

Crow Wing Township Planning Commission Meeting September 3, 2024, 6:00 PM

Commission Members Present: Brad Arnold (Chairman), Commissioners David Nelson, Dan Lee, Paul Stephany (Township Board Supervisor). Scott Saehr, Planning and Zoning Consultant, and Sue Kern (Township Clerk). Commissioner Linda Schuety was not present. Brad called the meeting to order at 6:00 PM and the Pledge of Allegiance was recited.

Additions or Deletion: None.

Public Hearings: There was a public hearing regarding a **Rezone Application for PIDs 56020534, 56020535 and 56020543**. Scott reported all documents were in the PZ packet, notices had been sent out to residents within a half mile radius of the properties and posted in the Brainerd Dispatch and Pine & Lakes Journal two times. The requested change is from Forestry Agriculture to Commercial-2 is along Business 371 extending back to 110th Street. The parcel is 53 acres and triangular. There are no residents on the property, and it is a wooded area. The owner wants to put in an entry road from 371 Business with a cul-de-sac and lot off 15 plots to be sold to businesses. A signed petition of approximately 100 people opposing the change was presented to the Planning Commission. There were 45+ residents in attendance at the public hearing. Doug Schieffer, landowner, and Chris Sonmor, land developer, were present at the hearing. All three Supervisors of Crow Wing Township were present to hear the discussion. There was a question-and-answer period which lasted more than one and a half hours. All residents were given the opportunity to ask questions. The areas of main concern were businesses being in proximity of residents and changing the area surrounding residents, increase of traffic flow and public access to the existing ATV/snowmobile trail that borders Business 371 on the abandoned Railroad grade bed. There was also a concern that this would not follow the Comprehensive Plan, but the plan states it is suited for residential and suited for Commercial along Business 371. There are currently 18 businesses on Business 371. The Plan meets MN DOT requirements, CWC soil & water, storm water plans and the minimum requirements of the CWT Ordinance. Residents have asked Mr. Schieffer to increase the buffer alongside the residents and an easement for the ATV/snowmobile trail along Business 371. He will consider these requests. The Commission was asked to support, table or deny the rezone request. David made a motion to support the Rezone Application PIDS 56020534, 56020535, and 56020543 from Forest Ag to Commercial-2 based on findings of fact and application documents submitted. He further stated the owner, and developer had done excellent documentation and lay out of the plan but also added there was a petition of approximately 100 residents opposing the plan and many of them in attendance at the hearing. Dan seconded the motion. Discussion ensued and Mr. Schieffer stated that he would consider the setbacks between residents and the potential business plots and a possible easement for the trail along Business 371. Motion passed 4-0. The matter will go to the Town Board. Residents were encouraged to attend the Town Board meeting on September 10th.

The **Preliminary Plat Application for PIDs 56020534, 56020535 & 56020543** which coincides with the Rezone listed above. The application must meet screening requirements, state highway entrance requirements and the property owner will need to enter into a Developer's Agreement with the Town Board as it relates to the street that accesses that property. The attorney reviewed the Developer's Agreement and updated it at that time. Scott stated there would be 15 lots on the 53 acres and they meet minimum standards based on the submittal. It is required that it follows Crow Wing Township Article 16 and would need to include comments regarding additional buffer on the East & Southeast border. Contingency with a MN DOT letter be signed. Scott recommended to the Planning Commission to consider a minimum number of trees be replanted when applicants submit permit applications per

the landscape plans. If so, this could be included in the Developer's Agreement. Brad stated that the Preliminary Plan appears to meet state storm water, drainage and percolation requirements. The contractor on site will be responsible for managing that plan. Crow Wing County soil & water district (CWC SWCD) has reviewed the plan and has no points of concern. Plans have been submitted to the County with no input. The plans are preliminary and are not the final drawings.

David made a motion based on findings and facts to approve the Preliminary Plat Application PIDs 56020534, 56020535, & 56020543 with a contingency that final MN DOT plan be signed off by the state. The Developer's Agreement with the Town Board needs to be completed. The Storm water plan needs to be signed by a licensed engineer. Contingency to be confirmed by the owner to add 25' of buffer @ 75% screening on the East and Southeast borders. With additional contingency is to allow an easement for the existing ATV/Snowmobile trail at the railroad bed. David also recognized the fact that there was a full crowd in attendance and a petition going to the Town Board in opposition. Dan seconded the motion. No further discussion. Motion carried 4-0.

Open Forum: No additional comments. Brad informed the residents the P&Z meets the first Monday of every month and the Town Board meets the second Tuesday of every month. The dates are available and posted online and on the door and at Wild Rice Depot as a courtesy posting.

Approval of Minutes: Dan made the motion to approve the minutes from August 5, 2024, as written. Paul seconded the motion. No discussion. Motion carried 4-0.

Old Business: Outstanding Complaints: Violation letters were sent to three residents. None were present at the meeting. It was decided to send them another letter notifying them that penalties may be applied. **Crow Wing County Ordinance Amendments update:** No new information to report. Scott and Brad will be reporting on this.

New Business: The Rezone and Preliminary Plat were already discussed and voted on. The Developer's Agreement was discussed. The Board will need to agree with the Developer and terms were discussed. The property owner will need to maintain the road until approved by the Town Board after 2/3 of the properties are sold.

P&Z Administrator's Report: The report was reviewed with Scott. No action was taken.

Town Board Correspondence: Scott noted that there are questions to property along Sweet Road regarding how it was zoned affecting 3-4 residents. It appears that there was a mistake in the recording about 2013-2014. He will continue to pursue to rectify the records.

Adjournment: David made a motion to adjourn. Dan seconded. No discussion. Motion carried 4-0. The meeting adjourned at 8:58 pm.