

ATHENS TOWNSHIP
PLANNING COMMISSION MEETING
7:00 pm Athens Township Government Center
Minutes of Thursday, August 16, 2018

1. *Pledge of Allegiance:* The Pledge of Allegiance was recited.
2. *Roll Call:* The meeting was called to order at 7:00 pm by Chairman Dave Beckstrom. Members present were Dan Woodfill, Marlys Balfany, Dave Henderson, Dave Beckstrom, Cindy Anderson, and Jack Cole. Also present was Zoning Administrator, Ryan Gritman, and applicant Dave Wills.
3. *Minutes of 7/19/2018:* A motion to approve the minutes was made by Commissioner Henderson, motion seconded. Motion carried unanimously 5-0.
4. *Open Forum:* Beckstrom opened the public forum. Seeing no residents present for the open forum, Beckstrom closed the public forum.
5. *Public Hearings:*
 - a. Variance request for Dave Wills, Setback from 120-foot street ROW for the construction of a new home on vacant property along Naples Street NE.

Planner Gritman gave his report and stated that this is a request for a setback variance from the 120-foot right-of-way. Staff has had very little time to review the request and is unsure if the Planning Commission is comfortable voting tonight. Planner Gritman stated that if the Planning Commission were to recommend approval, it should be with the following conditions:

1. The applicant obtains a building permit before any construction takes place on the property.
2. The applicant contacts Isanti County to have an address assigned to the property.
3. The applicant records the variance approval with the Isanti County Recorder's Office at their expense.
4. The home construction shall meet all other applicable building code regulations and zoning code regulations.

Tom Kennedy, resident at 27000 Naples Street, came to the meeting to get more information. He said that there's been beaver activity in the area that changes the area. He asked if there's going to be any fill?

Rick McVenes, resident at 27125 Naples Street NE, gave a brief history of the property. He stated that the lot has come in front of the Planning Commission four times, they determined that the lot was unbuildable each time and that the proposal was only for financial reasons. He stated that his house is in the flood plain and it's higher than this lot. He stated that the road was built with shredded

tires. He stated that two neighbors are concerned about the septic system that would be installed.

Motion by Commissioner Henderson to table action on the variance and direct Staff to work with the application to receive the following information:

1. The applicant shall provide a septic design
2. The Town Engineer shall review the plans
3. The Road Supervisor shall review the proposed driveway location
4. The applicant shall provide the soil borings, well location, and house layout.

Motion seconded. Motion carried unanimously 5-0.

b. Home Occupation Permits – Ordinance Update

Commissioner Henderson made a motion to approve the permitted home occupation ordinance update as presented. Motion seconded. Motion carried unanimously 5-0.

Commissioner Henderson made a motion to approve the IUP home occupations ordinance update as presented. Motion seconded. Motion carried unanimously 5-0.

c. Temporary Structures – Ordinance Update

Chair Beckstrom gave the background. He stated that currently temporary structures are only allowed with a farm winery CUP, no other temporary structures are allowed; this would include green houses, tents for parties, etc. Chair Beckstrom felt that an ordinance update to allow these structures is necessary.

Discussion related to ordinance proposal included removing the following from the draft:

1. Remove "...and does not remain on the premises for more than 180 days" from the definition.
2. Remove "Any structure that remains on the property for longer than 180 days is subject to Chapter 4 of the Township Code
3. In the general provisions section, remove "No temporary structure shall be used for storage purposes.
4. In the general provisions section, remove the language that limits the time a temporary structure can remain on a property.

Commissioner Henderson made a motion to approve with the above noted changes. Motion seconded. Motion carried unanimously 5-0.

d. Portable Toilets – Ordinance Update

Planner Gritman gave his report and stated that he met with the Building Official to put a portable toilet ordinance together for consideration by the Planning Commission. The building Official would like to see an ordinance that requires a plan in place for the eventual installation of a septic system in cases where portable toilets are used as a temporary solution for sanitation systems. The Erickson Farmstead recently received approval to use temporary toilets at their rural tourism business with the agreement that a permanent septic system will be installed in the future. Staff would like to see an ordinance in place for future businesses.

The Planning Commission discussed the proposed ordinance and recommended the following changes:

1. Change "portable building" to "portable unit" in the definitions of portable toilet
2. In Section 20-9 (k) 8, remove requirements a, b, d.
3. Remove the language in Section 20-9(k) 8 e 1 that states: "The location must have a conditional use permit to operate a Rural Tourism Business, Farm Winery, Craft Brewery, or Micro-Distillery."
4. Reduce the number of days between cleaning from 180 to 30.

Commissioner Balfany made motion to approve with the changes listed above. Motion seconded. Motion carried unanimously 5-0.

6. *Old Business:*

- a. There was no old business to be discussed.

7. *New Business:*

- a. Announcement on Rural Tourism Structure Setback Ordinance.

Chair Beckstrom gave brief presentation that the existing rural tourism ordinance was supposed to contain a performance standard that there cannot be any residential structures within 500 feet of the business. This was included in the draft proposal, but for some reason, it was left out of the final. Chair Beckstrom stated that this requirement is in the County Ordinance, but not Athens. Chair Beckstrom stated that we'll be looking to do an ordinance update at the meeting next month.

8. *Miscellaneous*

- a. Planner Gritman stated that he called the County regarding their feed lot ordinance update. He learned that the County has not called for a public hearing yet on this matter and it sounds like the hearing is at least a couple months away.

9. *Adjournment:* Commissioner Balfany motioned to adjourn the meeting. Henderson seconded. Meeting adjourned at 8:55 pm.

Minutes approved on this 20th day of September, 2018.

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a horizontal line that extends to the right.

Ryan Gritman, Zoning Administrator

A handwritten signature in black ink, appearing to read 'Dave Beckstrom', followed by a horizontal line that extends to the right.

Dave Beckstrom, Planning Chair