

**MINUTES
PEQUOT LAKES PLANNING COMMISSION
REGULAR MEETING
SEPTEMBER 17, 2015**

PRESENT: Deb Brown, Bill Habein, James Oraskovich, Cheri Seils (Chair) and Wesley Wilson
ABSENT: Mark Hallan

CITY PLANNER: Justin Burslie, NJPA

ZONING ADMINISTRATOR: Absent

CITY COUNCIL LIAISONS: Jerry Akerson and Scott Pederson

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

PUBLIC HEARINGS – None

ADDITIONS OR DELETIONS TO AGENDA – Chair Seils adds 6d, “Wilderness Resort Review Committee, Discussion.”

OPEN FORUM – None.

NEW BUSINESS –

a. Guest Quarters – Discussion

Mr. Burslie explained the staff report. Notes the item is on the agenda as per request of a local contractor. Mr. Burslie explained the key differences between the City’s ordinance and the county ordinances are 1) the City’s ordinance has a 15 ft maximum height requirements while the County’s ordinance does not. In Crow Wing County “quest quarters” are allowed above garages while they are not in Pequot Lakes; and 2) the City’s ordinance requires a “duplex lot” (greater lot width and area than a standard lot) for guest quarters in the Shoreland Area while the County’s does not.

b. Proposed Future City Road Corridors – Update 2006 Version

Mr. Burslie explained the purpose of the “City of Pequot Lakes Road Plan.” Noted that it has not been formally adopted. Discussion on realignment of Highway 371 and its impact on future road corridors.

The Planning Commission recommends removing segments 2, 3, 4, 5, 10, 15 and 16 from the future road plan, as well as incorporating the comments from Tim Houle, City Engineer.

c. David Kennedy – Metes and Bounds Subdivision Discussion

Mr. Burslie explained the Staff Report. Mr. Kennedy was in attendance.

Mr. Kennedy reviewed the situation. Mr. Kennedy stated that with the current alignment of County Road 112 the approved 5 ac tract meets all requirements of the ordinance (lot side, width, right-of-way frontage, etc.). Mr. Kennedy requested condition number two of the metes and bounds approval be removed by the planning commission. Mr. Kennedy stated that MnDOT is required to provide access to land locked parcels with the realignment project. Mr. Kennedy stated that he has spoken with Shane Jacobs at MnDOT. Mr. Kennedy stated that he does not believe the City was directed by MnDOT to create the condition.

Mr. Burslie stated the proposed parcel at the time of application did meet all requirements including the required amount of frontage along public right-of-way.

Councilor Pederson stated the city has been aware for a long time that County Road 112 in that area would be vacated.

Mr. Kennedy stated that MnDOT has the authority and funding to get him access. Mr. Kennedy reviewed his “back 40” and how MnDOT has given him access to it.

Mr. Burslie stated the city had foresight and added the condition to solve MnDOT access issue before it was a problem. Mr. Kennedy stated that he wishes the city had not added the condition so that MnDOT would provide him access.

Commissioner Wilson asked about an easement along the north property line; Mr. Kennedy stated that MnDOT now owns it.

Mr. Burslie suggested the city should contact MnDOT and possibly the City Attorney regarding the request to remove the second condition.

Mr. Kennedy suggests asking the city attorney the following questions:

- 1) Is the city subject to any liability from a claim from him (Mr. Kennedy) for continuing to have this condition, and;
- 2) If the city were to agree to his request, does the city have a liability for removing the condition.

Motion by Planning Commission Member Habein and seconded by Planning Commission Member Oraskovich to contact the city attorney regarding the request because the city has been threatened with a liability by Mr. Kennedy. All members voted “aye”. Motion carried.

d. Wilderness Resort Review Committee, Discussion

Mr. Burslie stated a member of the committee has requested a meeting within the next couple of weeks while the leaves are still on the trees. Mr. Burslie stated he will coordinate with Ms. Bittner.

OLD BUSINESS –

a. Nathan Walberg – CUP Review

Mr. Burslie reviewed the Staff Report. The Commission reviewed the various CUPs in general. General consensus that none of the CUPs regulate the sale of boats. Appears to be a non-issue at this time.

b. CSAH 11 & Realigned Hwy 371 Intersection – Discussion

Mr. Burslie explained the Memo.

Councilor Akerson stated he would like city sewer and water at City Hall and extended to the interchange.

Motion by Commissioner Wilson to forward the memo as written to the City Council, seconded by Commissioner Brown. All members voted “aye”. Motion carried.

c. Extractive Use Ordinance – Discussion

Mr. Burslie explained the “gravel tax” and how it has to be implemented at the county level.

Mr. Akerson stated he is in favor of it.

Chair Seils stated that is has to be introduced by a county commissioner.

Councilor Pederson discussed how the extractive uses on Nelson road have impacted the roadway. Discussion on the tax revenue generated by the adjacent property owners and how it is not enough to cover major repairs.

Councilor Akerson stated he will obtain additional information from Ms. Bittner and he will contact Crow Wing County Commissioner Paul Thiede regarding the matter.

APPROVAL OF MINUTES –

A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Oraskovich, to approve the August 20, 2015 Planning Commission Minutes, as read. All members voted “aye”. Motion carried.

P & Z ADMINISTRATOR’S REPORT:

Mr. Burslie pointed out the 6 permits issued and the 16 letters sent.

The following Potential Violations/Enforcement Actions were discussed:

1. Virgil Dahl property- The commission directed Ms. Bittner to conduct another site visit and possibly pursue another court order.

ADJOURNMENT –

A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Brown, to adjourn the meeting. All members voted “aye”. Motion carried. The meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Justin Burslie
City Planner