Rick. Sherri said it seemed to her that Mike had the first initial permit. Rick said Mike was consulted on the phone because it was his lake. If you are going for

timeline for when the pit reaches its usefulness, but it does seem there is a limited amount of usefulness at this point. Carter said they have a reclamation plan for that pit. Pete asked who determines when it's depleted. Carol said they have to move five thousand yards per year and as long as they do, that it's not depleted. It's getting close to the end of life. Dick said they might be done in as little as two years, but it could be longer. Deke said they could determine based on how long it takes to remove gravel out of it. Deke said they are concerned about the Oscar Pit turning into the Liberty Pit. Deke asked about the Billington/Palmer Pit. The site looks bigger than the original area on the application. Carter said they are restricted by the border of the property. Carter did not think they drew a circle on the map and said they would be restricted to that area. Nathan sent information with the CUP with a small area which they circled. Carter said we would have to go back and look at the legal land description. Deke will send out a more detailed request prior to or during the next CUP evaluation. Carol said if they have their legal description in the CUP, then that is what they can do within the guidelines. Kathy asked is it possible the circle on the map was the spot where they were originally going to start mining. Deke would like the documentation to see how the approval was developed. Carol said state law dictates the CUPs.

ZONING OFFICER'S REPORT: Mike talked about the Firewise event. The third and fourth weekend in September, 8am to 4pm each day. They are looking for volunteers.

Rick will be proposing definitions, "Lean-to" and "cabin". Sherri suggested we follow the same verbiage as the realtors. Rick thought it should be what municipalities use but not opposed to looking at the realtor definitions. This will be addressed at the January meeting. Send suggestions to Rick.

Complaints: The Sent in some complaints. One was in Fredenberg and sent it to them. The other two are about locations on Berg Rd and he will look into those. One was about trailers not licensed campers being left year-round outhouses used, no septic. The complainant said the Gnesen P and Z meeting on 5/21/2025, the Board was not interested in hearing the complaint.
Complaint two about campers not moving or licensed. No septic, junk. No permit for building. The board was not interested in hearing the complaint. Carter responded at the meeting that there were a lot of campers in the township that were the same as theirs and we responded by saying we are dealing with the ones we have complaints about. Now we have a complaint to deal with.

Rick is working on a permit for a garage on Turner Rd. It is approved contingent on county wetland approval. A letter was sent to STR about suspending a permit due to septic issue.

BOARD MEMBER'S REPORT: Nothing new to add.

CORRESPONDENCE: None

A motion was made to adjourn meeting by Dick and seconded by Carol. It was voted on and passed. The meeting was adjourned at 8:46pm.

Next Planning and Zoning meeting September17, 2025, 7:00pm

Respectfully submitted,

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Sara Rowe, Deputy Planning and Zoning Secretary Carter Williams, Planning Commission Chair

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Date