



SYLVAN TOWNSHIP

REGULAR PLANNING COMMISSION MEETING MINUTES

August 8, 2019 7:00 PM

(Recorded for Transcription Purposes Only)

CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL: Chair Dave Johnson called the meeting to order at 7:00 PM and the Pledge of Allegiance was said. Roll Call: Those present: Vickie Kettlewell, Scott Hendrickson, new Planning Commission member Dave Skogen, Dave Johnson, Board Liaison Yvette Adelman-Dullinger, Colleen Putnam, Deputy Clerk. Excused absence: Terry Quick. Sign-In sheet attached.

Recess Planning Commission meeting: Chair Johnson recessed the Planning Commission meeting for the Public Hearing for the Short-Term Rental Ordinance at 7:04 pm.

Reconvene Planning Commission Meeting: Chair Johnson reconvened the Planning Commission meeting at 8:50 pm.

Agenda: Scott Hendrickson moved to approve the amended agenda, seconded by Vickie Kettlewell and the motion carried.

Minutes:

July 11, 2019 Joint Town Board and PC Meeting amend/approve: Scott Hendrickson moved to approve the minutes as presented, seconded by Vickie Kettlewell and the motion carried.

Public Input:
None

Correspondence Received:

Cass County Permit Log – July 2019: There was 14 building permits and 1 variance permit issued for Sylvan Township for the month of July 2019.

Michael and Debra Maschke Variance: An application was submitted to Cass County to remove the existing residence located 51' from the OHWL of Sylvan Lake and construct a new two-story residence with a reduced setback of approximately 54'. Dave Johnson and Dave Skogen attended the site visit on Tuesday, August 6, 2019. Below are their facts, findings and recommendation:

Facts:

The Maschke property is part of the Sylvan Shady Shores subdivision on West Sylvan Drive. The property is riparian to Sylvan Lake which is classified general development. Required setback is 75 feet. The existing cabin is setback 51 feet and will be torn down. The new cabin will be 54 feet setback.

The owners have provided a storm water plan which gutters much of the water to the back of the lot.

The owners have maintained a significant no mow buffer.

The property is served by a joint sewer system that is shared by three neighbors which will be expanded to accommodate the additional bedrooms proposed.

Findings

1. Granting the application would not be consistent with the Sylvan Comprehensive Plan since it places a new construction cabin within the setback. The owners have taken step to mitigate the storm water impact on Sylvan Lake.
2. Granting the application would not alter the essential character with the neighborhood since the setback aligns with the neighboring homes each of which have been rebuilt in recent years.
3. Granting the application will not put additional stress on the infrastructure since there will be no additional traffic on the township road.
4. The proposal puts the property to use in a reasonable manner.

Recommended Conditions:

We have no specific conditions to recommend since the owners have addressed our usual concerns. We do ask that the owners work with ESD staff to determine if they could enhance the buffer to minimize runoff. Applicant will meet all local, county, and state regulations.

Scott Hendrickson **moved to recommend sending the facts, findings and conditions to Cass County Planning Commission**, seconded by Dave Skogen. The question was called and the motion carried.

At this time Dave Johnson asked Chair Greg Booth who was in attendance if the letters had been sent to Justin Schlegel and another resident located at 127th St SW, Brainerd regarding possible businesses starting. Greg Booth stated they had not. It was decided to wait until the changes have been completed on the SCO.

Correspondence Sent:

None

Reports: Yvette Adelman-Dullinger, Town Board Liaison: Yvette gave a brief report on their previous meeting:

1. Had residents present regarding the Short-Term Rentals.
2. Discussed paper roads and delineators.
3. District Meeting for Cass County Association of Township will be held on August 21, 2019 in Walker. Earlier in the day they will be having a workshop on noxious weeds.

At this time the PC discussed the noxious weeds in the Township. The County is concerned about the spotted knapweed and wild parsnip. There was discussion about putting an article in the newsletter regarding these. There was also discussion putting a picture on the website showing what these look like. Could also refer to the state website.

Previous Board Minutes: You are receiving in your packets, please read them over for your information.

Old Business:

History Series – Early Non-Native Settlers: There were 75 people at the series. The next presentation will be held on August 27, 2019 at 6:30 pm titled Red River Ox Cart Trails at 6:30 PM.

Sylvan Lake Park: The pit area will be a priority this year. The DNR does not have the funds to do the pathway to the paddle board, kayak landing nor the parking lot this year. The pit area restoration sequence is:

- Remove the junk from the pit area – the debris from the harvesting
- Smooth that area
- Big slope – will be done next year with spring burn
- Hydroseed, possibly next year – will get prices first from a couple people to do the hydroseed. The price will be to leave the plants that are there, maintain the root structure that is already there but also to infuse a pollinator blend of wildflowers on the slope.
- Flat part – once cleared need to identify where the trails will go; prep for trees and grasses. Will need to add black dirt first.

Sylvan Commercial Ordinance Reviewal: The Planning Commission members and Greg Booth, Town Board Chair discussed the Home Business and Home Occupation from the SCO. They discussed the Interim Use portion of the Home Business and Home Occupation in the SCO which currently is a three (3) year max. There was discussion regarding removing the three (3) year max and adding standards. When the business doesn't meet those standards, they need to move their business to a commercial location. The standards would need to have justification and reasons to give to the residents living in that area. Dave had copies of Cass County's Home Business and Home Occupation section from their Land Use Ordinance. The PC members along with Greg Booth looked over Cass County's Home Business and Home Occupation information. They were in agreement with some of Cass County's Land Use Ordinance regarding Home Business and Home Occupation. A home business could require a general over the counter permit if it meets the standards and would need to have a residence on the property. The business may be conducted outside as well as within the buildings. The Home Occupation would not require a permit, but the business would be in the primary residence. The PC members discussed grandfathered businesses in the Township and at what point do they need to require a permit due to growth or change of product. The committee which consists of Dave Johnson and Terry Quick from the Planning Commission and John Wulff and Yvette Adelman-Dullinger of the Town Board will be getting together to discuss these changes to the SCO.

New Business:

GPS: Dave stated he went to Cass County Courthouse and discussed with Jess Watts, GIS Support Tech with Cass County, issues people have using GPS to find Barnett Road along with other roads. Jess stated 2 residents on Marigold Lane should have their address changed to Barnett Road and 135th in that area should be eliminated. She has been discussing this with the internet services, locations services and GPS services along with Dept. of Transportation.

Commercial Zone: Another discussion Dave had with Jess Watts was regarding commercial property on the north border of Sylvan Township with part of it being listed as water commercial, waterfront commercial and the rest just as commercial which belongs to Therapeutic Resources which is part of Camp Confidence but is bare land. Jess discussed if it should be changed to residential, but Dave stated it should be left as is. The PC members agreed.

At this time Greg Booth discussed that there is property for sale in East Gull Lake on the north side of 120th which is a shared road with East Gull. He is wondering if they would need to have a driveway permit which is required in Sylvan Township. Dave Johnson stated he will check into this when he meets with Rob Mason, Administrator of East Gull Lake.

Junk Cars: On West Sylvan Drive there are a lot of cars being stored for a car sales business in Pillager. There was discussion if the Township should send out a letter informing him he is in violation of Cass County's Ordinance. After further discussion it was decided this is a Cass County issue.

Corner Store: Vickie brought up that Chad with the Corner Store has not changed his lighting as suggested when he came in to have an amended permit. It was decided to just talk to him about it.

Annual Reviews:

Shady Hollow Resort: Dave did the annual review but needs to check in the file regarding the fire ring being moved. Dave will be going back to look at it again.

Deposits held:
None

Announcements: Read

Adjournment: Scott Hendrickson **moved to adjourn**, seconded by Vickie Kettlewell and the motion carried with the meeting being adjourned at 9:55 PM.

Minutes submitted by:

Colleen Putnam, Deputy Clerk

PC Member _____ moved to approve the minutes as presented/amended, seconded by _____ and the motion carried.

Amendments:

Date: