

**City of East Gull Lake  
Planning and Zoning  
Regular Meeting**

Tuesday, August 29, 2017 – 6:30 PM

**I. Call to order**

Chairman Bruce Buxton called to order the regular meeting of the City of East Gull Lake Planning and Zoning Commission at 6:30 PM on Tuesday, August 29, 2017 at City Hall.

**II. Pledge of Allegiance**

**III. Roll Call**

Present: Bruce Buxton (Chair), Commission: Marty Halvorson, Paul Tollefson, Nate Tuomi, Eunice Wiebolt, Rocky Waldin

Staff Present: City Administrator Mason, Administrative Assistant Schack

Council Liaison: Carol Demgen

Audience: Beth Windfeldt, Patience Barnes, Rosemary Susens, Nanci Lind, Bob Johnson

**IV. Adoption of Agenda/Additions or Deletions to the Agenda**

**Motion by Commissioner Halvorson and seconded by Commissioner Wiebolt to approve the agenda as amended. Passed unanimously**

**V. Approval of Minutes**

**Motion by Commissioner Tuomi, second by Commissioner Halvorson to approve the minutes of the Tuesday, July 25, 2017 meeting.**

**VI. Public Hearings**

**A. 2017-43 Windfeldt CUP**

Administrator Mason addressed the Commission by reading the Public Notice and Staff Report for the Windfeldt CUP. It was noted that the hearing should be changed to a Variance because the house was built after 1995 and a one-time CUP addition does not apply per 1989 rules.

Beth Windfeldt addressed the Commission explaining the facts about the project. Bob Johnson expressed his support for the project.

**Motion by Commissioner Halvorson and seconded by Commissioner Wiebolt to change the CUP 2017-43 to a Variance. Passed unanimously.**

Findings of Fact:

1. Home is located 42 feet from the OHW of Gull Lake, less than 50 feet required on sewered lot.
2. Proposed construction will be no closer to the lake than the existing closest point.
3. On the North side of property, the impervious will be 15.1% with improvements.
4. Overall lot impervious is 10.7% with improvements.
5. Power lines are located above the garage and will be relocated to underground.
6. Side yard setbacks will exceed the 10-foot minimum at 12 feet.
7. Road setbacks will not change by improvements.
8. Home was built in 2006 by a variance by Dennis Villella
9. We show no record of a variance being recorded and the county shows no record of the variance being filed in 2006
10. Property line was moved 50 feet west with acquisition of lot next door in 2014
11. Additional lot line was adjusted in 2010 on the east side to get additional set back from the 4 plex, see survey
12. Because home was built after 1995 a one-time CUP addition does not apply per 1989 rules
13. Most likely this should be a variance rather than a CUP
14. Paul Fairbanks says he would suggest we make a motion to change the Public hearing to be for a variance based on the fact we have not received any negative feedback and the process for notification is exactly the same. If we have any opposition it should be tabled and re-noticed for the next meeting.

Conditions:

1. Power lines be relocated underground before any construction begins.
2. No increase of the lakeside patio.

**Motion by Commissioner Tuomi and seconded by Commissioner Wiebolt to approve Variance 2017-43 subject to the findings and conditions as presented by City Staff. Passed unanimously.**

**VII. Open Forum**

Nanci Lind addressed the Commission regarding the PUD process. It was noted that will be discussed during the Comprehensive Plan discussion.

**VIII. Planning and Zoning Administrator's Report**

**A. Statistics**

New Permits:	8
New Variances:	0
New Conditional Use:	3
Potential Permits:	6
Inspections:	38
Completion Letters:	10
New Violations:	0
Total 2017 Permits to date:	54

**B. 2013, 2014, 2015 & 2016 Existing Permits Update**

- One remaining open 2013 permit: Owen Trout Garage
- One remaining open 2014 permit: Thomas Deans
- Six remaining open 2015 permits
- 29 remaining open 2016 permits

Administrator Mason reviewed the inspections that took place during the last month.

The Owen Trout garage situation was discussed. It was noted that the project is almost done. The gable on the back side is the only portion that is not sided. Administrator Mason stated that Mr. Trout should be fined for the violation, but stated the City needs to decide how to fine him. Administrative fines were discussed and it was noted that a procedure needs to be in place and brought before the Commission and Council.

**IX. Old Business**

**A. Comprehensive Plan update**

Chair Buxton opened the discussion regarding the comprehensive plan.

- There were 50 people in attendance at the public hearing where comments and questions were posed
- Minutes for the public hearing have been published on the City website
- Residents were given 30 days to respond with their comments and concerns regarding the Comprehensive Plan
- No negative responses from the residents has been received
- A letter from Rosemary Susens was received
- Ms. Susens noted that her letter was not a criticism, but rather a letter of recommendation.
- Administrator Mason read the letter from Ms. Susens. She recommended that the strategies include: "Encourage housing and services which would enhance the quality of life for our residents." Discussion ensued regarding the meaning of the statement. She stated that the services she was addressing are those directed to helping residents manage their properties, such as lawn care, cleaning, snow plowing, etc.
- It was noted that the City discontinued Home Occupation permits a number of years ago and have taken the position of "out of sight, out of mind" for businesses. In other words, the City prefers businesses run out of the home do not disturb the neighbors.

- Discussion ensued regarding the types of housing for the senior citizens the residents would like to see coming into the area. The trend is showing that a higher population is desiring to live on or close to the lake without wanting to maintain a single-family residence, opting to live in a multi-family development where the maintenance is a communal responsibility outsourced to business owners.
- Nanci Lind addressed the Commission regarding control of the number of PUDs coming into the community. She is concerned about the growth potential. It was noted that the population has leveled off. Administrator Mason noted that most potential properties at this point are non-riparian. He noted that the trend is more redeveloping existing properties from cabin to larger full-time home. Chair Buxton noted that everything that happens is market driven. If there is a market for it, it will be proposed to the Commission. The Comprehensive Plan is a guideline to indicate if a certain type of business is desired within the City. Chair Buxton noted that when writing the Comprehensive Plan, there needs to be enough forethought to think about where it might go and enough flexibility to address it. He noted that multi-family developments need a minimum of 10 acres. He noted that the Commission does not dictate if someone wants to develop their property into a multi-family development.
- Medical assistance within the residents' homes rather than moving into assisted living facilities was discussed.
- Patience Barnes asked about getting the bikes off the roads. Discussion ensued regarding the developing trails and the costs entailed.
- Discussion ensued regarding the roadways and sharing roads with walkers and bikers versus having separate trails.
- Chair Buxton gave an example stating that in Amsterdam, trains and street cars have highest priority, trucks and buses are second, cars are third, bicycles are fourth and pedestrians are last. They say that because a pedestrian can control what you do better, easier and faster than you can stop a bike, stop a car, stop a bus, stop a truck or stop a train. So, a pedestrian should open their eyes, look and get out of the way. He noted that in the United States, we have taken the opposite viewpoint. If someone steps out onto the crosswalk, even if they see someone coming and cannot stop, the traffic is expected to stop and if they hit the pedestrian, they are at fault. He noted that he feels this is wrong.
- It was noted that the pedestrians on Green Gables Road keep the traffic from going faster than they should.
- Administrator Mason addressed the Commission regarding the proposed extension for the trail going from the dam to Green Gables Road.
- Chair Buxton noted that completing the Comprehensive Plan is only step one of the process. He stated that City Zoning Ordinance will then need to be changed to reflect the Plan's objectives. Zoning Maps will also need to be adjusted.

## **X. New Business**

### **B. Fall Newsletter Ideas**

Administrator Mason discussed the topics that are being developed for the fall newsletter.

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|--|-----------------------------------|
| • Road Etiquette                           | • Wastewater Rules to live by     |
| • Speed Signs along County 77 near Resorts | • Comprehensive Plan Update       |
| • Trail Expansion ideas                    | • Amenities to use at the Resorts |
| • Gull Lake trail progress                 | • EGL History                     |

## **IX. Adjournment**

**Motion by Commissioner Tuomi and seconded by Commissioner Wiebolt to adjourn. Passed unanimously.**

Transcribed by East Gull Lake Administrative Assistant  
Kathy Schack

These minutes are paraphrased and are not written word for word.