
CROW WING TOWNSHIP
PLANNING AND ZONING COMMISSION
AGENDA

Tuesday January 6, 2025 6:00 PM

1. Call to Order
2. Roll Call
3. Additions or Deletions to Agenda
4. Public Hearing(s)
5. Open Forum
6. Approval of Minutes
 - a. December 2, 2024
7. Old Business
 - a. Outstanding Complaints
8. New Business
 - a. Planning Commission Appointments and Term Limits
 - b. Cannabis Delegation Resolution
 - c. Planning and Zoning Services Review
 - d. Set Public Hearing – Ordinance Amendments
9. Planning and Zoning Report
10. Town Board Correspondence
11. Adjournment

This agenda is not exclusive. Other business may be discussed as deemed necessary.

Crow Wing Township Planning Commission Meeting, December 2, 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). Brad called the meeting to order at 6:00 PM and the Pledge of Allegiance was recited.

Additions or Deletion: Items added: Proposed Planning and Zoning Calendar, re-cap on Northland Industrial Park, open position on the Planning Commission, Saehr consulting fees and permit fees.

Public Hearings: None.

Open Forum: Jon Kolstad was in attendance and has an interest in becoming a Planning Commissioner for the open position. Brad explained the position responsibilities. Jon is a township resident and has experience with Planning and Zoning.

Approval of Minutes: Dan made the motion to approve the November 4th meeting minutes as written with the change of the name Rich to Rick. Paul seconded the motion. No discussion. Passed 3-0, David abstained as he was late to that meeting.

Old Business: Outstanding Complaints: The **Jay Street/7026 Wels Avenue/Weis Avenue** property was discussed (**Witt**). There is a conflict with the address and certified mail sent there has been returned/not received. The property was neat and tidy up until last summer. Brad will go to the residence and knock on the door. **6726 Estate Circle (Dano-owner):** A complaint has been received and a letter will be sent. **7028 Barrows Avenue (Claudia Parker-owner):** The property owner has received two notices as this is a rental property. Brad has talked to the renter 3X and there is some progress in clean up. The camper is owned by their grandmother. Brad will follow up. No letter will be sent. **9816 Arielle Drive (Chad Jillson):** Brad has talked with Chad, and he stated he lives in Idaho. It was decided to send a final notice and start fining him and have the Sheriff's Department deliver the letter. **8992 Cook Road (Wade Tomberlin):** A complaint has been made about this property. It was decided to send a first notice letter. **7370 Hunter Circle (William Danilyuk):** It appears that building is happening without a permit. A letter will be sent. **Crow Wing County Ordinance Amendments update:** The County is updating their Ordinance, and the Township will need to review their Ordinance in the early months of 2025. Cannabis will be addressed. The Township attorney will be involved in addressing this. A public hearing will take place.

New Business: Solar Plans Submittal Review: The plans were reviewed, and the County's ordinance will be considered in this matter. Discussion ensued regarding whether permit charges will be required for stand-alone structures in a field vs. roof top and residential vs. commercial. No action was taken.

P&Z Administrator's Report: Scott reported scammers are out there in emails and members should be aware. Scott reported 30 land use permits with 1 pending, 18 SSTS (septic) applications submitted with 2 pending, 18 compliance inspections, 11 subdivisions with one pending, 2 conditional use permits and 2 rezones for 2024. There were no variances. The Commission discussed the formatting of the report.

Town Board Correspondence: None.

Northland Industrial Park easement with the snowmobile club and ATV club is ongoing with attorneys being involved. An easement/contract between the landowner and the clubs which is permanent and perpetual with the owners but would discontinue should the clubs dissolve is being worked on.

Calendar: The Commission reviewed a proposed Calendar for the 2025 PZ meeting schedule. David made a motion to approve the 2025 calendar as written. Dan seconded the motion. Passed 4-0. It will be presented to the Town Board at their next meeting.

Permit Fees: The Commission wants a report on their financials for the 2024 year so they can review and consider permit rates and Saehr Consulting's rates and contract. This will go forward on the next agenda.

Open PZ Commission position: Jon Kolstad was present at the meeting and showing an interest in the open position on the board. They discussed filling the vacancy as an interim and a formal appointment in February which is when they appoint the Chair/Vice Chair position. Brad will bring it forward to the Town Board.

Adjournment: Dan made a motion to adjourn. David seconded. No discussion. Passed 4-0. The meeting adjourned at 7:55 pm.

ARTICLE 6--PLANNING COMMISSION/BOARD OF ADJUSTMENT

6.1 PLANNING COMMISSION/BOARD OF ADJUSTMENT DUTIES

- A. Acting in its capacity as the Planning Commission, the Planning Commission/Board of Adjustment is hereby designated by the Town Board to:
 - 1. Review all plats, conservation developments, land use district map amendments, and amendments to the land use ordinance text, and make recommendations to the Town Board.
 - 2. Review and make final decisions regarding all conditional use permit applications.
 - 3. Exercise all powers and perform all duties granted to the Planning Commission/Board of Adjustment under Minnesota Statutes, Chapter 462.354.
 - 4. Adopt and annually review rules of business necessary to the conduct of its affairs.
- B. Acting in its capacity as the Board of Adjustment, the Planning Commission/Board of Adjustment is hereby designated by the Town Board to:
 - 1. Review and make final decisions regarding all variance applications.
 - 2. Hear appeals of all administrative orders, requirements, administrative decisions, or determinations
 - 3. Adopt and annually review rules of business necessary to the conduct of its affairs.

6.2 MEMBERSHIP³

- A. The Planning Commission shall consist of five (5) members. One member of the Planning Commission may be a member of the Town Board. The alternate member may only vote where a regular member is absent or is abstaining from voting.
- B. All members of the Planning Commission/Board of Adjustment shall be residents of Crow Wing Township.

6.3 APPOINTMENT/TERMS⁴

- A. Appointment of Planning Commission/Board of Adjustment members shall be made by the Town Board and such appointment shall become effective at the first meeting of the Planning Commission/Board of Adjustment in February.

- B. Up to three members shall be subject to appointment each year.
- C. Each member of the Planning Commission/Board of Adjustment shall be appointed for a term of two years.
- D. Vacancies shall be filled through appointment by the Town Board for only the duration of the un-expired term.
- E. Nonperformance of duty or misconduct in office shall constitute grounds for dismissal by the Town Board. Nonperformance shall include attendance at less than 80 percent of regularly scheduled Planning Commission/Board of Adjustment meetings.

6.4 OFFICERS/DUTIES

- A. Officers of the Planning Commission/Board of Adjustment shall be a Chairperson, Vice-Chairperson and other officers as needed.
- B. Officers shall be elected by the Planning Commission/Board of Adjustment at the first regular meeting held in February.
- C. In the event of a resignation of an Officer, the Planning Commission/Board of Adjustment shall fill the vacancy.
- D. The Chairperson shall preside at all meetings.
- E. The Vice-Chairperson shall assume the responsibilities of the Chairperson when he/she is unable to serve.

6.5 COMPENSATION AND MILEAGE

- A. Planning Commission/Board of Adjustment members may receive per diem as allowed by the Town Board.
- B. Planning Commission/Board of Adjustment members will be reimbursed at the current Township rate for mileage to and from the meeting place.
- C. Planning Commission/Board of Adjustment members, when required to make on-site inspections relating to the function of the Commission or Board, may claim mileage expense and per diem.

6.6 MEETINGS

Meetings shall be scheduled and conducted according to the established Planning Commission/Board of Adjustment rules of business.

**CROW WING TOWNSHIP
CROW WING COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 2025-01

**RESOLUTION DELEGATING CANNABIS REGISTRATION AND COMPLIANCE
CHECK AUTHORITY TO CROW WING COUNTY**

WHEREAS, Minn. Stat. § 342.22 requires local units of government (“home rule charter or statutory city, county, town, or other political subdivision”) to register cannabis retail businesses and conduct compliance checks thereafter; and

WHEREAS, Minn. Stat. § 342.22 provides authority for a Town to delegate its authority to register cannabis retail businesses and conduct compliance checks for its jurisdiction to the County; and

WHEREAS, the Minnesota Office of Cannabis Management has instructed that “each individual Town and Town can decide whether to delegate registration authority to the county”; and

WHEREAS, Crow Wing Township does not have sufficient staff on to conduct compliance checks of cannabis retail businesses; and

WHEREAS, Crow Wing County has the necessary staff who are equipped to conduct compliance checks of cannabis retail businesses; and

WHEREAS, Crow Wing Township does not have the access to the same level of administrative and financial resources as Crow Wing County with respect to the registration of cannabis retail businesses and enforcement of compliance checks; and

WHEREAS, it is in the best interest of Crow Wing Township to delegate cannabis retail registration and compliance checks to Crow Wing County.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF CROW WING TOWNSHIP, CROW WING COUNTY, MINNESOTA:

1. Crow Wing Township Town Board officially delegates its registration and compliance check authority with respect to cannabis retail businesses to Crow Wing County.
2. Crow Wing Township Town Board designates Crow Wing County to follow Article 15 Commercial Cannabis Use of the Crow Wing County Land Use Ordinance to regulate and enforce on behalf of the Township.
3. The Township Clerk must provide a copy of this Resolution to Crow Wing County.
4. The Township Clerk must contact the Minnesota Office of Cannabis Management to obtain, complete, and return a form indicating registration and compliance check authority with respect to cannabis retail businesses have been delegated to Crow Wing County.

**APPROVED BY THE TOWN BOARD OF THE CROW WING TOWNSHIP THIS 14TH DAY
OF JANUARY, 2025.**

CROW WING TOWNSHIP

Doug Kern, Town Board Chair

Attest:

Sue Kern, Township Clerk

**CROW WING TOWNSHIP
CROW WING COUNTY, MINNESOTA
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Crow Wing Township Planning Commission will meet at 6:00 p.m. on Monday, February 3, 2025, at the Crow Wing Township Town Hall located at 6930 Cuyuna Ave SW, Brainerd, Minnesota to conduct a public hearing. The purpose of the public hearing is to hear from staff and anyone else interested and to thereafter make recommendation to the Town Board regarding the proposed ordinance amendments to the subdivision and land use articles of Crow Wing Township.

Anyone desiring to be heard regarding the proposed ordinance amendments may speak during the public hearing or send written comments to Crow Wing Township Town Hall (11039 Greenwood Street, Brainerd, MN). A copy of the proposed ordinance will be available approximately one week before the public hearing.

By: Sue Kern, Township Clerk