

**MINUTES
PEQUOT LAKES PLANNING COMMISSION
REGULAR MEETING
JANUARY 16, 2014**

PRESENT: Deb Brown, Todd Engels, Bill Habein, Mark Hallan, James Oraskovich, Cheri Seils and Wesley Wilson. ABSENT: None.

CITY PLANNER: Justin Burslie, Community Growth Institute

ZONING ADMINISTRATOR: Dawn Bittner

COUNCIL LIAISONS: Dave Sjoblad

The meeting was called to order by Chair Seils at 6:00 p.m.

PRE-MEETING DISCUSSION:

Highway 371 Turnbacks –

Mr. Burslie explained the Planning Commission had been directed to examine the section from Pillsbury Street to West Grove Street. The Turnback Committee made a few changes to the Planning Commission recommendation, as the Committee felt the south end catered to cars and safety. The Committee forwarded the 14 page spreadsheet to the City Council. Tim Houle, City Engineer, presented it to the Council and after making a few changes, forwarded the spreadsheet to Crow Wing County and MN/DOT. A fiscal analysis by the Planning Commission should be completed in the future, but as directed by the City Council.

Mr. Burslie pointed out that the City will need to decide if it should take over present Highway 371. The discussion will come up again and what an ideal segment would look like needs to be determined. Does it make financial sense to take it over?

Council Member Sjoblad stated he is working with MN/DOT on the Rasmussen area realignment of County Road 112. He generally attends these types of meetings with Mike Loven, Public Utilities Supervisor. Mr. Burslie stated an analysis on the Rasmussen segment also needs to be completed.

To summarize, Mr. Burslie stated the City is waiting to hear back from MN/DOT and Crow Wing County on the spreadsheet and the Planning Commission is waiting for direction from the City Council to complete the necessary financial analysis.

Long Range Planning Projects –

Mr. Burslie stated that we need to accomplish the goals outlined in the Comprehensive Plan.

Following are some items from the Comprehensive Plan and were discussed:

1. *Adopt new standard street sections that reduce long-term costs by narrowing lane widths to appropriate neighborhood scale and providing safe pedestrian mobility throughout the city.* Council Member Sjoblad stated the Council has received the drawings for North Washington Avenue, but the cost still needs to be determined. Mr. Burslie stated the City needs to get standards in place, whether urban or rural, for what our roads should look like. Mr. Burslie explained the City of Nisswa recently adopted new road standards for their different types of streets. The City Council will need to direct the Planning Commission to look at #1, #2, & #8. The Planning Commission considers these strategies to be high priority.
2. *Adopt new standard road sections that reduce long-term costs by narrowing lane widths on local roads to a rustic, low volume, low speed scale.*
3. *Perform an assessment of walkability in the Grow Zone and throughout the surrounding neighborhoods to determine areas of high and low pedestrian mobility and identify priority corridors for mobility improvements.* #3 & #10 are similar and should be discussed at the same time. The Planning Commission determined this a medium priority.
4. *Create and adopt a strategy to provide continuous engagement with residents through online platforms, also known as Gov 2.0.* Mr. Burslie explained the Gov 2.0 concept and the idea of making local government more accessible to the public. Some strategies include online permitting, posting video of meetings online, allowing the public to comment on applications that require public hearing online, greater social media presence, etc. It was determined it is not the Planning Commission's responsibility to implement this strategy.
5. *Commission local artists to create public art throughout the town. Budget money and fundraise for one or two projects each year.* It was determined it is not the Planning Commission's responsibility to implement this strategy.
6. *Provide designated off-site parking for vendors and other support personnel during downtown festivals and gatherings so that the public space is not cluttered with vehicles and parking is available for patrons and visitors.* It was determined it is not the Planning Commission's responsibility to implement this strategy.

7. *Work with Crow Wing County to properly-scale the TH 371 and CSAH 11 corridors through the Grow Zone area following the construction of the TH 371 re-alignment. Ensure that these corridors maintain a character that encourages pedestrian activity throughout the Grow Zone.*
8. *Adjust the City's road standards to provide for low-volume, rustic roads, to be used in the rural areas.*
9. *Adjust the City's codes to allow for private roads in low-volume situations.* There was discussion regarding the process for the City accepting private roads. It was noted the City is not required to accept a private road just because it is built to the City's specifications. This item was considered to be low priority.
10. *Conduct a study to identify specific streets where targeted investments in enhanced infrastructure (sidewalks, dedicated bike lanes, dedicated trails, neighborhood placemaking, etc...) can have the greatest impact on improving connectivity.* Council Member Sjoblad stated he has interest in this goal; there needs to be a bike trail to get to Sibley Park and people need to be made aware of the new Mayo Park. The Planning Commission determines this a medium priority, and they will need to look for streets to add bike lanes and sidewalks. Planning Commission Member Habein noted there are no sidewalks to get to SuperValu.
11. *Perform an assessment of walkability in the Grow Zone and throughout the surrounding neighborhoods to determine areas of high and low pedestrian mobility and identify priority corridors for mobility improvements.* Same item as No. 3.
12. *Provide space in the City's parking lot for the distribution of products produced through a Pequot-based Community Supported Agriculture (CSA) operation.* The Economic Development Committee could be working on this goal.
13. *Perform an inventory and life-cycle analysis of all public infrastructure maintained by the City. Use this to create a capital improvements plan that provides for ongoing maintenance of public infrastructure.* Mr. Burslie stated a life cycle analysis is important, but the Planning Commission will need to wait for direction from the City Council.
14. *Adjust the zoning code to clearly reserve all space within the industrial park for uses that are not public, will pay property tax and will employ people.* Mr. Burslie noted the Planning Commission will move forward to make these recommendations.
15. *Implement a local Economic Gardening strategy based on the model developed by Littleton, CO. Justin: grow businesses within the city, add an employee, connect businesses for local transactions.* The Economic Development Committee may have an interest in completing this goal.
16. *Investigate the potential of establishing a transit service during summer months between downtown Pequot Lakes and downtown Nisswa.* Council Member

Sjoblad explained there was interest to go to area resorts and pick up tourists and shuttle between Nisswa and Pequot Lakes. This was determined to be a low priority.

17. *Take steps to encourage the development of living units above businesses in the downtown area.* Mr. Burslie explained this would create more intensive use in the buildings in the downtown area.
18. *Establish a Subsurface Sewage Treatment System (SSTS) monitoring program to ensure ongoing maintenance and compliant operation of systems throughout the City.* Mr. Burslie explained that Emily has a program that is easy to develop and use; there is a need for inspection programs. The Planning Commission will request direction from the City Council.
19. *Identify and establish well-marked routes that more directly connect snowmobile and bicycle traffic from the regional trail system into the city.* Chair Seils reported the trail from Breezy Point into town is now marked with temporary signage. The Planning Commission determined this a high priority.

Chair Seils opened the Public Hearing.

PUBLIC HEARING:

APPLICANT: Wilderness Resort Villas, LLC

Applicant requests Amendment to Conditional Use Permit to allow a 3-story lodge, expand existing beach area, create an additional beach, relocate a boat ramp and allow motorized traffic on walking trail.

Mr. Burslie explained the Staff recommendation is for this application to be tabled tonight, with a decision at a later meeting. The applicant is intending to submit a Preliminary Plat request to go along with this CUP request. The purpose of tonight's meeting is to review what they propose to do and take public comment. Tom Steffens, applicant, was present.

The Staff Report is divided into separate topics from the CUP application as follows:

The Lodge:

Mr. Burslie explained the Staff Report. The Planning Commission is not looking at density or lot configuration tonight; that will be part of the Preliminary Plat review. We need to be sure the height does not exceed 25-foot height. We need a clear drawing indicating height and a drawing indicating existing grade. The ordinance does not say existing grade, but that is the unwritten intent. We need to know the existing topography to establish a point to measure from. The Planning Commission can determine the intent and purpose of the ordinance. The word "existing" is underlined in the Staff Report; it is not included in the definition, but it is the intent.

Minutes

Pequot Lakes Planning Commission

January 16, 2014

The Docking Systems:

The City jurisdiction is the amount of docks, not location. The City cannot regulate or permit removal of aquatic vegetation; that is regulated by the DNR. The applicant is not requesting to add any docking systems; the moorings are based on first tier density. Staff is uncertain how the new plat is going to lay out; the mooring spaces would need to match first tier units. We may need City Attorney determination.

Mr. Steffens stated they never had 40 first tier units. The old resort had 44 docks and it was decided they would be allowed 40 spaces.

Beach Areas:

Mr. Burslie explained the applicant proposes to increase the existing beach area by 35 feet and also requests a second beach area. The ordinance states a property owner may move 10 cubic yards of dirt with a permit, one time. It further states up to 50 cubic yards can be moved with a Conditional Use Permit. Anything beyond 50 cubic yards is not allowed in the Shoreland Ordinance. It appears the resort may be well over 50 cubic yards now.

Relocation of Boat Ramp:

Applicant proposes to move the existing boat ramp to the west side of the existing beach. This is safer as traffic will not impede the beach area. Staff is waiting for comments from the DNR. Staff has no issue moving the boat ramp.

Roadway in Shore Impact Zone:

Mr. Burslie reported this condition from prior approval has not been met. Staff made a site visit last summer and this area was hard packed dirt. What was approved is not what it is being used for. It has been modified some, but it is not in compliance with prior approval.

It is the recommendation of Staff to table this request until Preliminary Plat application is made.

Tom Steffens, applicant, stated he intended to present the Preliminary Plat along with the CUP application, but a determination was made by Staff to come forward with the CUP as not all of the submissions were ready for Preliminary Plat. The MPCA permit would need to be amended, as well as the vegetation plan, the survey, and stormwater management plan. He is seeking direction on the lodge, the second beach and the pathway, but also what the proposed plat will look like. He is currently approved for 60

units, but what is being proposed is a 20 percent reduction. He is not requesting a more intensive use, but guests want the lodge closer to the beach area.

Chair Seils opened Public Comment:

Wayne Mueller, DNR Aquatic Plant Specialist, stated he would clarify information included in correspondence. There are three types of plants below the OHW: submerged, floating leaf and emergent or bulrush. Any emergent removed does require a permit. The DNR is most protective of bulrush as they are most important to a lake. Bulrush are important for fish habitat and greatly decrease erosion from wave action. Once destroyed it is difficult to get reestablished; they require low water levels to establish. (Applicant's Summary) refers to Minnesota Administrative Rule 6280.0350 which describes submergent, not emergent, vegetation. The Summary further states "will obtain permit from DNR". This should state "will apply for permit from DNR".

Mr. Mueller further stated that the beach is not the DNR jurisdiction, but swimming is also a concern. There is an adequate beach. The DNR like to keep affected area localized and to keep the footprint small. The second beach is not warranted at this time. If there is a 20% reduction in clientele, there would be less need for an additional beach. He stated he cannot see 200 people being on the beach at one time. A beach is an intensive use and would affect aquatic vegetation.

Mr. Mueller also stated there was reference made to a verbal agreement between the developer and the DNR. This is a complicated situation and need to have a permit issued. There can be no verbal agreement. Tim Brastrup wrote in the original 2005 evaluation, along with Ron Morreim, of the importance of bulrush. The DNR does not recommend or dictate where a dock goes.

Ann Beaver, President of the Cullen Lakes Association, 26834 Pine Acres Road, Nisswa – Stated she appreciates number of lots being reduced. The proposed lodge is 245.5 feet long on the main and upper level and parallel with the shoreline which will produce a major visual affect from the lake and across the lake; it will have an impact on anyone going through the lake, even though the lodge is in Tier 2 it is on higher ground than the villas and beach on Tier One.

Mrs. Beaver further stated that along the shoreline where villas have been constructed a lot of vegetation and trees have been removed. Jeff Miller and Tom Steffens have stated in the past that the villas need to have views of the lake. Construction of the lodge will likely involve trimming of branches to have lake views. From the lake, as well as any shore that views the resort, it is going to look like a solid wall of buildings. This will have an impact on use and enjoyment.

Minutes

Pequot Lakes Planning Commission
January 16, 2014

Mrs. Beaver also stated applicant commented in his application on the character and uses and development in the area, Questions 2 and 4. The resort has been in its current location for decades. There are very little undeveloped lots on the lake, but most are heavily wooded as viewed from the lake. After clearing of sight lines the lodge will be very visible to those concerned except for those at the resort.

In addition, Mrs. Beaver stated the lodge is a good concept for this resort. It will help it function as a resort and will likely help pay for infrastructure. There is a need for transient lodging. The Lake Association does have an objection for the removal of trees for the lodge, parking areas, and other buildings that need to be built. Removal of vegetation will be substantial. Mrs. Beaver presented a 2003 Crow Wing County aerial site map indicating redevelopment had not taken place. As the resort has developed, a new map indicates removal of vegetation has been substantial. The lodge is a good thing, but needs to not have a negative impact.

Mr. Burslie pointed out that the maps were taken at different times of year.

Mrs. Beaver stated that you can see open ground, not just lack of leaves, you can see debris. Photos indicate loss of wooded areas.

Regarding the second beach, Mrs. Beaver stated the Cullen Lakes Association has opposed the beach since 2005. She showed copies of pictures the Cullen Lakes Association took in 2003 indicating 6 camp sites and each had its own dock. There were no beaches in 2003. Photos in March of 2005 indicate grading had taken place. Where site map indicated beach and picnic area not allowed in 2005, she presented photos indicating obvious cutting of trees and shrubs along that shoreline. In her personal opinion there is no need for motorized traffic in the Shore Impact Zone. People transport kayaks and canoes by hand. Golf carts could be parked at the gate and walk the short distance to the dock. She presented Lake Association photos from 2003 and 2009 of the west shoreline to have for future baseline photos.

Tom Beaver, 26834 Pine Acres Road, Nisswa – Stated he is not with the Lake Association and explained he has a strong biology background, working with various groups and state agencies. He reminded the Planning Commission that Middle Cullen is a medium sized lake and is the water transport between Upper Cullen and the Gull Chain, being only 1,000 feet wide. Mr. Beaver suggests a \$100,000 bond for the resort as there has been clear cutting in the Shore Impact Zone and grading done on the east shore. The east side may be a wetland and is requesting a wetland study be completed. The bulrushes face the biggest fetch on that lake, getting the east winds and keeping the lake clean. This still has a hard, firm bottom and no trash weeds, ideal for pan fish.

Minutes

Pequot Lakes Planning Commission
January 16, 2014

Also, when grading was done for the cabins there never were any retention fences installed. Mr. Steffens stated that there was no grading done to bring the cabins down. Mr. Beaver is suggesting to bond for the trees if the 3 story building is approved; those trees will be trimmed for sight lines.

Regarding height of the lodge, Mr. Beaver suggested removing the top level or to do a flat roof. The building would be 3 stories facing the lake.

Mr. Beaver also suggested changing the name of the resort to Urban Resort; it is not Wilderness Resort any more.

Phil Reichenbach – Asked if the new boat ramp would be concrete into the water and whether there would be a dock for boats. Would the old concrete slip be removed from its present location and would the gas dock be moved to the new area? Mr. Steffens stated the old concrete will be removed and new concrete installed in the new location. The gas will be moved to the new location with a day dock by the gas pump. Mr. Reichenbach asked if it was used for a public access or just for people who stay there. Mr. Steffens stated the Resort charges a fee to launch a boat and when asked by Mr. Reichenbach who inspects the boats, Mr. Steffens stated that Resort personnel inspect for invasive species.

Chair Seils closed Public Comment:

Commission Member Oraskovich stated that at the November meeting, applicant had agreed to stake location of the lodge and asked if that had been done. He further stated he had not been able to get out before the snow. Mr. Steffens stated the building had been staked, but they need to be flagged. Commission Member Oraskovich asked if it accessible now and plowed. Mr. Steffens stated it would be better to call first so the stakes can be pointed out.

Commission Member Hallan stated that the height cannot exceed 25 feet. Does the building meet how we interpret our ordinance? If not, we need to let applicant know if he needs the lodge to be a 2 story building rather than 3 story.

Travis Miller stated grade is where you walk in at, on the second level. They are measuring from the highest grade existing now, utilizing the hillside as grade. The height is just under 25 feet to midline of roof.

Commission Member Hallan stated this meets our ordinance.

Mr. Burslie asked if the elevation is changing. Applicant has stated it is not. Mr. Burslie stated we want to see the elevation today and what it is going to be once constructed.

Mr. Steffens passed out pictures taken standing on the dock where the lodge is going to go; the white structure is where the new lodge is going to be. The reason they picked that location is it is so far back with all the trees between.

Council Member Sjoblad asked if the trees were going to be trimmed. Mr. Steffens stated they should not need to be trimmed; people will have good views of the lake. Council Member Sjoblad asked about the third floor. Mr. Steffens stated the third floor will have less of a view. He does not want Urban Resort, he stated he wants Wilderness Resort.

Council Member Sjoblad asked how many trees are in the footprint. Mr. Steffens stated there is one dead tree. Council Member Sjoblad asked about trees in the parking area. Mr. Steffens stated that trees will need to be removed, but no pine trees, just jack pine, birch and balsam. Council Member Sjoblad asked if parking area couldn't be changed to keep trees. Mr. Steffens stated between parking lots clusters of trees are being kept and he is making a concerted effort to save trees and planting to replace trees. Parking is necessary.

Commission Member Engels referred to the picture taken from the dock, the white windows, and asked if that is where lodge will be at that grade. Mr. Steffens acknowledged it was. Commission Member Engels inquired how much fill would need to be brought in. Mr. Steffens stated they hopefully would not need any fill. This will be less intrusive than what is approved now.

Commission Member Brown also referred to the picture to the white building and inquired if there would be two more levels above this. Mr. Steffens acknowledged there would be. He further stated the lodge won't be as close as Cabin #5; the lodge needs to meet 125 foot setback.

Commission Member Hallan stated that 25 feet is our ordinance. The ordinance doesn't say not to exceed 25 feet for more than 25% of the building. When viewed from the lake they likely will have somewhere 20 to 25% meeting ordinance, and 65 to 75% will be the third story. It meets the ordinance for about 1/3 of the building and doesn't meet for 2/3 of the building. The ordinance does not say highpoint at 10% or 90%. They meet the ordinance having 10 feet somewhere per the cross section. It is going to be 1/3 to 2/3 ratio; 1/3 less than 25 foot height.

Council Member Oraskovich stated that by regulation, it meets criteria for height as long as one part of the building meets that regulation. Mr. Burslie stated it does as long as elevation isn't changing from existing grade.

Commission Member Hallan stated they have existing grade that is higher. There is not a lot to do about it; we can change the ordinance later.

Mr. Burslie stated we can require what is existing grade today and provide grade after construction. Council Member Hallan stated that it looks like it meets the ordinance as long as they don't come back with something entirely different.

Commission Member Oraskovich asked if we can change the definition in the ordinance. Mr. Burslie informed him that it can't affect this application. Commission Member Hallan stated we might want to amend our ordinance.

Mr. Steffens stated the second picture shows the second docking system and this is the area that causes all the controversy with vegetation and beach. He has many pictures, but these are the bulrushes he wants to remove from the lake. Wilderness Resort has 2,650 feet of shoreline. The ordinance allows 25% to develop for a beach for resort use.

Mr. Burslie added with 75% screening of shoreline in leaf-on conditions.

Mr. Steffens stated he is trying to develop a resort, the only one in Pequot Lakes. People want to dock boats and swim without bulrushes. The original plan had a second beach and the Planning Commission denied it then. When the resort is developed it can have up to 400 guests. The beach is not adequate; it is too crowded. He stated he believes the resort is entitled to a second beach on the property. About 2,000 feet, maybe exaggerated, of bulrushes along the east side. The 6 RV units had cleared beaches, 50' to 75' each.

Commission Member Hallan clarified that a beach is above the OHW; the City cannot issue a permit to clear emergent vegetation. The DNR may never give Mr. Steffens a permit to clear emergent vegetation. Mr. Steffens stated the DNR will turn him down unless the Planning Commission approves. He needs an affirmative indication from the Planning Commission.

Mr. Burslie stated the City does have a say in the number and location of beaches; the City can approve up to 50 cubic yards of vegetation removal. Mr. Steffens inquired if that was also for a commercial resort. Mr. Burslie stated it was. Fifty cubic yards of grading, any movement of dirt, bringing sand in, moving land, only 50 cubic yards of material allowed.

Commission Member Hallan stated the DNR evaluates the lake and even if a beach is approved by the City, the DNR can deny removal of emergent vegetation. Mr. Steffens stated that if the Planning Commission agrees to the beach area, that will go a long way for a permit to remove emergent vegetation. Commission Member Hallan stated the DNR could say they cannot clear anything.

Wayne Mueller, DNR Aquatic Specialist, stated the upland use does not influence the opinion or view of aquatic use; there is no leverage. The DNR is concerned for the lake.

Commission Member Habein asked Mr. Steffens how many feet was requested for the new beach. Mr. Steffens replied he is requesting 150 feet on the east side, with 175 feet on the west side. He further stated if the property was subdivided by lot and block he would have a lot more beach.

Tom Beaver reminded the Planning Commission that pictures had already been submitted of that area when it was the previous resort; there were no beaches.

Virginia Arbuckle, Middle Cullen Road – Requested what boat traffic will do to the lake. Mr. Mueller stated that watercraft does damage vegetation. That is why the docks were designed to not impact vegetation.

Phil Reichenbach stated the old docks were not removed when the new ones were put in.

Mr. Steffens stated that he is decreasing number of units so this project will be responsible for less number of boats. Regarding the dock issue, 40 slips have not been built; dock number still below number allowed.

Virginia Arbuckle stated that reeds were cut down. Mr. Steffens acknowledged being issued a citation and that he will be in court in February.

Mr. Burslie stated the Preliminary Plat was returned as incomplete. Staff recommendation is still to table application; we would like to draft Findings of Fact and Conditions and get the Preliminary Plat application in next month. Mr. Steffens stated he needs more definitive input. Mr. Burslie informed him that the City needs to run the CUP and Preliminary Plat together so the Planning Commission can see the whole plan as one. Mr. Steffens stated that is very costly until he receives some indication as to what was discussed at this meeting. He further stated that everything he has asked for is in the ordinance and the DNR has the regulations that allows him to clear 25% of shoreline in a commercial resort area; he is trying to make the resort work. He thinks he did a good job not impacting the Shore Impact Zone.

Minutes

Pequot Lakes Planning Commission
January 16, 2014

Commission Member Wilson asked if the existing beach would be extended. Mr. Steffens stated there are huge bulrushes on each side.

Commission Member Engels asked if the existing beach is being extended where existing launch is located. Mr. Steffens acknowledged it was.

Commission Member Hallan made the following observations:

- Boat ramp – Applicant work with the DNR; no objection from Planning Commission;
- Roadway in Shore Impact Zone – Quite a topic of discussion. Emergency vehicles will get where they need to go; application included irrelevant statement.
- Number 2 Summary, Maintenance Vehicles – There needs to be some type of allowance to get down there at certain times of the year; maintenance could unlock gate.
- Number 3 Summary, Golf Carts – If people see golf carts, other types will be used also, such a four wheelers; it will be impossible to police.

Commission Member Habein stated the only serious issue is the second beach; once we approve it applicant can apply for other permits. The Planning Commission can either approve or disapprove the 150' beach.

Council Member Sjoblad inquired whether or not they rent boats. Mr. Steffens stated they rent fishing boats. Council Member Sjoblad asked if Mr. Steffens is worried about invasive species, etc. and whether the resort thought about a hot water spraying station before they go into the lake. Mr. Steffens stated they had not, but could certainly look into it. Resort staff made a strong effort to inspect trailers coming out of the lake and when launching. It would be expensive to have one of those systems.

Chair Seils pointed out the letter from Fire Chief Tom Nelson regarding the requirement for the lodge to be sprinkled for fire protection. Travis Miller stated it needs to be sprinkled by code.

Mr. Steffens stated Wilderness Resort is a 38 acre property requiring people to use golf carts so there is not so much vehicular traffic. It is the primary mode of transportation, silent, nonpolluting and easy for seniors and families with small children to get round the property. No four wheelers on the property that would ever be down on the roadway.

Ann Beaver – extending existing beach – the 2008 Vegetative Management Plan by WSN does not show a stand of bulrushes; the bulrushes are on the eastern side.

Minutes

Pequot Lakes Planning Commission

January 16, 2014

Commission Member Brown stated that grading is limited to 50 cubic yards, making the second beach moot because increasing the existing beach would be more than 50 cubic yards. The existing beach may be over the 50 cubic yard mark; the Staff Report asks for a measurement of grading on the beach.

Regarding the path, Commission Member Brown further stated that in her personal opinion the fetch across the lake is a beautiful, natural area; removing bulrushes would degrade the area. Four hundred guests at a time and that much golf cart traffic in that area would not be good either. We need to see grading information before we make that determination.

Mr. Burslie stated the City has 120 days to make a decision. Staff can create Findings of Fact and Conditions if this is tabled.

A motion was made by Commission Member Oraskovich to table this matter to the February meeting to obtain more information. Commission Member Hallan seconded the motion.

Mr. Steffens stated the 50 cubic yards is subjective; he just wants to clean out, brush and not move any material. Mr. Burslie stated if you till or disturb existing ground counts toward the 50 cubic yards.

Commission Member Hallan would like applicant to indicate what is existing, size when extended and proposed new; where it is at, how much work it is going to take, and where the docking is located. Explain how the ordinance is applied to all of it. Mr. Burslie reiterated the property is allowed 50 cubic yards of grading in the Shore Impact Zone.

Mr. Steffens stated that some ordinance or part of a CUP, or because this was the only resort in the City, a statement was made that all rules don't need to apply; it's not restricted. Limiting to 50 cubic yards is not a correct application for this.

Mr. Burslie stated that the DNR rules trump City rules. The DNR writes rules 1,000 feet from the lake, the Shoreland Rules.

Wayne Mueller stated he copied the DNR Aquatic Rule and will give to the Planning Commission.

All members voted "aye". Motion carried.

Chair Seils closed the Public Hearing.

Minutes

Pequot Lakes Planning Commission

January 16, 2014

ADDITIONS OR DELETIONS TO AGENDA:

Add:

New Business: 7. a. Elect Chair and Vice Chair.

Delete:

Old Business: 8. a. Accessory Structure Height, James Byrne

OPEN FORUM: None.

NEW BUSINESS:

a. Elect a Chair and Vice Chair.

A motion was made by Commission Member Brown, seconded by Commission Member Oraskovich, to elect Cheri Seils Chair. All members voted “aye”. Motion carried.

A motion was made by Commission Member Hallan, seconded by Commission Member Wilson, to elect Deb Brown as Vice-Chair. All members voted “aye”. Motion carried.

OLD BUSINESS:

a. Accessory Structure Height, James Byrne –

This matter was deleted from the Agenda at applicant’s request.

APPROVAL OF MINUTES:

A motion was made by Commission Member Brown, seconded by Commission Member Hallan, to approve the November 21, 2013 Minutes, as read. All members voted “aye”. Motion carried.

P & Z ADMINISTRATOR’S REPORT:

Bittner pointed out the schedule for attendance at City Council meetings, as well as the permit issued and the 10 letters sent. Excerpts from the December 2, 2013 and January 7, 2014 City Council Meetings were included.

The following Potential Violations/Enforcement Actions were discussed:

1. Virgil Dahl – Bittner explained that the Council contracted with a new firm for legal services and she is compiling information to forward to them for prosecution.

Year End Review:

Bittner noted the Planning Department Year End Review.

Planning Department Assessment:

Bittner explained a series of questions had been developed and over several months she and the City Clerk discussed them and evaluated services provided by the Zoning Administrator and the City Planner. Bittner asked if any of the Planning Commission Members had any comments to add to the Assessment and requested the Department Assessment be forwarded to the City Council for review.

Commission Member Habein made a motion to send the Assessment to the City Council acknowledging the Planning and Zoning Department is providing services necessary to complete the directives of the City Council and as outlined in the City Code. Commission Member Brown seconded the motion. All members voted “aye”.
Motion carried.

ADJOURNMENT:

A motion was made by Commission Member Habein, seconded by Commission Brown, to adjourn the meeting. All members voted “aye”. Motion carried. The meeting was adjourned at 9:16 p.m.

Respectfully submitted,

Dawn Bittner
Zoning Administrator