

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

Tuesday, August 30, 2022 – 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 30, 2022 at City Hall.

II. Pledge of Allegiance

III. Roll Call

Present: Bruce Buxton (Chair), Commission: Paul Tollefson, Eunice Wiebolt, Rocky Waldin, Gene Bridges

Absent: Marty Halvorson

Staff Present: City Administrator Christensen, Administrative Assistant Schack

Council Liaison: Carol Demgen

Audience: See attached sign in sheets

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

Chair Buxton noted he would adjust the agenda to move Maxson sketch plan up due to the amount of public interest.

Motion by Commissioner Wiebolt and seconded by Commissioner Tollefson to approve the agenda as amended. All present voted in favor thereof. Motion carried.

V. Approval of Minutes

Motion by Commissioner Waldin, second by Commissioner Tollefson to approve the minutes of the Tuesday, July 26, 2022 meeting. All present voted in favor thereof. Motion carried.

VI. Open Forum

None

VII. Public Hearings

A. 2022-43 Campbell CUP

Administrator Christensen reviewed the project and read the staff report. Craig Campbell addressed the Commission regarding his application. Chair Buxton closed the public hearing. It was noted that the placement of the new residence would cause the need for a new grinder station, which needed to be added to the conditions.

Findings:

1. Total proposed impervious surfaces on property totals approximately 23.4%. A stormwater plan to retain a 25-year, 24-hour precipitation event (4.69") has been submitted.
2. The placement of proposed structure is proposed to be located greater than 50 feet from the Ordinary High-Water Level (structure will be connected to City sewer services), greater than 30 feet from road right-of-way and a minimum of 10 feet from side property lines.

Conditions:

1. A stormwater management plan demonstrating containment of a 25-year, 24-hour storm event on property based on current NOAA Atlas estimates at time of approval be implemented.
2. Gutters and spouts be directed towards stormwater collection areas and away from lake, road and neighboring properties.

3. Placement of proposed (principle) structure will consider existing (principle) structure setbacks of adjacent properties as related to the OHWL.
4. Purchase and install a new grinder station in coordination with the city at cost to the landowner.

Motion by Commissioner Tollefson and seconded by Commissioner Wiebolt to recommend approval of Conditional Use Permit 2022-43 subject to the findings and conditions as presented by City Staff with the addition of the condition to purchase and install a new grinder station in coordination with the city at cost to the landowner. All present voted in favor thereof. Motion carried.

B. 2022-44 Letnes CUP

Administrator Christensen reviewed the project and read the staff report. Jamie Hertog from Lands End Development addressed the commission. Chair Buxton closed the public hearing. It was noted that a more specific landscape plan be shown to the commission and the CUP was tabled to continue the hearing until September 6, 2022 at 5:00 pm in preparation to present to the Council.

Findings:

1. Total proposed impervious surfaces on property totals approximately 23.6%. A stormwater plan to retain a 25-year, 24-hour precipitation event (4.69") has been submitted.
2. The placement of proposed structure is proposed to be located greater than 50 feet from the Ordinary High-Water Level (structure will be connected to City sewer services), greater than 30 feet from road right-of-way and a minimum of 10 feet from side property lines.

Conditions:

1. A stormwater management plan demonstrating containment of a 25-year, 24-hour storm event on property based on current NOAA Atlas estimates at time of approval be implemented.
2. Gutters and spouts be directed towards stormwater collection areas and away from lake, road and neighboring properties.
3. Reduce depth of collection area #4 and mitigate stormwater collection losses by creating gentle sloping berm and swale on lakeside of property running parallel to Gull Lake approximately 25 feet from OWHL.
4. Updated landscape plan to be submitted and approved before landscape construction.
5. Placement of proposed (principle) structure will consider existing (principle) structure setbacks of adjacent properties as related to the OHWL.

Motion by Commissioner Tollefson and seconded by Commissioner Wiebolt to recommend tabling of Conditional Use Permit 2022-44 to continue the hearing until September 6, 2022 at 5:00 pm in preparation to present to the Council. All present voted in favor thereof. Motion carried.

C. 2022-48 Slade CUP

Administrator Christensen reviewed the project and read the staff report. Matt Schmidt, Wes Hanson Builders, addressed the Commission regarding the application. Discussion ensued reviewing the project. Chair Buxton closed the public hearing. Discussion ensued regarding the large white pine tree that looks like it may be where the proposed driveway is on the drawing. It was noted that the tree is being considered and the driveway will be moved accordingly. It was noted that the landscaping will not include any patio or walkway to the lake keeping the impervious surface to the 24.2%.

Findings:

1. Total proposed impervious surfaces on property totals approximately 24.2%. A stormwater plan to retain a 25-year, 24-hour precipitation event (4.69") has been submitted.

2. The placement of proposed structure is proposed to be located greater than 50 feet from the Ordinary High-Water Level (structure will be connected to City sewer services), greater than 30 feet from road right-of-way and a minimum of 10 feet from side property lines.

Conditions:

1. A stormwater management plan demonstrating containment of a 25-year, 24-hour storm event on property based on current NOAA Atlas estimates at time of approval be implemented.
2. Gutters and spouts be directed towards stormwater collection areas and away from lake, road and neighboring properties.
3. Placement of proposed (principle) structure will consider existing (principle) structure setbacks of adjacent properties as related to the OHWL.
4. The driveway will be adjusted to take into consideration the white pine tree.
5. Landscaping be brought to and approved by the City Administrator before landscaping construction.

Motion by Commissioner Tollefson and seconded by Commissioner Bridges to recommend approval of Conditional Use Permit 2022-48 subject to the findings and conditions as presented by City Staff working the driveway around an existing white pine tree and any landscaping be brought to the City Administrator before landscaping construction. All present voted in favor thereof. Motion carried.

VIII. Planning and Zoning Administrator’s Report

A. Statistics

New Permits:	15
New Variances:	0
New Conditional Use:	3
Inspections:	20
Completion Letters:	3
New Violations:	0
Total 2021 Permits to date:	66

B. Prior Years’ Existing Permits Update

- 44 open out of 108 total 2021 permits
- 4 open out of 96 total 2020 permits

Due to the length of the meeting, Administrator Christensen did not review her report.

IX. Old Business

A. Land-Use Application #2022-40, SBA Towers II LLC

Alternate Commissioner Bridges reviewed the findings he researched. Federal ruling was cited stating, “a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.” It was noted that Administrator Christensen be directed to ask the FCC for information regarding the health effects of the 5G towers.

B. Ordinance Services

Commissioner Tollefson addressed the topic of garage size. He reviewed what a couple other cities and counties are handling the permitting process as far as size. He noted that he would like to have the amendment made within the city’s ordinance before the completion of the update of the entire ordinance.

Discussion ensued regarding hiring a company to complete the update of the city ordinance. It was noted that the Council should meet and interview Mr. Balstad before hiring him.

Motion by Commissioner Bridges and seconded by Commissioner Tollefson to recommending to the City Council to hire Brian Balstad of Integrity Public Service Solutions to update the city ordinance. All present voted in favor thereof. Motion carried.

C. Airport Update

Administrator Christensen reviewed the proposal from SEH regarding the issue of updating the airport to build hangars. Ben Thuringer noted that he has a contact at AOPA that may provide services at a lesser cost.

Motion by Commissioner Tollefson and seconded by Commissioner Tollefson to recommend moving forward with getting information and move forward with creating an airport layout plan. Also looking into leasing hangars. All present voted in favor thereof. Motion carried.

X. New Business

A. Sketch Plan Review – Maxson Development

Chair Buxton noted that this is not part of the platting process, and no decisions will be made tonight. Ian Peterson addressed the Commission reviewing the concept plan for the Maxson development. Chris and Christine Maxson introduced themselves to the Commission. Chris noted that the family wanted to create communities to leave a legacy to be proud of. Ian reviewed the Tradition Company structure and showed some of the projects they have completed. He explained single family rentals and reviewed the layout for the Maxson project. Storage issues were discussed. Discussion ensued regarding the capacity of the city wastewater system, and it was noted that the south plant is more than capable of handling the development. Increase in traffic was discussed. One individual spoke for many on a petition not wanting the development. They agreed the owners have a right to develop the property but did not offer any suggestions to improve the proposed layout. Others voiced concerns about more people on the lake, potential commercial enterprises, were rentals viable, and questioned the setbacks between buildings. While the Planning Commission listened and offered some suggestions, since there was no formal application, no specific requirements were discussed.

B. Sketch Plan Review – Handahl, 903 Green Gables Road, 87-343-0030

Chair Buxton opened the discussion regarding the project. He noted that it is a small house with a garage that encroaches the road right-of-way. The proposal is to add on to the house and construct an attached garage. It is unclear if the existing garage will be raised. It was noted that more information is needed.

C. Sketch Plan Review – Ude, 1436 Pike Bay Road, 87-020-3125

Chair Buxton opened the discussion regarding the project. Travis Miller addressed the Commission regarding the project. He stated that the proposal is to construct a 30x42 garage with second story living quarters on the non-lake side of Pike Bay Road meeting the setback from Pike Bay Road but encroaching into the Scenic Drive right-of-way. He noted the plan is to build the garage structure the fall of 2022 and tear down and rebuild the lakeside home at a later date. Discussion ensued regarding impervious surface. It was noted that the proposed garage with guest quarters would need to be submitted as a variance due to the size of the lot.

IX. Adjournment

Motion by Commissioner Wiebolt and seconded by Commissioner Waldin to adjourn. All present voted in favor thereof. Motion carried.

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