

**City of East Gull Lake
Joint Planning Commission and City Council
Special Meeting**

Tuesday, April 25, 2023 – 6:30 PM

I. Call to order

Chairman Bruce Buxton called to order the joint special meeting of the City of East Gull Lake Planning and Zoning Commission and City Council at 6:30 PM on Tuesday, April 25, 2023 at Legacy Pavilion.

II. Pledge of Allegiance

III. Roll Call

Present: Bruce Buxton (Chair), Commission: Marty Halvorson, Paul Tollefson, Eunice Wiebolt, Alternate Gene Bridges

Absent: Rocky Waldin

Staff Present: City Administrator Christensen, Administrative Assistant Schack

Audience: See attached sign in sheets

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

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

V. Approval of Minutes

Motion by Commissioner Halvorson, second by Commissioner Bridges to approve the minutes of the Tuesday, March 28, 2023 meeting. All present voted in favor thereof. Motion carried.

VI. Open Forum

None

VII. Public Hearings

A. Molby Variance #2023-19

Administrator Christensen read the staff report for the Variance. Sterling Molby addressed the Commission regarding the request. The public hearing was closed. Discussion ensued among the members.

Recommended Conditions:

- Prior to construction, a stormwater plan demonstrating containment of a 25 year, 24 hour precipitation event as specified by the most recently published NOAA Atlas Point Precipitation Frequency Estimates must be approved by the City, and implemented by the landowner in perpetuity (as long as the provisions of the related variance(s) and CUP(s) remain valid/applicable).
- Erosion control measures must be implemented during construction of this project and maintained until vegetation is adequately established as to prevent runoff/sedimentation to adjacent properties and roadways.
- Applicant must complete and submit any other required applications relating to this project and obtain approval (by permit) prior to construction. This includes, but may not be limited to, completion and submission of EGL Land-Use Application and approval of permit.
- Sanitary Sewage Treatment System (SSTS) permits shall be obtained by applicant through Cass County prior to construction.
- Approval of Variance is contingent upon landowners submission/City's receipt of property survey as completed by licensed surveyor.

Motion by Commissioner Tollefson and seconded by Commissioner Bridges to recommend approval of Variance 2023-19 for Sterling Molby subject to findings and conditions as presented by City staff. All present voted in favor thereof. Motion carried.

B. Ude Conditional Use Permit #2023-18

Administrator Christensen read the staff report for the CUP. Travis Miller addressed the Commission for the Ude family regarding the request. The public hearing was closed. Discussion ensued among the members.

Recommended Conditions:

- Prior to construction, a stormwater plan to contain a 25 year, 24 hour precipitation event as specified by the most recently published NOAA Atlas Point Precipitation Frequency Estimates must be approved by the City and implemented by the landowner(s) of the property in perpetuity (as long as the provisions of the related variance(s) and CUP(s) remain valid/applicable).
- Erosion control measures must be implemented during construction of this project and maintained until vegetation is adequately established as to prevent runoff/sedimentation to adjacent properties, waterbodies/waterways and roadways.
- Impacts to the bluff must be avoided outside of the direct area of construction and minimized within the area of construction. Best management practices shall be used to ensure the integrity of the bluff be maintained.
- Parked vehicles/modes of transportation shall not protrude into the roadway.
- Proof of compliance with sanitary provisions for well and sewage disposal shall be provided to the City prior to construction. Applicant/Landowner shall work with the City's Public Works Department regarding requirements of re-connection to municipal sewer.
- Applicant/Landowner must complete and submit any other required applications relating to this project, remit associated fees and obtain approval (by permit) prior to construction. This includes, but may not be limited to, completion and submission of EGL Land-Use Application and approval of permit.

Motion by Commissioner Tollefson and seconded by Commissioner Halvorson to recommend approval of Conditional Use Permit 2023-18 for David and Jenna Ude subject to findings and conditions as presented by City staff. All present voted in favor thereof. Motion carried.

C. Norway Ridge Development Preliminary Plat & Rezoning #2022-75

Administrator Christensen read the staff report for the Preliminary Plat for Norway Ridge Development. Ian Peterson addressed the Commission giving a presentation regarding previous completed developments and the proposed request. Below are some of the comments from residents:

- Matt Krueger addressed the Commission stating that he felt the development should be considered commercial. Are they going to be separate parcels.
- Bob Allen addressed the Commission questioning the name of Green Hill Rd.
- Pat Brennan addressed the Commission asking how close the houses are together. It was stated that they are 15 feet apart. He asked if that is what the city wants.
- Dave Lepage addressed the Commission stating that he understands development as he has done one. He noted that all the samples were closer to highly populated areas. He stated that this area should remain less populated.
- Jan asked about the traffic
- Karen asked will the clubhouse be open to the public. Will the city have to hire police.
- Diane Thorpe was wondering if the property has access to the lake.
- Gayleen Smith stated they like the quietness of this area and this development is too concentrated. She asked about shore recreation areas; it was noted there is no lake access.
- Brad Schultz noted the noise, traffic and density is a problem.
- Bob Kindler is concerned about the traffic on County Road 77.

- Cody Tesla stated this would congest the area too much, stating parking will be a problem.
- Marvin Meyer is concerned about the adjoining property that may be developed. He stated that the development has too much density.
- Jim Kavanaugh stated the rental properties in the development is a huge problem.
- Dan Reidsma asked about the rental cost
- Able Kuschel talked about the earlier developments done by the Maxson family.
- It was asked if there is going to be additional development
- Josh Rardin asked about traffic increase, parking, boat storage.
- Sharon Gibbons asked about light pollution and trees being removed for the project.
- Jim Benson stated the community is being impacted detrimentally by this project.
- Russ Calendar how much weight do all the comments carry.

Chair Buxton addressed the audience asking Ian to come and answer some of the questions posed.

- He noted that the rentals are not zoned commercial
- He noted that he was not aware of any issues with good standing as an LLC
- Density and traffic was addressed noting the EAW was completed and the traffic was reviewed by Cass County and MnDOT
- The Clubhouse is a private to the owners/renters of the development
- Safety and security was addressed. He noted security checks are done on renters and there are plans for cameras and other safety
- Each home has a separate parcel and should renting falls through, the homes could be sold. Minimum rentals are six months.
- Parking was addressed.
- The property to the west in Fairview Twp was addressed. There have been no plans submitted at this time.
- Light pollution and darkness was addressed noting there are no plans for street lights.
- The trails within the development are private for the residents of the development.
- Outdoor storage was discussed. It was noted it will not be allowed.
- Rental costs are at \$2700-\$4200/month and sale prices at \$700,000-\$950,000
- Noise from the Clubhouse was addressed.
- Density was discussed.
- Zoning of the property was discussed, noting that if it was all R1 the number of homes would be decreased to 38.

Additional comments were made prior to the closing of the public hearing

- Dave Lepage asked how the rental was going to be enforced.
- Albe Kuschel stated the city is not following the ordinance.

The public hearing was closed. Discussion ensued among the Planning Commission. Trees being removed and replaced was discussed. Commissioner Halvorson addressed the public stating the items that influence the decision of the Commission. An extension was granted to review the project meeting the current zoning.

Motion Commissioner Bridges and seconded by Commissioner Wiebolt to continue this public hearing to the Planning Commission May 30, 2023 meeting subject to receiving a waiver of the time limit from the developer.

VIII. Planning and Zoning Administrator's Report

A. Statistics

New Permits:	1
New Variances:	0
New Conditional Use:	0
Inspections:	0
Completion Letters:	0
New Violations:	0
Total 2023 Permits to date:	22

B. Prior Years' Existing Permits Update

- 62 open out of 83 total 2022 permits
- 34 open out of 108 total 2021 permits
- 2 open out of 96 total 2020 permits

IX. Old Business

Paul Tollefson asked when CUPs or Variances are required, noting the city needs to be clearer on that issue.

X. New Business

None

XI. Adjournment

Motion by Commissioner Tollefson and seconded by Commissioner Bridges to adjourn. All present voted in favor thereof. Motion carried.

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