

Crow Wing Township Planning Commission Meeting April 11, 2022, 6:00 PM

Commission Members Present: Brad Arnold (Chair), Linda Schuety, Dan Lee, David Nelson, Tucker Schuety (Township Supervisor Chair) Amanda Peterson (Planning and Zoning Administrator), & Sue Kern (Township clerk).

Brad called the meeting to order at 6:00 PM and the Pledge of Allegiance was recited.

Public Hearings: None.

Additions or Deletions to Agenda: David had questions on Nuisance Ordinance. Linda wanted to report on an anonymous phone call. Brad added discussion regarding information from the county engineer, Mississippi headwater, 2.5 contiguous ordinance language, reminded the Commission to attend the AWAIR meeting Tuesday at 5:30, and additional discussion of the site visit at the Jillson residence.

Approval of Minutes: David made the motion to approve the minutes from March 14, 2022, as written. Linda seconded. No discussion. Motion approved 5-0.

New Business: Brad Busbey from Anderson Brothers attended the meeting. Mr. Busbey wanted to discuss extractive use on parcel 56100547. This parcel is zoned Rural Residential 10. Extractive use requires a conditional use permit in the RR-10 zoning district, in addition to an operation permit. The ordinance language was discussed. At the previous planning and zoning meeting there had been a request for extraction, but it would have required a possible spot rezone which was deemed most probably illegal and that is why it was denied. Mr. Busbey is seeking to do extraction with the Highway 371 project. This type of request is rare in that our township doesn't generally have the type of roads such as county or state roads. The Highway 371 corridor could be fitted with this request. Amanda stated the ordinance language does allow extractive use with a conditional use permit with a time limit for rural residential 10. An operator's license is also required with a time limit of the operation. Brad mentioned that Fletcher's property is not allowed under ordinance as it does not appear to meet set back requirements with neighboring residents. There would be multiple requirements this current request would need to meet; but that it is certainly possible to meet those requirements for this project. This request is job specific for the 371 Highway project and is in alignment with the ordinance and the last project request was not. There was discussion about a possible special commission meeting at the applicant's expense or possibly at the May meeting. A public hearing would be required and proper 10-day notification of neighboring residents for ¼ mile. Finding of facts will be needed prior to this approval. The CUP will most likely include an interim use permit with a duration of time for this project. It was mentioned that MN DOT has a website where people could seek answers to some of their questions. Tucker made a motion OK'ing that Amanda, with discretion, will set up a special meeting, if necessary, for extractive use on the Merten site following ordinance guidance with the caveat of verifying with the Planning Commission the time/date. If a special meeting is necessary, the applicant will pay for the expense of the meeting. David seconded the motion. This allows for short notice if it is needed. The fee would be an actual cost of the meeting based on expense, somewhere between \$500 to \$1000.

The Town Board feedback on the nuisance ordinance and enforcement policy: David questioned section 1.3, (B) (1) regarding “or similar materials”. It was addressed in other segments of the ordinance. At the next public hearing, the Nuisance Ordinance will be brought forward for discussion and the Enforcement Policy will just be enacted.

Extractive use ordinance language was discussed: Extractive use rarely come up. There is one gravel pit down the end of Wetherbee Road. There was also a pit down Nokasippi off St. Mathias Road. This is off the county road. An extractive permit is required. Other potential sites were discussed. According to ordinance, Rural Residential 2.5 is permitted. Amanda recommended we do away with all zones except Ag Forestry where it is more appropriate and change it to an interim use permit. We don't currently have an industrial zone. Amanda stated it is not appropriate for a commercial area given where they are. Private use of extraction is permitted in certain situations. Amanda will investigate the matter further and report back to the Planning Commission.

Old Business: The Ream complaint was discussed. It was noted that there was some litter and smaller loose debris articles that could be cleaned up with a rake and shovel to tidy up the area. They should continue to try to separate the rubbish into a burn pile and metal pile. This will take some time. The cost would be exponential. Mary has been responding and communicating. Becky is not willing to be a part of this. Amanda will write a letter regarding a timeline and measurable progress.

Chad Jillson complaint was discussed. Chad contacted Brad. His court date is coming up Wednesday. He has been 'busy' and not living there. A trailer house is gone. Five trailer loads of steel are gone. Brad did a site visit and talked with Chad and Carter. They were instructed to focus on what can be seen from the road. There are no people living on the site. There are 7 campers, 2-3 were gutted out, only one is habitable but no one lives there. Brad has a new contact phone number. Brad told the Commission Chad is working on the property, and he will tell the probation officer such if he calls. Amanda will email the probation officer.

The Anderson/Schuety septic noncompliance was addressed. The owners could not come to the meeting. Jennifer is on the property deed. She cannot get her name off the property. Mr. Anderson did call Amanda. He cannot get a loan until his name is on the property. Region 5 was asked to help. This process may need to be turned over to the attorney. They claim a septic was put it but there is no proof of that. There was a septic plan. He said he would call Region 5 and get back to Amanda by the end of the week. The deed is a civil issue. They are in violation of state law. This will go to the attorney if they do not comply by the next meeting.

The Deason shoreland violation was discussed. He will be planting trees as soon as possible. He will have to keep them alive for two years. An email from a neighbor was discussed. Brad inspected the site. The backhoe in the email is a miniature backhoe and fully compliant. The owner has done clean up, the driveway is paved, and siding is on. The owner has been responsive and very apologetic regarding the trees. He is receptive and admits the mistake regarding the trees. He will follow through in the tree planting.

P&Z Administrator's Report: Amanda presented her report. There was one additional permit completed today for the Ittner dog training business. She questioned what they wanted on the report. Brad stated quantity of permits, monetary value, owner name and location of the permit is what he needed.

Amanda talked to Justin regarding 2.5 contiguous properties. Amanda said it is in the ordinance 14.1 table and 20,000 contiguous buildable residential. Brad will look back through his old records.

Tim Bray's letter was discussed regarding roads and permits. They will stay in contact with partners of future road projects or developments.

Big Woods Storage on the 371 site was discussed via an anonymous resident. Dave LaPage and Mike Nicolas are the owners. There is an accumulation of material, equipment, and debris. They were instructed 3 years ago to pick up brush, clean up the site and plant trees and wildflowers. The junk debris is accumulating. Last notice stated Dave would remove debris, level the pile, install a sign, plant trees and wildflowers. The matter will be discussed at the next meeting. Amanda will contact the owner before a letter is sent.

There was no other business to come before the Planning Commission.

Adjournment: Tucker made a motion to adjourn. Dan seconded the motion. No discussion. Motion passed 5-0. Meeting adjourned at 8:14 pm.