

**MINUTES  
PEQUOT LAKES PLANNING COMMISSION  
BOARD OF ADJUSTMENT  
REGULAR MEETING  
JULY 18, 2013**

PRESENT: Deb Brown, Bill Habein, Mark Hallan, James Oraskovich, Cheri Seils and Wesley Wilson. ABSENT: Scott Snyder.

CITY PLANNER: Justin Burslie, Community Growth Institute

ZONING ADMINISTRATOR: Dawn Bittner

COUNCIL LIAISONS: Jerry Akerson and Nancy Adams.

**GATEWAY DISCUSSION:**

Mr. Burslie explained the Staff Report. There is development potential along this corridor, although the roadway will be expensive to maintain.

Mayor Adams stated she is receiving pressure from the County to take over Highway 371; it will be turned back to the City whether the City wants it or not. It may be phased in, rather than all at once. The City may be able to get old equipment from the County.

When the right-of-way is reduced, the remaining property could be given back to the property owners.

Bittner explained the length of roadway from County Road 168 to County Road 17 is 2.79 miles. The City currently has approximately 36 miles of roads to maintain. The anticipated turnbacks and new road extensions will add approximately 6 miles with 6 new cul-de-sacs. This is approximately a 15% increase in mileage.

The Future Land Use Map lists the corridor from County Road 168 to Derksen Road as rural, although development is commercial in nature. If it turns into a City street the road speed could be reduced. Speed can be posted, but will be driven as the roadway is designed. Street design could slow traffic.

The Planning Commission discussed the accuracy of the Future Land Use Map. As this area develops it will continue to be commercial, rather than rural. If this area is going to remain commercial, we may want to split up our commercial zoning into two classifications.

Derksen Road/Royce Street to Pillsbury Street: If commercial is expanded this area would not be a buffer area, possibly a C-2 classification. If the Highway

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becomes a City street, the lots in the Brunes Royce Addition could have street access. Those lots along the Highway do not now have direct access; they access via Royce Street.

Pillsbury Street north to West Grove Street: The Highway 371 Committee has asked the Planning Commission to review this area.

Mr. Burslie showed a video of shared space intersections.

Mayor Adams stated the center of town could be made into a town square. The light could be removed at the intersection and that area could be used for parking, etc. The traffic going north could turn on East Woodman Street, turn north, then west past the lumber yard and on up to County Road 17. The traffic from the north could go around at Main Street/Front Street on the west, down to West Woodman Street, and back onto the existing roadway.

Planning Commission Member Oraskovich stated he would like to see more ideas. The town square is a good idea. A roundabout in the center of town doesn't sound like the right idea for that intersection.

Mr. Burslie stated that people would need to interact with the town square.

Mayor Adams stated the Park Board is promoting the Splash Park. It may be used as a skating rink in the winter, a dual purpose area. Council Member Akerson stated that skating rinks are a lot of work; an indoor rink may be a better possibility.

The meeting was called to order by Chair Seils at 7:00 p.m.

**APPLICANT: Patrick Smith**

**Applicant requests a Variance to create an undersized lot**

Chair Seils explained that Mr. Smith had withdrawn his application earlier in the day; there would be no Public Hearing tonight.

**ADDITIONS OR DELETIONS TO AGENDA:**

Add as 7. a. Doug and Linda Cooper, Shoreline Restoration

Move to 7. b. Review Variance Application Form

**OPEN FORUM:** None.

**NEW BUSINESS:**

**Doug and Linda Cooper, Shoreline Restoration**

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Mr. Cooper explained he had sent a letter and pictures in May documenting their efforts to complete the restoration agreed upon at the September, 2012 Planning Commission meeting. He had assumed this issue was over but then received a letter from Bittner stating another site visit was necessary.

Mr. Burslie stated that he had conducted a site visit that afternoon, along with Bittner and Planning Commission Member Oraskovich and that the restoration met the requirements laid out at the September, 2012 meeting.

Mr. Burslie explained that this type of violation, where the Coopers unknowingly worked on their shoreline not aware a permit was required, needs to be documented as resolved. We were on site today noting the plantings are in and the rip rap is in place. The vegetation needs to grow up. Staff is comfortable with the restoration and to remove this from the Violation List.

A motion was made by James Oraskovich, seconded by Deb Brown, to remove this item from the Violation List. All members voted "aye". Motion carried. Staff will remove this from the Violation List. Planning Commission Member Oraskovich reiterated to Mr. Cooper that this means there will be no more monitoring.

Mr. Burslie stated that it is going to take 5 to 10 years for the shoreline to take hold and be in compliance. He further stated that the Coopers had restored as directed and would be off the list; no more letters would be written.

Mr. Cooper asked if they were going to be held hostage for what Mother Nature does over the years. How does this end?

Mr. Burslie stated that the Coopers had excavated an historic ice ridge; they would have been allowed to fix an annual ice ridge. The City wants both sides of the dock to match.

Mr. Cooper asked what happens if it doesn't ever grow to match. Restoration was a horrible solution for everybody. What is future monitoring going to do? What are you looking for?

Mr. Burslie explained the Ordinance and what the City's expectations are.

Mr. Cooper stated that it will never grow in as expected. It took 13 years to get ugly like the City likes it, natural.

Mr. Burslie explained the City doesn't actively go out looking for violations, they work off of complaints. The City will not be going back out to look unless we get a complaint.

## **Review Variance Application Form**

Mr. Burslie explained the Ordinance had been amended to match State Guidelines for Variance review, but the Variance Application had not been updated. Changes have been made to the application to reflect the Ordinance language. Staff is bringing this to the Planning Commission in the event there are any errors or if you would like changes made.

Bittner pointed out new Question Number 7; this question is not part of the Ordinance language. (*What other options, either conforming or non-conforming, have been considered and why were those options not chosen?*) It was the consensus of the Planning Commission that this question is not necessary and could be handled at the Staff level and to remove it from the application.

Planning Commission Member Habein stated that the Variance scheduled for tonight did not follow state law and should not have been applied for. Mr. Burslie pointed out that Variances can be applied for even if it is against state law.

Council Member Akerson asked if decisions on Variances are final with the Planning Commission. Mr. Burslie stated that appeals of the Planning Commission's decision would go to the City Council.

**OLD BUSINESS:** None.

**APPROVAL OF MINUTES:**

A motion was made by Deb Brown, seconded by Mark Hallan, to approve the May 16, 2013 Minutes, as corrected. All members voted "aye". Motion carried.

A motion was made by James Oraskovich, seconded by Deb Brown, to approve the June 20, 2013 Minutes. All members voted "aye". Motion carried.

A motion was made by Mark Hallan, seconded by Deb Brown, to approve the June 27, 2013 Special Meeting Minutes. All members voted "aye". Motion carried.

**ZONING ADMINISTRATOR'S REPORT:**

Bittner pointed out the 7 Land Use Permits issued and the 8 letters or emails sent. The following Potential Violations/Enforcement Actions were discussed:

1. Virgil Dahl – Chief Klang has extended Mr. Dahl's time to become compliant to August 15. The Prosecuting Attorney has been informed of the ongoing violation, the extension and is waiting for verification of noncompliance after the August 15 deadline.

The Planning Commission Members noted it was nice to receive the letter of support from Ann Hutchings.

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**ADJOURNMENT:**

A motion was made by Deb Brown, seconded by Mark Hallan, to adjourn the meeting. All members voted “aye”. Motion carried. The meeting was adjourned at 7:29 p.m.

Respectfully submitted,

Dawn Bittner  
Zoning Administrator