



LINWOOD TOWNSHIP

ANOKA COUNTY

22817 Typo Creek Drive N.E.

Stacy, Minnesota 55079

(651) 462-2812 • Fax (651) 462-0500

E-Mail: buildingdepartment@linwoodtownship.org

Website: <http://linwoodtownship.org>

Minutes

Planning and Zoning

January 17th 2017

7:00 pm

Meeting called to order at 7:00 pm by Steve Strandlund

Roll Call: Present were Tom Sausen, Tom Searing, Jim Garrison, Steve Strandlund, Gary Gustafson & Supervisor Tim Peterson
Absent were Mark Olson and Joe Dolphy

Audience Sign ins:

Jason Wilkie, Kyle Standlund, Robinson

Pledge to the Flag was recited

7:05 pm Public Hearing 2017-01

Jason Wilkie, 23793 Nebula St NE

Construct a 2400' outbuilding instead of the 1800' allowed. Also have 16' side walls instead of the 14' allowed. For a 14' door to store 5th wheel RV

Discussion-

Wall height 14'

-grade to soffit

-or interior wall height

-wider soffits and steeper pitch roof

Gustafson motioned 14' from projected finished floor to soffit with vaulted trusses or arched steel roof, Garrison 2nd, all ayes

Gustafson motioned to close the public hearing, Garrison 2nd, all ayes

Garrison made the motion to approve December 20th 2016 meeting minutes, Searing 2nd, all ayes, minutes approved

Old Business-

Short discussion on changing Accessory Building ordinance to avoid most variances.

2400 sq ft footprint

Sheds under 120 sq ft no permit needed

6-9.99 acres- must have 300' road frontage and behind rear house line

4-5.9 acres- can be in front with tree screening

Garrison motioned to adjourn meeting, Sausen 2nd, all ayes, meeting adjourned at 7:55pm

Respectfully Submitted by
Linda Anderson, P&Z Assistant

Minutes approved February 21st 2017



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Minutes

Planning and Zoning

February 21st 2017

7:00 pm

Meeting called to order and Pledge to the Flag recited
at 7:00 pm by Joe Dolphy

Roll Call: Present were Tom Sausen, Mark Olson, Tom Searing, Steve Strandlund,
Gary Gustafson, Joe Dolphy

Absent :Jim Garrison and Supervisor, Tim Peterson

Audience Sign ins:

Bostrom, Morgenweck, Luedtke, Shiller, Dolan, Miller, Cuboste, Staurne, Gundar,
Williams, Hschittiro, Thilgen, Anderson, McBride, Robinson, Forbord, Olson

No Public Hearing(s)

Gustafson made the motion to approve January 17th, 2017 meeting minutes,
Searing 2nd, all ayes, minutes approved

Old Business:

FIREARMS ORDINANCE - DRAFT

(a) Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Firearm means a gun that discharges a shot or a projectile by means of an explosive or a gas. For the purposes of this section, a gun that discharges a shot or projectile, measuring 0.18 inch or less in diameter, commonly known as a "BB gun", by compressed air is not considered a firearm.

Owner means a person having a right or interest in the subject property, evidence of which is filed and recorded in the office of the county recorder or registrar of titles.

(b) Prohibited use.

(1) Near buildings. No person shall use, fire or discharge a firearm in the township within 300 feet of any dwelling, house, or commercial or industrial building. A person, however, may use, fire or discharge a firearm within such distance of a dwelling, house, or commercial or industrial building which is owned by that person or if the person has the written consent of the owner of the property to so use, fire, or discharge a firearm.

(2) No person shall keep, carry, or have in his possession, concealed or otherwise, any dangerous weapon when on any public street or in any public place, or when they are trespassing upon the premises or property of another person, within the township. This does not apply to military or police personnel engaged in their duties or those who hold legal permits to possess and carry on their person said weapon.

(3) It is prohibited to set off explosives of any type, including Tannerite or other target explosives. Fireworks display are allowed.

(4) It is prohibited to discharge a firearm in a shore land area with lots of less than one acre unless shooting at a varmint or other animal which is causing harm or potential loss of life.

(c) Permitted discharges; restrictions

(1) When discharging a firearm, the projectile shall not carry beyond the property line.

(2) All state game and fish and hunting laws or regulations must be complied with, but if there is any conflict between this article and state laws or regulations, the more restrictive shall apply, with the exception of hunting hours.

(3) Firearm discharges which are not prohibited herein and are not associated with legal hunting activities,

(4) Firearms discharges which are not prohibited herein and are not associated with legal hunting activities are only permitted one hour after sunrise to one hour prior to sunset.

(d) Exemptions.

(1) The provisions of this section shall not apply to the discharge of firearms, rifles or handguns when done in lawful defense of persons or property. No part of this section is intended to abridge the constitutional right to keep and bear arms.

(2) The Town Board may approve an exemption to this section, with reasonable conditions to protect public health, safety and welfare, to allow the discharge of firearms and bows for the following:

a. For the purpose of managing and controlling wildlife populations, provided the hunt has received support from the Minnesota Department of Natural Resources.

b. For target shooting as an accessory use to a retail business or as a special event or competition.

c. Duly authorized persons engaged in the U.S. Military and/or veterans' organizations in firing blank honor salutes over the graves of military personnel or in other designated memorial areas.

(e)Penalty:

(1)Any person violating the provisions of this ordinance shall be guilty of a misdemeanor.

Minnesota Statute 471.633: Local Municipalities may regulate the discharge of firearms.

There will be a Public Hearing before this ordinance draft goes before the board. April 18th, 2017.

Accessory Buildings

Tabled

New Business:

Comprehensive Plan

Handouts- Planning Handbook

Solar Toolkit

The town board recommended a planning committee to update the 2040 Comp plan due in January of 2018. Met Council would like more public input and participation.

The Comp plan is on the web site. Copies will be made for p&z members (without maps and charts)

Rental Property Ordinance

The ordinance may/could include:

- Purpose and Scope
- Construction and Definitions
- Rental Housing Licenses
- Requirements
- Responsibilities Defined
- Enforcement
- Appeal
- Criminal and Administrative Remedies

An ordinance is needed for safety and health.

Linwood is in need of affordable and senior housing

Other

2 residents brought up the issue of having contract garbage/recycling haulers in the township

Gustafson motioned to adjourn meeting at 8:25pm , Sausen 2nd, all ayes, meeting adjourned at 7:55pm

Respectfully Submitted by
Linda Anderson, P&Z Assistant

Minutes approved



<http://linwoodtownship.org>

Agenda
Planning and Zoning
March 21, 2017
7:00 p.m.

Call to Order
Roll Call
Pledge to the Flag

Open Public Hearing 2017 -02

The Planning and Zoning Commission of Linwood Township will consider and give recommendation to the Town Board on application 2017-02 from E. Wayne Corlew at 7405 N. Orinoco Circle NE, Linwood, MN 55079 requesting Township approval and a Variance from number of buildings and building size, to build a new accessory building. PID number 03-33-22-23-0001

Close public Hearing 2017 -02

Open Public Hearing 2017 -03

The Planning and Zoning Commission of Linwood Township will consider and give recommendation to the Town Board on application 17-03 from Peter Edlund & Howard Nessel at 23034 East Martin Lake Dr. NE, Linwood, MN 55079 requesting Township approval and a Variance from side yard and road setback, to build a new accessory building. PID number 34-34-22-33-0007

Close public Hearing 2017 -03

Open P&Z Meeting

Approval, corrections and or additions to the February 21st regular meeting minutes.

OLD BUSINESS

Firearms ordinance – Set Public Hearing Date

NEW BUSINESS

Comprehensive Plan outline; What issues do we want to address

Old Comp Plan Handouts

Other Business

Adjourn



**LINWOOD TOWNSHIP
BUILDING DEPARTMENT**

ANOKA COUNTY

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Stacy, Minnesota 55079

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**Public Notice
Public Hearing
March 21, 2017
7:00 p.m.
Application 2017 - 02**

NOTICE IS HEREBY GIVEN that the Planning and Zoning Commission of Linwood Township will hold a public hearing to consider and give recommendation to the Town Board on application 2017-02 from E. Wayne Corlew at 7405 N. Orinoco Circle NE, Linwood, MN 55079 requesting Township approval and a Variance from number of buildings and building size, to build a new accessory building.

PID number 03-33-22-23-0001

Michael J. Jungbauer
Zoning Administrator

Published in the Forest Lake Times on March 9, 2017

Anoka County, MN



PROPERTY ID	03-33-22-23-0001	Owner	CORLEW EARL W & N L
ADDRESS	7405 NORTH ORINOCO CIR NE	Owner Address	7405 ORINOCO CIR NE
CITY	LINWOOD TOWNSHIP	Owner City	STACY
STATE	MN	Owner State	MN
ZIP CODE	55079	Owner Zip Code	55079



Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Map Scale
1 inch = 100 feet
 2/3/2017



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Application Number 17-02
Fee/Deposit \$ 200.⁰⁰
Date Filed 2/2/2017
FOR MARCH HEARING

Application for a Variance

Applicant Name E.W Corleau Address 7405 N. ORLANDO P.
City STACY State mn Zip 550^C H. Phone 651-373-5311 W. Phone - - -
Owner Name E. Wayne Corleau Address 7405 N. ORLANDO P.
City STACY State mn Zip 550^C H. Phone 651-~~40~~³⁷³-5311 W. Phone - - -
Property Address SAME AS ABOVE City _____ State _____ Zip _____
Legal Description: Lot 1 Block 1 Subdivision Deer Run 3rd
Parcel ID: R 03/33/22/23/0001
Present Zoning R-1 Present Use Residential

Description of and reason for request (attach additional information, if necessary) _____

Add Pole Barn 30'x64'. Have a lot of things that need to be stored that are currently in the house.
Neighbor has a 40'x64' Existing Pole Barn

In signing this application, I hereby acknowledge that I have read and fully understand the application provisions of the Zoning and Subdivision ordinances and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the Township pertaining to additional application expense(s).

If application is not approved within 60 days, I agree to an automatic extension of the "60-Day Rule" to 120 days.

Signature of Applicant EAC Date: 2/2/2017

Signature of Owner EAC Date: / /20



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APPLICATION FOR PUBLIC HEARING

Date Filed 2/2/2017 Required Fee \$ 200.00
Application No. _____ Escrow (per lot) \$ _____
Public Hearing Date _____ Fee Paid \$ _____
Parcel ID 03-33-22-23-0001 Lot 1 Block 1 Subdivision Deer Run 3rd Add.
Street Address 7405 N. ORINWOOD C, STACY, MN 55079
Present Zoning Residential Existing Use _____

Applicant

Fee Owner

Name Earl Wayne Corlew
Street 7405 N. ORINWOOD C.
City STACY
State MN
Telephone (51) 323-5311

Name Same as Applicant
Street _____
City _____
State _____
Telephone (____) _____

Type of Request

Description of Request

- Conditional Use
- Variance
- Interim Use
- Preliminary Plat
- Final Plat
- Rezoning

Pole Barn
5 square footage for current 2.8 acre
lot. Next door neighbor has 40'x60' pole
Barn

Signature of Applicant E W Corlew

Date: 2/2/2017

-OFFICE USE ONLY DO NOT COMPLETE-

REVIEW BODY	DATE RECEIVED	DATE APPROVED	DATE DENIED
<input type="checkbox"/> Town Clerk	_____	_____	_____
<input type="checkbox"/> Planning Commission	_____	_____	_____
<input type="checkbox"/> Town Board	_____	_____	_____

Planning and Zoning

Re; 7405 N. Orinoco Circle NE - Variance Application 17-02

Subject Property is a 2.55 acre parcel. Property is located in **R-1** (Residential) Zoning. Owner wants to add a 1920 sq. ft. building with 14' sidewalls.

Township code and ordinances do not allow for a second accessory building or this size total on this property as proposed.

Preliminary Findings;

- 1) Practical difficulty is owner created.
- 2) Precedent is well established for the size requested. Owner has many items he wants to store indoors.
- 3) Neighbors have large oversized post frame buildings.

Additional Findings of Fact and Conditions:

Approved

Denied

Signed _____

Joe Dolphy Jr.

Chairman Planning Commission

Date _____

Approved

Denied

Signed _____

Mike Halliday

Chairman Town Board

Date _____

C=226.83
231.61

R=297.90'

35'09"E
178.98
75.06

205.12

189.23

180.59

NOTICES:

Fence

30

125

125



SCALE: 1 inch = 50 feet



**LINWOOD TOWNSHIP
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**Public Notice
Public Hearing
March 21, 2017
7:00 p.m.
Application 17 - 03**

NOTICE IS HEREBY GIVEN that the Planning and Zoning Commission of Linwood Township will hold a public hearing to consider and give recommendation to the Town Board on application 17-03 from Peter Edlund & Howard Nessel at 23034 East Martin Lake Dr. NE, Linwood, MN 55079 requesting Township approval and a Variance from side yard and road setback, to build a new accessory building.

PID number 34-34-22-33-0007

Michael J. Jungbauer

Zoning Administrator

Published in the Forest Lake Times on March 9, 2017



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Website: http://linwoodtownship.org

Application Number 17-03
Fee/Deposit \$ 200.00
Date Filed 7/27/2017

Application for a Variance

Applicant Name Peter Edward/Howard Nessel Address 23034 E. Martin Lake Dr

City _____ State _____ Zip _____ H. Phone 651-738-7545 W. Phone _____

Owner Name Howard Nessel Address 23034 E. Martin Lake Dr NE

City _____ State _____ Zip _____ H. Phone 651-462-8980 W. Phone _____

Property Address _____ City _____ State _____ Zip _____

Legal Description: Lot _____ Block _____ Subdivision _____

Parcel ID: R 34/34/22/33/0007

Present Zoning R1 Present Use _____

Description of and reason for request (attach additional information, if necessary) Lake Lot

Garage needs to go on roadside of house

STEEP GRADE CHANGES AND SEPTIC SYSTEM LIMIT

AREA THAT A GARAGE CAN BE BUILT

In signing this application, I hereby acknowledge that I have read and fully understand the application provisions of the Zoning and Subdivision ordinances and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the Township pertaining to additional application expense(s).

If application is not approved within 60 days, I agree to an automatic extension of the "60-Day Rule" to 120 days.

Signature of Applicant _____ Date: _____/_____/20____

Signature of Owner _____ Date: _____/_____/20____



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Website: <http://linwoodtownship.org>

APPLICATION FOR PUBLIC HEARING

Date Filed 2-27-2017

Required Fee \$ 200.00

Application No. 17-03

Escrow (per tot) \$ N/A

Public Hearing Date March 21, 2017

Fee Paid \$ N/A

Receipt # 9159
✓ 9069
2-27-17

LOCATION

P.I.D. 34-34-23-33-0007

Lot 7+8 Block _____

Subdivision TRAILS END

Street Address 23034 EST MARTIN LAKE DRIVE N.E 55079

Present Zoning R-1

Existing Use RESIDENTIAL HOME

Applicant

Fee Owner

Name PETER J EDLUND

Name HOWARD W NESSEL

Street 6133 GARBE AVE

Street 23034 E MARTIN LAKE DR NE

City WDRY

City STACY

State MN 55125

State MN 55079

Telephone (651) 7387545

Telephone (651) 4628980

Type of Request

Description of Request

- Conditional Use
- Variance
- Interim Use
- Preliminary Plat
- Final Plat
- Rezoning

WE WOULD LIKE TO BUILD A GARAGE ON THE PROPERTY AND ARE REQUESTING A VARIANCE TO BUILD 5 FT FROM THE LOT LINE INSTEAD OF 10 FEET 30 FEET SET BACK FROM MARTIN LAKE DRIVE INSTEAD OF 40 TO AVOID INTERFERENCE WITH THE DRAIN FIELD Garage size to be 28 wide x 24 deep

Signature of Applicant Peter J Edlund

Date: 2 27 2017

-OFFICE USE ONLY DO NOT COMPLETE-

REVIEW BODY	DATE RECEIVED	DATE APPROVED	DATE DENIED
<input type="checkbox"/> Town Clerk	_____	_____	_____
<input type="checkbox"/> Planning Commission	_____	_____	_____
<input type="checkbox"/> Town Board	_____	_____	_____

Anoka County, MN



PROPERTY ID	34-34-22-33-0007	Owner	NESSEL ELEANOR
ADDRESS	23034 EAST MARTIN LAKE DR NE	Owner Address	23034 E MARTIN LAKE DR NE
CITY	LINWOOD TOWNSHIP	Owner City	STACY
STATE	MN	Owner State	MN
ZIP CODE	55079	Owner Zip Code	55079



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Map Scale
1 inch = 50 feet
 2/27/2017

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ANOKA COUNTY
22817 Type Creek Drive
Stacy, Minnesota 55079

RECEIVED DEC 17 1991

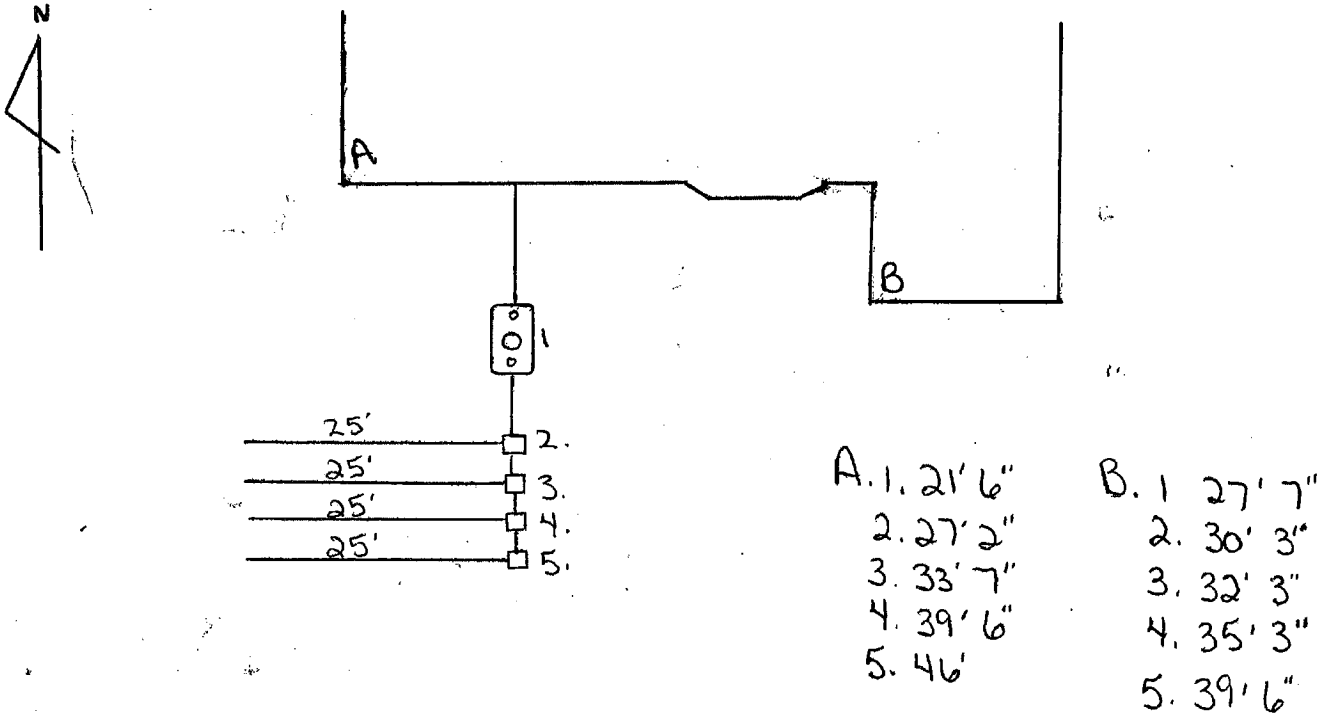
inspected by
LakeShore management
John Christianson from
Anoka County.

THIS FORM MUST BE FILLED
OUT COMPLETELY AND SIGNED
BY THE INSTALLER PRIOR TO
OBTAINING A CERTIFICATE OF
OCCUPANCY.

ONSITE SEWAGE TREATMENT AS-BUILT DRAWING

DATE: 12-13-91 PERMIT NO. _____
ADDRESS: 23034 E. Martin Lake Dr.
TANK SIZE: 1500 gal. S.F. OF AREA: 300 sq. ft.
AMOUNT OF ROCK (TON): 41.67
DEPTH OF DIRT COVER OVER DRAINFIELD: 12" to 18"
INSTALLER: Olson's Sewer Service
INSTALLER'S TELEPHONE: 464-2082

SHOW WELL LOCATION AND DISTANCE FROM SEPTIC SYSTEM



Planning and Zoning

Re; 23034 E. Martin Lake Dr NE - Variance Application 17-03

Subject Property is a small Lake Lot

Property is located in **R-1** (Residential) Zoning

Township code and ordinances require specific setbacks from road right of way.

Preliminary Findings;

- 1) Practical difficulty was not created by the current owner.
- 2) Garages with little or no setback; do exist in much of our shore land area.
- 3) Many other surrounding properties have similar issues.

Additional Findings of Fact and Conditions:

Approved

Denied

Signed _____

Joe Dolphy Jr.
Chairman Planning Commission

Date _____

Approved

Denied

Signed _____

Mike Halliday
Chairman Town Board

Date _____



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Planning and Zoning

March 21st 2017

7:00 pm

Meeting called to order and Pledge to the Flag recited
at 7:00 pm by Joe Dolphy

Roll Call: Present were Tom Sausen, Mark Olson, Tom Searing, Steve Strandlund,
Gary Gustafson, Joe Dolphy, Jim Garrison, Supervisor, Tim Peterson and Mike
Jungbauer

Audience Sign ins:

Pete and Joy Edlund, Howie Nessel, Steve Heltman

7:03pm Public Hearing 2017-02 Corlew

7405 N Orinoco Circle NE

Approval and a variance from number of buildings and building size, to build a
new accessory building

30x60 or 40x60 pole barn, 14" sidewalls, 2.8 acres, house higher than pole barn,
no added driveway, no neighbors in audience, list of neighbors having no issue
with this pole building

Gustafson motioned to approve 30x60 pole barn, 14' sidewalls, Sausen 2nd, all
eyes, motion passed

Dolphy motioned to close Public Hearing, Sausen 2nd, all eyes

7:10pm Public Hearing 2017-03 Edlund/Nessel

23034 East Martin Lake Drive

Approval and a variance from side yard and road setback, to build a new
accessory building

5' from side yard to avoid septic and 30' set back from road

Garage 28' wide and 24' deep, slab on grade

Enough room for alternate septic system

Corner located

No neighbors in audience

Gustafson motioned to approve, Garrison 2nd, all eyes, motion passed

Searing motioned to close Public Hearing, Gustafson 2nd, all eyes

Searing made the motion to approve February 21st , 2017 meeting minutes, Gustafson 2nd, all ayes, minutes approved

New Business:

Firearms

Searing motioned to accept draft, Strandlund 2nd , all ayes

Gustafson motion for a Public Hearing on gun ordinance for April 18th 2017, at 7:00pm, Searing 2nd, all ayes, motion carried

Comprehensive Plan

Handouts- Planning Handbook with highlighted areas to address attention to, if we are doing these things or should or should not be doing them

The Comp plan is on the web site.

Vacate ROW Furman and 241st Lane

Square off property to eliminate cul de sac , property owner pays all costs.

If town board is not interested in purchasing land for a road to connect to Fawn Lake Drive

Gustafson motioned to recommend to town board to vacate both ROW, Searing 2nd , all ayes, motion passed

23790 Nebula 10.01 acres, 2nd garage

Mike met with fire department, to discuss rental ordinance and group homes.

They need to be inspected for safety and have an evacuation plan. Information will be ready for next month's meeting

Dolphy motioned to adjourn meeting, Sausen 2nd, all ayes, meeting adjourned at 8:35pm

Respectfully Submitted by

Linda Anderson, P&Z Assistant

Minutes approved April 18th 2017



<http://linwoodtownship.org>

Agenda
Planning and Zoning
April 18, 2017
7:00 p.m.

Call to Order
Roll Call
Pledge to the Flag

Open Public Hearing 2017 –04

The Planning and Zoning Commission of Linwood Township will consider and give recommendation to the Town Board on application 17-04 from Craig Pudas at 23730 Nebula St. NE, Linwood, MN 55079 requesting Township approval and a Variance from the 1 accessory building ordinance, to build a second accessory building.

PID number 29-34-22-33-0009

Close public Hearing 2017 -04

Open Public Hearing 2017 –05

The Planning and Zoning Commission of Linwood Township will consider and give recommendation to the Town Board on application 17-05 from Brian Columbus and Tim Hanrahan at 6362 213th Ln. NE, Linwood, MN 55079 requesting Township approval and a Variance from the lot line setback ordinance, to build a new cabin where an old cabin was before.

PID number 08-33-22-43-0003

Close public Hearing 2017 -05

Open Public Hearing – Firearms Ordinance

The Planning and Zoning Commission of Linwood Township will consider and give recommendation to the Town Board on a new firearms ordinance.

Close public Hearing

Open P&Z Meeting

Approval, corrections and or additions to the March 21st regular meeting minutes.

OLD BUSINESS

NEW BUSINESS

Rental Ordinance and Fee Schedule – Fast track per Town Board

McBride – Conforming lot split

East Typo Lake Lot

Other Business

Adjourn



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Minutes

Planning and Zoning

April 18th 2017

7:00 pm

Meeting called to order and Pledge to the Flag recited
at 7:00 pm by Joe Dolphy

Roll Call: Present were Tom Sausen, Mark Olson, Tom Searing, Steve Strandlund,
Gary Gustafson, Joe Dolphy, Supervisor, Tim Peterson and Mike Jungbauer
Absent, Jim Garritson

Audience Sign ins:

Pam Crea, Tim Crea, Tom Nichols, Bob Millerbernd, Mike Poe, Bill Bostrom, Don
Luedtke, Brian Columbus, Tim Hanrahan, Craig Pudas, John Chapeau, Brian And
Bridget Robinson, Cathy Hereau, Tom Lentz, Kathy Lentz, Debbie Rahwer, Hank
Senger, Randy Rahe, George Radke, Shirley Alexander, RA Eli, Kevin Chapeau,
Steve Forliti, Jim Strub, Annalie Peterson, Ton DeChaine, Eric Valder, John Zacher

7:03pm Public Hearing 2017-04 Pudas

23790 Nebula St NE

Approval and a variance from number of buildings and building size, to build a
another accessory building

26 X 40 pole building 1,040 SF, items need to be stored inside a building,
precedent well established for size requested, property heavily treed and not
too visible from road or neighbors. Neighbors having no issue with this pole
building

Gustafson motioned to approve Sausen 2nd, all ayes, motion passed

Dolphy motioned to close Public Hearing Olson 2nd , all ayes

7:07pm Public Hearing 2017-05 Columbus/Hanrahan

6362 213th Lane NE

Approval and a variance to build a new recreational cabin on the same
footprint-approx 22X28-old cabin tore down. Old cabin placed too close to the
property line and part of structure was on neighboring Camp Ajawah property.
We have an agreement with Ajawah to adjust property line providing us the
previously used space due to adverse possession. Lot is heavily wooded and

want to avoid destroying live trees when rebuilding. There are no camp structures near the border. No neighbors in audience
Must meet all building criteria- 720 SF house, septic sites, drainfield without variance.

Gustafson motioned to approve, Sausen 2nd , all ayes, motion passed
Gustafson motioned to close Public Hearing, Olson 2nd , all ayes

Public Hearing-gun ordinance

Same discussion as previous meetings-300' from occupied residency, written approval from neighbors, varmints or animals causing harm or potential danger, tannerite, length and time of shooting firearms, should really be under noise ordinance-hard to defend in court, noise meters, costs and accuracy.
Recommended to change "To Read"

Permitted discharges; restrictions

(4) Firearms discharges which are not prohibited herein and are not associated with legal hunting activities, are only permitted on any given property for a maximum of four hours in any given 24 hour period and a maximum of 12 hours in any seven day period

Exemptions

(1) The provisions of this section shall not apply to the discharge of firearms, rifles or handguns when done in lawful (see MN Statutes) defense of persons or property. No part of this section is intended to abridge the constitutional right to keep and bear arms

Searing motioned to recommend to the town board this gun ordinance with the two changes, Sausen 2nd, all ayes, motion passed
Gustafson motioned to close public hearing on the gun ordinance, Strandlund 2nd, all ayes

Searing made the motion to approve March 21st , 2017 meeting minutes,
Gustafson 2nd, all ayes, minutes approved

New Business

Rental Ordinance and Fee Schedule

"Grandfathering" in does not apply to this ordinance.

List of rental properties will be made as complaints against property's come in

Strandlund motioned to recommend to the town board this housing ordinance for rental property with amendments as is with a time limit to comply

McBride-Conforming Lot Split

23930 Thames St NE

Cubus is selling 2.25 acres to McBride, combined with existing property to make it more buildable, this split meets all current codes and ordinances. Legal

description is lengthy and will be provided by surveyor when completed, metes and bounds legal description

Searing motion to approve Land Division, Strandlund 2nd all ayes

East Typo Lake Lot

2 lots joined, filled and deemed unbuildable

Searing motioned for town board approval without any variances Gustafson 2nd all ayes

Searing motioned to adjourn meeting, Olson 2nd, all ayes, meeting adjourned at 9:15pm

Respectfully Submitted by
Linda Anderson, P&Z Assistant

Minutes approved May 16th 2017



<http://linwoodtownship.org>

Agenda
Planning and Zoning
May 16, 2017
7:00 p.m.

Call to Order
Roll Call
Pledge to the Flag

Open Public Hearing 2017 –06

The Planning and Zoning Commission of Linwood Township will hold a public hearing to consider and give recommendation to the Town Board on application 17-06 from Larry Wittnebel at 8025 217th Ave. NE, Linwood, MN 55079 requesting Township approval and a Variance from the 1 accessory building ordinance, to build a second accessory building.
PID number 10-33-22-14-0004

Close public Hearing 2017 -06

Open Public Hearing 2017 –07

The Planning and Zoning Commission of Linwood Township will hold a public hearing to consider and give recommendation to the Town Board on application 17-07 from Thomas A and Sheri Carlisle, together with Catherine Carlisle, requesting Township approval of a Development plan and possible zoning change, to build senior detached homes at the present addresses of 21829, and 21833 Viking Blvd NE, and 21873 Typo Creek Dr. NE.
PID numbers 08-33-22-13-0005, 08-33-22-13-0007, 08-33-22-13-0006, and 08-33-22-14-0008

A quorum of Township Supervisors may be present.

Close public Hearing 2017 -07

Open P&Z Meeting

Approval, corrections and or additions to the April 18th regular meeting minutes.

OLD BUSINESS

Rental Ordinance; update

NEW BUSINESS

Hauling Fill: Tom Carlisle Mining Permit

Other Business

Adjourn



LINWOOD TOWNSHIP

ANOKA COUNTY

22817 Typo Creek Drive N.E.

Stacy, Minnesota 55079

(651) 462-2812 • Fax (651) 462-0500

E-Mail: buildingdepartment@linwoodtownship.org

Website: <http://linwoodtownship.org>

Minutes

Planning and Zoning

May 16th 2017

7:00 pm

Meeting called to order and Pledge to the Flag recited
at 7:00 pm by Joe Dolphy

Roll Call: Present were Tom Sausen, Jim Garritson, Tom Searing, Steve Strandlund,
Gary Gustafson, Joe Dolphy, Supervisor, Tim Peterson and Mike Jungbauer
Absent Mark Olson

Audience Sign ins:

Larry Wittnebel, Sarah Wittnebel, Don Kiseron, Elizabeth Kiseron, Amanda
Anderson, Annalie Peterson, Eli Knutson

7:03pm Public Hearing 2017-06, Wittnebel

8025 217th Ave NE

Approval and a variance from number of buildings and building size, to build a
another accessory building

- Garage for future wood working shop
- Stick built just like existing garage
- 9' side walls-8' garage doors
- Height to match existing garage
- No neighbors present
- Nice tree buffer
- Under new proposed ordinance would allow 3600 sq ft on 5 acres

Gustafson motioned to approve Searing 2nd, all ayes, motion passed

Searing motioned to close Public Hearing at 7:12 pm Sausen 2nd, all ayes

7:13pm Public Hearing 2017-07 Carlisle-Senior Housing

Viking Blvd/Typo Creek Drive-from Country Store to Country Day Care

- Rules from Met Council regarding septic to not affect our density
- Zoned commercial
- Should be specific areas for senior housing-not spot zoning
- Better suited for commercial
- Fear of project failing and a drug rehab center would replace it

- Plan unit development-1 acre lots/open space 1 in 10
- Rental or sell not determined. Shortage of rental property in Linwood
- Quad homes/Multiple housing
- Private drive or road-black top
- Maintain certain price range
- Guidelines by State
- 1300 sq ft living area, 2 bedroom, bath, slab on grade
- Car lot building would be razed
- School drive-half owned by Carlisle

Sausen motioned for Carlisle to move forward with project, Gustafson 2nd , Sausen, Strandlund & Gustafson ayes, Garrison, Searing & Dolphy nays, Motion failed

Gustafson motioned to close Public Hearing at 8:15pm, Searing 2nd , all ayes Dolphy made the motion to approve April 18th 2017 meeting minutes, Searing 2nd, all ayes, minutes approved

Rental Property Ordinance

Went over ordinance from attorney.

Strandlund motioned to send final draft to the town board for approval, Searing 2nd, all ayes, motion carried

Firearms Ordinance

Went over ordinance from attorney.

Gustafson motioned to send final draft to the town board for approval, Searing 2nd , all ayes, motion carried

New Business

Hauling Fill-Tom Carlisle

Ryan Lake drive was so dusty that visibility was low and the road needed to be watered.

8055 Fawn Lake Drive

Carol Hendrickson- through street, 75 feet, \$10,000.00

Dolphy thinks a good purchase for the township to have access to that part of Paradise Point

Strandlund motion for recommendation to the town board to purchase this piece of property, Searing 2nd all ayes

Variances

Approvals need to be in resolution form to be legal

Findings of fact-

Pro & Con on controversial variances

Tagging people who get variances for pole building for storage of junk and do not store existing junk from their property

No June Meeting



<http://linwoodtownship.org>

Agenda
Planning and Zoning
July 18, 2017
7:00 p.m.

Call to Order
Roll Call
Pledge to the Flag

Open P&Z Meeting

Approval, corrections and or additions to the May16th regular meeting minutes.

Bob Ruppe coming to explain all that is currently needed for issuing variances properly, may touch on our new ordinance work

OLD BUSINESS

Swimming Pool Ordinance - our short version or using the International residential Code by reference (the code covers all issues and is perhaps easier to justify)

Solar ordinance – coming back due to a permit, will get more of these in the future

NEW BUSINESS

Lot at the end of 217th – History of frontage and easements to be buildable (owner wants to sell) Property at the end of 217th past the Oakwood club (no formal action Required)

Other Business

Adjourn



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Minutes

Planning and Zoning

July 18, 2017

7:00 pm

Meeting called to order and Pledge to the Flag recited
at 7:00 pm by Joe Dolphy

Roll Call: Present were Tom Sausen, Mark Olson, Tom Searing, Gary Gustafson,
Joe Dolphy, Supervisor, Tim Peterson and Mike Jungbauer
Absent: Garrison and Strandlund

Audience Sign ins:

Bob Ruppe, Carol Searing, Pam Olson, Ed Kramer, Bob Millerbern, Mike Halliday,
Amanda Anderson and Jacob O'Neill

Gustafson motioned to approve minutes from May 16th 2017 meeting with date
correction, Searing 2nd , all ayes, minutes approved

The June Planning and Zoning meeting was cancelled.

Attorney, Bob Ruppe was in attendance (free of charge) to educate the P & Z
Committee and Town Board Members on procedures regarding Variances,
CUP's and IUP's. He covered tasks (tracking list) of individuals involved in
preparation to completion of a Resolution. We need to update application
forms, 60 Day Rule, and minor sub-division, also, recommended a "findings of
fact" form in applicant packet.

Public Hearings are to be recorded

All information and conditions included

The application costs are to be evaluated and escrow fee added

Nuisance Property's

Property's on 226th Ave

Nuisance Ordinance needs to be updated so it can be enforceable, to enforce
fines to hopefully avoid law suits

Variances- violations, is resident "In breach of contract"

Rental Housing

Typo Creek Drive

There have been numerous complaints from renters regarding this property.

There have also been building violations

These issues have been going on since 1994.

Pool Ordinance

To adopt as an ordinance, Section R326 of the 2015 IRC (International Residential Code)

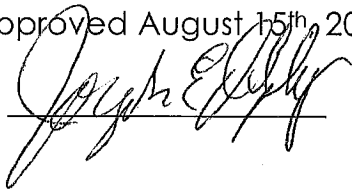
Mike Jungbauer is to draft and send to attorney so approval can be made by the Town Board

Gustafson motioned to adjourn meeting, Sausen 2nd, all ayes, meeting adjourned at 9:55pm

Respectfully Submitted by
Linda Anderson, P&Z Assistant

Minutes approved August 15th, 2017

Chairman

A handwritten signature in cursive script, appearing to read "Joseph E. Kelly", is written over a horizontal line.



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Minutes

Planning and Zoning

August 15, 2017

7:00 pm

Meeting called to order and Pledge to the Flag recited
at 7:10 pm by Joe Dolphy

Roll Call: Present were Tom Sausen, Mark Olson, Tim Garrison, Steve Strandlund,
Tom Searing, Chairman, Joe Dolphy, Supervisor, Tim Peterson and Mike
Jungbauer

Absent: Gary Gustafson

Audience Sign ins:

Mike Crowley, John and Stacy White, Jeffrey Van Hoven, Charles Miller

7:11 Public Hearing 2017-08

Chuck Miller 24335 Potomac St

Variance to build a 50X68 pole building, 3400 sq ft. on a 3.65 acre parcel
Larger than current ordinance allows (1800 sq ft)

Neighbors White and Van Hoven present to voice they had no objections to Mr
Miller building a larger pole barn than what the ordinance allows
The building would have 14" side walls, placed north of existing garage and with
the peak running the same as the garage

Needs oversized building to store far equipment, 37' boat, and motor home

Searing motioned to grant Mr Miller a variance of 2400 square feet versus
allowed 1800 sq ft

Strandlund 2nd motion, voted all ayes, motion passed

A preliminary resolution was made up before the meeting with information
pertaining to variance including the Findings of Fact. This was to show the
committee the information pertinent for a resolution. The information provided in
the resolution was discussed beforehand with Jungbauer and Dolphy in
anticipation of how the committee might act on this variance.

7:30 Dolphy motioned to close public hearing, Sausen 2nd , all ayes

Olson motioned to approve minutes from July 18th 2017 meeting with date correction, Sausen 2nd , all ayes, minutes approved

Old Business

Solar Ordinance-

Members were asked to peruse and highlight key information from the packets provided on solar energy and the sample ordinance from Stern's and Scott counties. Information provided by each member to give to Jungbauer to make up a workable draft to discuss and present to the town board.

New Business

Lee-22080 So Orinoco- Plot & Crowley-7737 Viking Blvd-Metes & Bound

Conforming land split? Or land swap for road frontage

Strandlund suggested easement for drive way use 30X180

It would be permanent and desirable by both properties

Would have to be approved by mortgage company's and the county

Township needs to approve before county can record

Legal descriptions of both parties would change

Concern that road frontage would be legal on Lee's property

Less than 150' road frontage would need a variance

Next step is to have property surveyed and a legal description, then return to planning and zoning for approval

Horses or Livestock on large acreage in R1 zoning

Need to amend this ordinance for large parcels in R1 zoning.

Strandlund motion to correct language for ordinance on horses and livestock on 9 acres & above in R1 zoning, Sausen 2nd , all ayes

Height Liminations* definition #7

Overall building height in R1 vs RA. 3 stories in RA, 25ft in R1. In some cases these heights have been exceeded.

More information needed to make consistant-where 25' begins

Fire code needs to be taken in consideration

Sherco

Possible development-25 acre parcel by Sherco (number of houses to be built has not been determined)

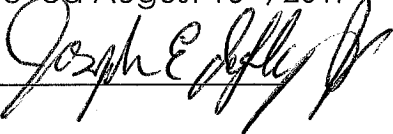
Update 241st to have access to Fawn Lake Drive

Neighboring property owner Harvey Berg does not want new road to cut the corner off of his property

Dolphy motioned to adjourn meeting, Olson 2nd, all ayes, meeting adjourned at 8:45pm

Respectfully Submitted by
Linda Anderson, P&Z Assistant

Minutes approved August 15th, 2017

Chairman Joseph Dolphy
Joseph Dolphy 



<http://linwoodtownship.org>

Agenda
Planning and Zoning
September 19, 2017
7:00 p.m.

Call to Order
Roll Call
Pledge to the Flag

Open Public Hearing 2017 –09

The Planning and Zoning Commission of Linwood Township will hold a public hearing to consider and give recommendation to the Town Board on application 2017-09 from Troy and Trista Pleski at 21930 Heidelberg St. NE, Linwood, MN 55079 requesting Township approval and a Variance from building sidewall height and overall height, to build a new accessory building.

PID number 11-33-22-22-0008

Close Public Hearing 2017 –08

Regular Meeting

Approval, corrections and or additions to the August 15th regular meeting minutes.

OLD BUSINESS

Solar ordinance – Work session on the needs of Linwood (Wind and solar)

NEW BUSINESS

Amanda Anderson – Supportive Housing Ordinance?

Draft of ordinance revisions for clarity

Other Business

P.U.D. – We mention this in the ordinances and yet have no actual ordinance addressing Planned Unit Developments.

Adjourn



<http://linwoodtownship.org>

Minutes
Planning and Zoning
September 19, 2017
7:00 p.m.

Call to Order @7:01PM
Pledge to the Flag
Roll Call

Present were Chair Joe Dolphy, Jim Garrison, Gary Gustafson, Tom Searing, and Town Board Liaison Supervisor Tim Peterson. This constitutes a quorum.

Also in attendance Supervisor Carol Searing, Sandy Lathrop, Amanda Anderson, and Troy Pleski, the variance applicant.

Open Public Hearing 2017 –09 @ 7:04PM

Troy and Trista Pleski at 21930 Heidelberg St. NE, Linwood, MN 55079 requesting Township approval and a Variance from building sidewall height and overall height, to build a new accessory building.

No neighbors nor anyone else were present to comment in any way on the variance application.

The first thing the Planning and Zoning Commission did on this item was to revisit the intent of having passed a motion to not allow variances on the property at the time Greg Radefeldt changed the lot from an outlot into a buildable lot. (see August 16, 2016 Planning and zoning minutes and subsequent Town Board Minutes from August 23, 2016)

Chair Dolphy stated that he certainly did not intend to limit the possibility for someone to ask for a variance on building height. He went on to say that his intention was that there were to be no variances allowed on potential buildability issues or setbacks from streets or the many wetlands on the parcel.

Tom Searing stated that technically the accessory building would need to be screened as it was in front of the house. The house faces Sunrise Road however the driveway and address are on Heidelberg. The position of the accessory building is closer to Heidelberg than the house. Dolphy agreed and stated that trees are more acceptable in this case than a fence due to the character of the neighborhood. Gary Gustafson agreed. Dolphy said in this case screening would be mandatory. Searing said he would like to see all tall walls be screened. Troy Pleski stated that he was already spending a lot of money to make this look good and he could see why trees could make it look even better for his neighbors. Dolphy said it was certainly no eyesore however our ordinance requires the screening.

Tom Searing then asked for what reason did the property narrative include that the accessory building could include a bathroom or a kitchenette. P&Z Administrator Jungbauer Said it was included because a number of buildings like this have both but the ordinance states that you can only have 1 dwelling unit per lot and allowing both in a building could give people the thought that they could rent it out or have another family member live there. Jungbauer wants to be sure we include this in the future even on permits so people are aware of our ordinance on dwelling units. Jungbauer would also like to see this language in an updated accessory building ordinance.

Gary Gustafson made the motion to approve the variance as requested. Jim Garrison seconded the motion.

Searing asked if Gustafson would be willing to incorporate 3 caveats in the motion. 1) screening to be coniferous 2) no bath or kitchenette 3) to clarify what the Town Board intended

with there no variance approval of the lot use change. Lots of discussion. Gustafson amended motion to include screening as a requirement for approval. Motion passed unanimously.

Close Public Hearing 2017 –09 @ 7:37PM

Regular Meeting

Approval, corrections and or additions to the August 15th regular meeting minutes.

Motion by Tom Searing to approve the August 15th minutes as submitted.
Jim Garrison seconded the motion, vote all ayes, motion passed.

OLD BUSINESS

Solar ordinance – Work session on the needs of Linwood (Wind and solar)

Jungbauer asked the commission if it would be ok to table the Solar ordinance as it was not pressing and possibly work on the accessory building ordinance because we seemed close on that and accessory buildings were most of the variances that have been dealt with in recent history. Solar Ordinance work tabled.

NEW BUSINESS

Amanda Anderson – Supportive Housing Ordinance

Amanda Anderson presented a 1 page ordinance on supportive housing dealing with 4 or more unrelated people in a residence. There was a lot of discussion on what we can and cannot do for zoning these residences. The main question is does an ordinance help us with enforcement issues that we have been dealing with. The state has told that in the absence of an ordinance we have little or no zoning control. We agree with the needs for supportive housing so the commission directed Jungbauer to work with Anderson on clarifying some issues and bringing back a simple ordinance that gives us zoning oversight.

Draft of ordinance revisions for clarity; revisions were adopted as follows:

The definition of “structure” shall be clarified to add; for the puposes of land use any impervious item such as driveways and patios shall be considered structures unless they are installed with a pervious product.

Ordinance 807.03 Subd 4 will be changed to allow for non-domestic animals on any parcel over 9 acres including R-1.

Ordinance 807.03 Subd. 16 (b) shall be changed from 25’ maximum to say “ shall exceed (2) stories in height.

Many of the revision affected accessory buildings so they were talked about together.
Accessory Building Revisions as approved are attached to the minutes.

OTHER BUSINESS

P.U.D. – We mention this in the ordinances and yet have no actual ordinance addressing Planned Unit Developments.

Put off for future meeting as time allows.

Rental Housing – How will we address it in the ordinance? We totally do not allow it today based on land use.

Jungbauer will put together an ordinance that states allowable uses in different districts and we will work on where or how to create allowances for rental housing for 4 or more unrelated residents.

Strandlund Resignation Letter

Steve Strandlund is moving out of Linwood Township and is resigning because of that. The commission wishes to thank Steve for his years of service and input.

Gary Gustafson made the motion to accept Steve’s resignation. Motion was seconded by Tom Searing. Vote 3 yeas and 1 nay from Jim Garrison as a sign of positive recognition for Strandlund’s work.

Adjourn

Respectfully submitted by
Michael Jungbauer, Planning and Zoning Administrator

Minutes approved October 17, 2017

Chairman: _____
Joseph E. Dolphy, Jr.



Agenda
Planning and Zoning
October 17, 2017
7:00 p.m.

Call to Order
Roll Call
Pledge to the Flag

① **Open Public Hearing 2017 –10**

The Planning and Zoning Commission of Linwood Township will hold a public hearing to consider and give recommendation to the Town Board on application 2017-10 from John and Pamela Kubes at 6921 232nd Ave. NE, Linwood, MN 55079 requesting Township approval and a Variance from building setback and overall height, to build a new accessory building.

PID number 33-34-22-31-0063

Close Public Hearing 2017 –10

Regular Meeting

② Approval, corrections and or additions to the September 19th regular meeting minutes.

OLD BUSINESS

③ **Crowley/Lee Land swap**

④ **Accessory building Ordinance/Related zoning Revisions**

⑤ **Rental Housing added as a legal land use**

NEW BUSINESS

⑥ **Tom Sausen – Conforming land split**

Other Business

Adjourn



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Planning and Zoning

October 17, 2017

7:00 pm

Meeting call to order at 7:04 p.m. by Joe Dolphy

Commission members present: Chairman Joe Dolphy, Amanda Anderson, Jim Garrison, Gary Gustafson, Tom Sausen, Tom Searing

Commission members absent: Mark Olson

Others present: Town Board Supervisor: Tim Peterson, Planning and Zoning Administrator: Mike Jungbauer, Town Board Supervisor Carol Searing, Judy Hanna, Cari Lee, Cory Lee, John Kubes, Pam Kubes, Marlys Ostlund, Roger L. Watters

Pledge to the Flag recited

Open Public Hearing 2017-10 at: 7:06 p.m.

John Kubes who is purchasing 6921 232nd Ave NE

Variance to build a garage five feet (5') from the eastern property line to allow clearance for septic system and driveway. Height of garage not to exceed height of home to the west. The garage will be higher than the house because the house sits at a lower elevation.

Searing raised the question if Mr. Kubes could request a variance when he is not the current owner of the property. Mr. Kubes stated that he will be closing on October 31, 2017. Chairman Dolphy stated that the variance goes with the property.

Anderson inquired how much taller the garage would be than the house. The house is located near the lake at a lower elevation than the proposed location for the accessory building. Jungbauer said that the accessory building would appear to be about 4 feet taller than the house.

Sausen wanted clarification about the request for the 5' side yard setback. Mr. Kubes handed out a sketch of the proposed garage which is to be 24' x 48' with a garage door on the road side of the property and another garage door on the west side of the building. Jungbauer said a new pressure bed inground septic system and a new well will be needed and the setback variance would be necessary to allow for the required distances from the new well and septic system.

Dolphy inquired what the roof pitch would be on the garage. The house has approximately a 3/12 roof pitch. Jungbauer stated that he would recommend a 4/12 roof pitch which would put the proposed building at approximately 15 feet.

Dolphy asked if the variance request will fit the proposed accessory building ordinance for overall height. Jungbauer responded that it would comply with the wording that it would not exceed the height of the neighboring garage heights. Gustafson inquired if any neighbors were present who would object to this, there were none.

Gustafson moved to recommend to the Town Board the variance request and Garrison seconded. Searing noted that the proposed resolution states that there are currently no accessory buildings on the property. There are two sheds on the property. The one by the lake is under 120 feet so it would be allowed to stay since it is considered a shed. The other building is located where the new garage would be built and the owner stated that it would be removed. Motion was amended to state that the existing accessory building will be removed. Anderson asked if there was any screening, Searing stated that there are pines. Mr. Kubes inquired if he could do a 6/12 pitch, Dolphy responded that is not part of the variance, Jungbauer added the roof pitch will need to be in conjunction with keeping the height of the proposed building to be as close as possible to the height of the neighboring garage to the easterly side. Motion amended to include the height restriction. Gustafson and Garrison agreed to the amendments to the motion. Amended motion passed unanimously.

It was clarified that if the Town Board approves the variance, Mike Jungbauer would be looking at the engineering to be certain it complies with the variance.

Close the Public Hearing 2017-10 at 7:16 p.m

Motion made by Searing, seconded by Garrison, all ayes.

Approve Minutes from September 19, 2017

Searing moved and Garrison seconded to approve the September 19, 2017 Planning and Zoning minutes as presented. All ayes, motion carried.

OLD BUSINESS

Conforming land split

Lee – 22080 Volga – Plat and Crowley – 7737 Viking Blvd – Metes and Bounds

Lee provided the proposed legal description and a Certificate of Survey drafted by Kroschel Land Surveyors, Inc. Jungbauer stated that a lot of work still has to be done by both banks. The legal description as presented would have to be amended prior to recording at Anoka County. Jungbauer said he would have to fill out a Division/Combination request to give to Anoka County to make sure this is done properly.

Sausen made a motion to approve the proposed land split as requested, motion seconded by Searing. All ayes, motion carried.

Accessory Building Ordinance / Related zoning Revisions

Dolphy asked if campers, RVs, motorhomes fall into this category. Jungbauer stated if the temporary structure was to enclose them, they would fall into this category. If you used this temporary building to store winter vehicles seasonally and summer vehicles, you would need to build an accessory building. Licensed vehicles are not included. Jungbauer stated that there are some that look deteriorated and should be removed and he would add wording to cover this situation.

Regarding 807.03 Subd. 3 6, Anderson asked if the square footage for an accessory building is combined with the square footage for a detached garage. Jungbauer responded that the square footage is considered separately for each building.

All structures combined must not occupy more than 25% of the buildable area: While discussing Structure, Jungbauer stated that although we do not have any control if they should decide to put in an impervious driveway or patio, it is implied that if it is in the ordinance they are expected to comply.

Jungbauer replied that the permit software would allow us to put certain clauses into permit applications and that we are currently working on it.

Jungbauer suggested we should revisit the size limitations for the primary structure portion of the ordinances.

Searing felt that 807.03 Subd. 3 8 (b) (vi) regarding accessory building façade “includes brick or stone” is too restrictive. Sausen and Dolphy felt that if the building is closer to the road than the house, the accessory building façade should look as close to the look of the house as possible. Searing yielded.

Anderson asked if on less than 2.5 acres, the 1200 square feet maximum accessory was to be combined with the size of a detached garage. Jungbauer clarified that you are allowed a garage, whether attached or detached, and an Accessory Building of up to 1200 square feet on that size lot. We currently have no limit on a detached garage so we could make the 1200 square feet be the maximum size of a detached garage and also 1200 square feet maximum for an Accessory building. Dolphy asked if these square footage guidelines should be carried to the main construction part of the ordinance as well as Accessory buildings. Mike will come back with some square footage as based on what is normal in building today. Jungbauer understands the Board would like this crafted in such a way as to avoid most variances we have been seeing.

Searing does not like the proposed 807.03 Subd. 3 10 stating that “Accessory buildings are allowed to have a half bath or utility room but no provision for kitchens, tubs or showers.” because we can’t control if a kitchen is added later, does not think water should be allowed in an accessory building. Jungbauer stated that there would be some control because the plumbing rough-in would show the size of the future plans due to the size of the venting. Sausen can’t see why a kitchenette is not allowed. Gustafson thinks a shower should be allowed. Dolphy does not think a shower is necessary. Anderson stated that you would still be able to have a microwave and refrigerator. Garrison feels that you are not going to stop those installations. We are just trying to stop a “mother-in-law” apartment. Commission agreed to allow wording to stand as proposed.

Anderson would like to clarify the definition of front yard on shoreline property. Dolphy stated that it was never made an ordinance but has become policy that the front yard is the lakeshore and the rear yard is the roadside.

Gustafson moved to recommend to the Town Board the proposed changes to the 807.03 Subd 3. Accessory Uses, Building and Structures. Tom Searing seconded the motion. All ayes, motion carried.

Rental Housing added as a legal land use

807.01 Subd 6: Jungbauer stated he needed to add Rental Housing as a Use, otherwise there is no place in the code to have a rental property. We passed a Rental housing Ordinance but in the existing zoning, there is nowhere you could have a rental house. So that means we have to go back and start with conditional or interim uses.

Proposed 807.10, 807.11, 807.12 will have Shoreland Areas defined as per DNR guidelines.

Proposed 807-07 Subd 2 (a) includes permitted uses, several of which include Licensing, i.e. Beauty shop, dog grooming, short term rentals.

Proposed 807.07 Subd 1 (b) includes boarding houses which would cover renting out a bedroom and Duplexes. 4 units or more would come under the fire codes and sprinkler systems.

Marlys Ostlund would like the commission to consider the elderly who may have to rent out a room to make ends meet. She would also like consideration for the disabled where you need a caretaker who needs to spend the night. She would like to provide a safe and secure environment for the disabled. Dolphy responded that our current ordinance reads 4 units or more requires compliance and even if you have less than 4 units providing services for at-risk or handicapped people, you may need to meet state and county guidelines. The new proposal would not restrict the housing but will help us regulate it for the safety of the residents.

Jungbauer stated that he has many hours into it and he does not feel it is anywhere near completion. He just put this out so the Commission could start working on it. He asked the Commission member to contact him with any new ideas so he could have something more refined for the next meeting.

NEW BUSINESS

Sausen – Conforming Land Split

Tom Sausen recused himself due to a conflict of interest. He would like to split off 5 acres which has road frontage on Hornsby. He has had it surveyed but did not provide any copy. He said the property has road frontage, land size and adequate area for a septic system.

Gary Gustafson moved to recommend the request to the Town Board, Jim Garrison seconded. All ayes, motion carried.

OTHER BUSINESS

Fire Ordinance – Chapter V. Regulations and Licensing, Part 4. Minnesota State Fire Code

Andy Luddtke from the Fire Department has been working on a draft with Mike Jungbauer on some changes to the Fire Ordinance. Andy handed out the proposed changes to the Commission members to review. Garrison noted he feels the penalties are too high in 504.15 Penalties which states “fines up to \$1000.00 and/or 90 days in jail per MN Statute 299F.011”. Questions arose regarding what if they don’t pay the fine. Mike says he would have to look at the Ordinance, currently we have no power to collect. When the question arose if we could add it to the property tax, Jungbauer stated that we have statutory authority but do not currently have it written in our Ordinances that it is an option we are going to use. We would have to include it in our Ordinance that we would accept the statutory authority to assess the property taxes.

Jungbauer stated that 504.01. adopting the 2015 Minnesota Fire Code by reference allows for the fact that any future changes to the Fire Code would be accepted and we would not have to change our Ordinance each time the States makes adjustments.

The proposed Ordinance was introduced so the Commission could look at it and give their input to Jungbauer who will continue to work with the Fire Department.

Sherco property on 241st Lane

Tim Peterson asked for updates on the property on 241st, the 27 acres to break into 4 lots. Dolphy said he phoned Tom Carlisle that afternoon and was waiting to hear back from him.

Update Code Books

Sandy Lathrop told the Commission members to bring in their Linwood Town Code books so that we can update the books as the Ordinance stands now.

Adjourn

Jim Garrison moved to adjourn at 8.44; Gary Gustafson seconded. All voted in favor; motion carried.

Respectfully submitted,

Sandra J. Lathrop, Office Assistant

Minutes Approved November 21, 2017

Chairman: _____

Joseph E. Dolphy, Jr.



<http://linwoodtownship.org>

Agenda
Planning and Zoning
November 21, 2017
7:00 p.m.

Call to Order

Roll Call

Pledge to the Flag

Approval, corrections and or additions to the October 17th minutes.

Oath of Office – Amanda Anderson

Oath of Office – Laura Kearns

OLD BUSINESS

Rental Housing added as a legal land use – comments, motion to table

Accessory Building Ordinance - update, motion to table

Fire Ordinance Chapter 5 – comments, motion to table

Proposed Shoreland District 801.10 - how it now combines with County Shoreland Ordinance

NEW BUSINESS

Elect a new Vice-Chair to replace Steve Strandlund (his term was thru 2018)

Elect a secretary per Chapter II 201.03

Administrative Subdivision – New Ordinance and Forms

Nuisance Ordinance – Start a conversation on what ordinances are legal

Other Business

Adjourn



LINWOOD TOWNSHIP

ANOKA COUNTY

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Planning and Zoning

November 21, 2017

7:00 pm

Meeting call to order at 7:00 p.m. by Joe Dolphy

Commission members present: Chairman Joe Dolphy, Amanda Anderson, Jim Garrison arrived at 7:14 pm, Gary Gustafson, Mark Olson, Tom Sausen, Tom Searing, Laura Kearns (alternate)

Others present: Town Board Supervisor: Tim Peterson, Town Board Supervisor Carol Searing

Pledge to the Flag recited

Approve Minutes from October 17, 2017

Tom Searing moved and Gary Gustafson seconded to approve the October 17, 2017 Planning and Zoning minutes as presented. All ayes, motion carried.

Commission Oath of Office - Amanda Anderson

Commission Oath of Office - Laura Kearns (Alternate)

Sandy Lathrop brought up a few items that should be followed in the meeting. Since this is a Commission, new items may not be added to the agenda after it is posted. Gary Gustafson stated that typically the Chair would ask if we approve the agenda at the beginning of the meeting or if there are additions to the agenda and wondered if that was allowed. Joe Dolphy responded that the Commission will approve the agenda "as is" at the beginning of the meeting in the future. Sandy Lathrop also asked that when there is a motion made and seconded, the chair would re-state the motion before it is voted on. If there is an amendment to the motion, that should be voted on as well.

Jim Garrison arrived at 7:14pm.

OLD BUSINESS

Rental Housing added as a legal land use

Agenda showed item could have comments and/or be tabled. This could not be tabled since there was no motion on this. Mike Jungbauer's written comment: "We need to update all of our land uses at once, instead of just adding the rental uses." So he feels that it should just be set aside for right now because all of the land uses have not been completed yet. Joe Dolphy stated that Mike Jungbauer felt it had to do with a lot of zoning changes, i.e. planned unit development, the rental housing, etc. It should all be incorporated into the update of our zoning.

Sandy Lathrop reported that she and Mike had discussed Work in Progress to be a section on the agenda so a proposed ordinance change did not get placed on the agenda and discussed at one meeting and then dropped for months before getting back to the topic. Chairman Dolphy reiterated that Mike Jungbauer liked the Work in Progress idea so things could be kept on the agenda so when we have time, we can work on items and Mike can have time to formulate more appropriate language. It reminds Mike and all of the Commission that these ordinance changes have been introduced but not completed due to a timing or priority issue.

Gary Gustafson suggested it just be left as Old Business. Tom Searing stated that the Road and Bridge Commission uses a "laundry list" which might include roads that were planned to be redone five years ago and there was no money to follow through. So he would like incomplete issues to remain under Old Business. Dolphy liked the idea of leaving things under Old Business until they get resolved. No motion was made since unfinished items are currently listed as Old Business and will continue to be listed there until acted upon.

Accessory Building Ordinance / Related zoning Revisions

Chairman Dolphy stated the Accessory Building Ordinance was discussed by the Town Board and then kicked back to the Planning and Zoning Commission to discuss changes that the Town Board would like to see in the new regulations. Sandy Lathrop stated that the reason the proposed changes were not presented to the Commission was a timing issue. There were only two days between the Town Board meeting and the time the P&Z meeting packets had to be sent to the members. The minutes were not complete nor did Mike Jungbauer have time to go through the tapes to get the proposed changes.

Sandy Lathrop and Mike Jungbauer did meet with the Town Clerk for a short synopsis of the proposed changes. It was stated that members Tom Sausen and Tom Searing along with Supervisor Tim Peterson were present at the Town Board meeting. So if the Commission wanted to discuss the Accessory Building ordinance, there were enough people present with a working knowledge. Tim Peterson said the Town Board would like the Planning and Zoning Commission to go through the Accessory Building ordinance again before the Town Board revisits it. The consensus was to wait for the Town Board minutes with their suggestions before proceeding with the discussion. Chairman Dolphy stated this will remain under Old Business.

Fire Ordinance

Mike Jungbauer's written comment: "We will make it to have automatic updates as do other ordinances." Chairman Dolphy wanted to know if Mike Jungbauer was planning to continue working with the Fire Department on this.

Tom Searing said he has an issue with 504.03 stating that the Fire Chief is to enforce this Ordinance. He feels that more than just the Fire Chief should have this authority. There are some pretty big penalties, up to \$1,000.00, for violating this ordinance and the Fire Chief cannot be expected to do this this alone. He inquired if the Police would do this and that we need to address this issue as to who would enforce it. Tom Sausen asked if this isn't the DNR responsibility. Dolphy stated that in his experience, after the Fire Department has put out the illegal fire, the DNR would come out the next day and the Conservation Officer would ticket the people. Leaving the wording with only the Fire Chief limits it too much so it should also include the Conservation Officer or the Deputy from the Sheriff's Department.

Tom Sausen wondered if the DNR has the permits for fires, why the Township is collecting fees. Chariman Dolphy stated that he knows that Andy Luedtke and Mike Jungbauer worked on this but he has a problem that if the DNR has rules and the State has Statutes that the Township complies with, are we duplicating or replicating what is already there.

Gary Gustafson stated that a fire pit of 3 feet is not big enough for a campfire. Dolphy stated that this guideline comes from the DNR and we probably cannot do anything about the size. Amanda Anderson said she emailed Mike Jungbauer that if we were going to enforce this, we need to make better ways to get a burning permit. The Fire Warden she attempts to get permits from is never home. Online permits are available in other parts of the state and she wondered how Linwood could get this in motion. Dolphy stated that it may be available online but not currently in the metro area.

Dolphy stated that some cities are trying to get away from simply following the DNR regulations so that if we want a Deputy to issue a ticket and he asks the Fire Department for the Ordinance number they could have an answer for the Deputy.

After much discussion about items the Commission members did not like regarding penalties, neighbor's complaints, the size of a recreational fire, Carol Searing reminded everyone that we can make it more restrictive than the DNR or State, not more lenient.

Chairman Dolphy inquired if they should wait for more input from the Fire Department. Sandy Lathrop spoke up and reminded everyone that while they could choose to wait for the Fire Department and Mike Jungbauer, this is their Commission (not Mike's) and while they should use his expertise, they do not need to sit back and have him do all the research, they can do their own homework by going to the DNR website; the discussion held during this meeting holds valuable input and they should share their thoughts with Andy Luedtke and Mike Jungbauer.

Several members questioned if we need more regulation or control and felt we could just follow the DNR regulations. Joe Dolphy suggested the Commission members could look at the DNR regulations and see how they compare to the proposal and then discuss if we need more control or can just let the DNR handle it. Dolphy summarized that the enforcement portion

504.03 should be broadened from only the Fire Chief to Deputies or Conservation Officer and Fire Department officers be the people allowed to enforce the ordinance. 504.07(g) allows these people to only put out the recreational fires if they are offensive.

Tom Sausen thinks we could have a paragraph giving the Fire Department and the Deputy to have enforcement of this ordinance and then just adopt the DNR guidelines. Joe Dolphy said he would go through the DNR guidelines to compare what is being proposed and see if any of it is redundant. He suggested more members might want to do the same. Chairman Dolphy said the Fire Department ordinance will be left as Old Business.

Proposed Shoreland District 801.10

Carol Searing brought up that the Township agreed to comply with the Anoka County Shoreland ordinance, this was signed at the last Town Board meeting. Tom Searing stated that we signed a Joint Powers Agreement. Dolphy stated that the County's ordinance is not current and they do not plan on updates since Linwood is the only township remaining in Anoka County and he also pointed out that in certain areas the DNR is more restrictive. Sandy Lathrop stated that Mike Jungbauer suggested we could agree to comply with Anoka County Shoreland ordinance and/or the DNR, whichever is stricter. Tom Searing and Jim Garrison liked this idea and wondered who would enforce it. Jim Garrison suggested it could be the Building Inspector.

Sandy Lathrop reported that Mike Jungbauer did not like the wording in Ordinance 92-1-7.04 stating that a Nonconforming septic system "must be upgraded at a minimum, at any time a permit or variance of any type is required for any improvement on, or use of, the property". Dolphy stated that he and Mike Jungbauer discussed this item and felt that many of the permits that could be issued would be for maintenance and not improvements, i.e. roofing, windows, siding. Mike Jungbauer would like the Commission's input on interpretation for this. Amanda Anderson and Jim Garrison pointed out that 92-1.7.04 is for nonconforming sewer treatment systems. Amanda pointed out that if you want to pull a permit, the Township would make you have a Septic Compliance inspection done.

Laura Kearns pointed out if we want to get more septic systems in compliance, we could write an ordinance that states you have to have a septic and well inspection done prior to selling your home so the title company could not close the sale without it. Joe Dolphy pointed out that this ordinance is only for the Shoreland areas so this would have to be added in a different part of the Town Code.

Dolphy stated that this is for informational purposes at this time and does not need any action. It will be left as Old Business.

NEW BUSINESS

Election of new Vice Chair: Jim Garrison made a motion, seconded by Tom Sausen to nominate Tom Searing as Vice Chair. He was honored to accept the nomination. No other nominations presented. It passed unanimously.

Election of secretary: Jim Garrison made a motion, seconded by Tom Searing to nominate Sandy Lathrop as Secretary since she was already assigned to take the minutes. No other nominations. All ayes.

A discussion was held regarding the Commission looking at Chapter 2 Operations and Administration to see if it need updating to our align with the current method of operation.

Administrative Subdivision

The newly adopted Administrative Subdivision ordinance and application was presented to the Commission.

Laura Kearns thought the checklist should be adjusted for the Lot Line Adjustment so that if an item was not needed, the form would state "if applicable". Amanda Anderson brought up that a "proposed driveway location" would not be applicable to a lot line adjustment. Joe Dolphy thought if something did not apply, the Town Clerk and the Zoning Administrator could write N/A on the form. Amanda Anderson felt the checklist was too daunting. Laura Kearns thought for the citizen who does not do this on a daily basis, they would not know this form needed to be used for a Lot Line Adjustment and wondered if the form should be made more user friendly.

Nuisance Ordinance

Mike Jungbauer would like to start working on this since we have an ordinance in place but it does not have the proper wording to be able to enforce it. Tom Searing stated that we have brought things to court and lost because we did not have the correct wording. Jim Garrison questioned what we have lost in court, Joe Dolphy said junk cars or a blight property. Tom Sausen feels we need Mike Jungbauer's input, Joe Dolphy suggested the Commission members could look at the current nuisance ordinance and who is able to enforce it. It was brought up that the current regulations may not allow us to go in and clean up a property and assess the property for the clean-up cost. Dolphy pointed out that Ordinance 701.08 allows for this assessment. Joe Dolphy and Jim Garrison brought up that our current ordinance may be adequate. Several members agreed to look over the current nuisance ordinance.

OTHER BUSINESS

Adjourn

Gary Gustafson moved to adjourn at 8:45pm, Tom Searing seconded. All voted in favor; motion carried.

Respectfully submitted,

Sandra J. Lathrop, Office Assistant

Minutes Approved December 19, 2017

Chairman: _____
Joseph E. Dolphy, Jr.



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Agenda
Planning and Zoning
December 19, 2017
7:00 p.m.

Call to Order

Pledge to the Flag

Roll Call

Approval of Agenda

- 1) Approval, corrections and or additions to the November 21st minutes.
- 2) Updated Terms
- 3) Oath of Office: Joe Dolphy thru 6/30/2020 and Tom Searing thru 6/30/2020

OLD BUSINESS

- 4) Fire Ordinance Chapter 5 – Updated proposal
- 5) Rental Housing added as a legal land use – work in progress
- 6) Accessory Building Ordinance - work in progress
- 7) Proposed Shoreland District 801.10 – work in progress
- 8) Nuisance Ordinance – work in progress
- 9) Solar Ordinance – Required by Comprehensive Plan

NEW BUSINESS

- 10) Comprehensive Plan

Other Business

Adjourn



LINWOOD TOWNSHIP

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Planning and Zoning December 19, 2017 7:00 pm

Meeting call to order at 7:02 p.m. by Joe Dolphy

Pledge to the Flag recited

Commission members present: Chairman Joe Dolphy, Amanda Anderson, Jim Garrison, Gary Gustafson, Tom Sausen, Tom Searing, Laura Kearns

Others present: Planning and Zoning Administrator Mike Jungbauer, Town Board Supervisor Carol Searing, Fire Captain Andy Luedtke

Approval of Agenda

Tom Searing moved and Gary Gustafson seconded to approve the Agenda. All ayes, motion carried.

Approve Minutes from November 21, 2017

Jim Garrison moved and Tom Searing seconded to approve the November 21, 2017 Planning and Zoning Commission minutes as presented. All ayes, motion carried.

Updated Terms

Joe Dolphy, Jr.	2017-2020	PZ-1	Jim Garrison	2016-2019	PZ-5
Tom Searing	2017-2020	PZ-2	Mark Olson	2016-2019	PZ-6
Amanda Anderson	2015-2018	PZ-3	Tom Sausen	2016-2019	PZ-7
Gary Gustafson	2015 -2018	PZ-4	Laura Kearns, Alt	appoint 2017	PZ-ALT

Sandy Lathrop explained that the Slate of members and their respective terms was approved at the Town Board on 12/12/17. Terms expire June 30th, so renewal of appointments will be presented to the Board in June 2018 and annually from that time forward.

Commission Oath of Office – Joe Dolphy

Commission Oath of Office – Tom Searing

Absenteeism

Mike Jungbauer asked if the Commission members would like him to speak with Mark Olson regarding his attendance. He has missed 5 meetings in 2017. It was suggested that he may be too busy and he may feel he has to fill out his commitment even if his schedule doesn't allow him to make it to many of the meetings. Mike Jungbauer suggested that stepping into the alternate role could be an option. His term runs through June 2019. Amanda Anderson stated that it may not be a viable option since the Alternate must attend every meeting. Carol stated that this should go to the Town Board prior to sending a letter, since they appointed him.

OLD BUSINESS

Fire Ordinance

Joe Dolphy pointed out that there were two proposals. Tom Searing pointed out that the first draft was done by Mike Jungbauer and Andy Luedtke, it was then critiqued by Tom Searing and Tom Sausen and now the current proposals were done by Mike Jungbauer and Sandy Lathrop. Mike Jungbauer clarified that the one page proposal was to fulfill the P&Z request to keep it very short, just adopting the State Code and complying with the DNR, however this may not have all the definitions of everything we need. The Fire Ordinance Proposal (12/12/17) was developed to include ideas from Andy Luedtke, representing the Fire Department, Tom Searing and Tom Sausen, representing the P&Z Commission and suggestions from other P&Z commission members. Wording from the State Fire Marshall Division Sample Model Ordinance Adopting the State Fire Code was also in the proposal. Andy Luedtke was contacted with each change that was proposed. Gary Gustafson made a motion to approve the Fire Ordinance Proposal (12/12/17), Tom Searing seconded the motion.

Andy Luedtke was asked what he thought of the proposal. He stated he had talked to the Town Board in March 2017 to update the Fire Code to the State Fire Code from 2015. In the current ordinance, the Fire Department does not have an official capacity. The Fire Department wanted something in the Ordinance telling people how big their fire in the back yard could be and to have the ability to deal with nuisance fires. Gary Gustafson asked Andy Luedtke which proposal he would recommend. The Fire Department would like the longer version because it covers that Linwood Township will adhere to the latest adopted Fire Code, currently the 2015 Fire Code. When the state adopts a newer version, the Township will not have to update the ordinance. Mike Jungbauer interjected that with this proposal, a resident would not have to go to the DNR website and the Public Safety website. We want them to be able to look at our ordinance and only have to go to the State website or DNR if they need further clarification. Jungbauer added everything in our current ordinance is outdated and that's why this operative language, in terms of adoption, automatically goes to the next version of the code. This would allow the local Sheriff to have operating language to ticket somebody for something like recreational fires that are beyond the size allowed.

Sandy Lathrop brought up Subd. 504.04 Penalties. "A person who violates the provisions of the Minnesota State Fire Code or this ordinance after being given written notice shall be guilty of a misdemeanor." This was taken from the State Fire Marshal Division Sample wording. Darryl

Ballman, the Fire Chief approved of this change. Andy Luedtke questioned who would give the written notice. Joe Dolphy suggested that he thought it could be any official, the DNR, a deputy or any fire code official as designated by Subd. 504.02. Andy asked if that meant everybody is given one “free pass”. It was suggested that was the criteria for a misdemeanor. Mike Jungbauer stated that a fine or administrative penalty could be given without it being spelled out in the ordinance.

Andy Luedtke stated that he had missed the definition of a recreational fire as proposed is “no more than three (3) feet in diameter by three (3) feet high”. It should also include that the “fuel height should be a maximum fuel height of two (2) feet”. Tom Searing and Laura Kearns would like this spelled out in the ordinance.

Andy Luedtke questioned where this will go in the Town Code. Mike Jungbauer said we try to fit it in the ordinances as they stand today. In this case, this will repeal and replace the current Fire Ordinance. This will be adopted subject to the Board approval and the attorney’s final approval because the attorney has to approve the operational language to make sure it is correct and enforceable in the Township.

Amanda Anderson thinks it is important that the wording in the Penalties clause should state that if you were given a written warning, you would be fined. Mike Jungbauer stated that at this time we have no Administrative penalty associated with this ordinance and should we decide to impose an Administrative penalty with this ordinance, the wording would be inserted at that time and also in the schedule of fees. The amount of fees and fines is determined by the Town Board annually. Joe Dolphy felt that once this is reviewed by the attorney and adopted by the Town Board, it will be defined and explained to the Town Board, the Fire Code Officials, the Building Inspector, the Planning and Zoning Administrator as to the enforcement procedure. Mike Jungbauer reiterated that our current ordinance does not allow the Anoka County deputies to write a ticket but once this operational language is in place, it will be enforceable.

Carol Searing stated that this ordinance belongs to the Fire Department, whereas it might be in the Town Code, it needs to be right by the Fire Department”. She asked Andy Luedtke for his opinion because we don’t want to pass something that doesn’t fulfill the Fire Department’s needs. Andy stated that this would put us light years ahead of where we are now and if this can get the Fire Department to be able to say this is on file with the Township, it would be a huge step.

Gary Gustafson and Tom Searing agreed to amend the motion to adopt the Fire Ordinance Proposal (12/12/17) with changes in the wording for 504.01 Subd. 3(2) to read : “Campfire or Recreational Fire: A fire set for cooking, warming or ceremonial purposes, which must be contained in such a manner that no flame or fire spread is greater than three (3) feet in diameter, a maximum fuel height of two (2) feet, and a maximum flame height of three (3) feet.”, and also change the wording for 504.05 Subd.1(1) to read: “The Campfire or Recreational Fire must be contained in such a manner that no flame or fire spread is greater than three (3) feet in diameter. The Campfire or Recreational Fire shall be limited to a maximum fuel height of

two (2) feet and at no time shall the maximum flame height exceed three (3) feet.” All ayes, motion passed.

Joe Dolphy thanked Andy Luedtke, Mike Jungbauer, Sandy Lathrop, Tom Sausen and Tom Searing for all the work they put in.

Rental Housing added as a legal land use

Mike Jungbauer reported that the Town Board wanted this moved ahead as a priority. Instead of working on all the zoning ordinances to make sure it makes sense, they want to be able to get the Rental Housing so we can use it and enforce it now. Mike stated that there is nothing we need to work on now. Bob Ruppe, the Attorney is working on it.

Tom Searing pointed out that a couple of months ago, Mike presented some paperwork that one of the Conditional or Interim Uses included “Boarding houses or Duplexes capable of meeting the rental housing ordinance”. Since the Town Board will meet twice before the P&Z meets again, Tom wondered if we couldn’t just approve that wording pending the attorney’s approval to get this expedited. And then it won’t have to come back to P&Z. Carol Searing stated that the Town Board will not want to wait until after the February P&Z meeting to get this finalized, so we should get something done.

Tom Searing made a motion, seconded by Amanda Anderson that “Boarding houses or duplexes capable of meeting the rental housing ordinance are included among the acceptable land uses with an interim use permit.” This would be pending the attorney’s approval. After some discussion on the wording, Tom Searing agreed to withdraw his motion. Using owrd clarification from Planning and Zoning Administrator Mike Jungbauer, Tom Searing made a motion to “Allow rental housing as an interim use in RA and R1 zoning if the property is capable of meeting our rental housing ordinance.”, seconded by Amanda Anderson. All ayes, motion passed.

Accessory Building Ordinance / Related zoning Revisions

Mike Jungbauer stated that we would address this at a future meeting due to time constraints and the time needed to work on the Comp Plan. The Accessory building ordinance was being worked on to limit the variances. This does not need to be completed for the Comp Plan which is a priority now.

Proposed Shoreland District 801.10

Under the Shoreland Management Ordinance No. 92-1 & 92-3 (7.04), Mike Jungbauer stated that any permit for improvement would require a septic compliance inspection. It would be subject to interpretation whether something was determined maintenance on the house or an improvement. Mike would like direction from P&Z as to how they would like to differentiate between improvements or repair. For someone who would like to replace their shingles, is it fair that they be required to get a septic compliance inspection done. Tom Searing suggested we look at the IRS guidelines. Mike Jungbauer said he would look into it. Amanda Anderson

suggested it is important that we be clear. Mike said he felt that P&Z would like general maintenance not be interpreted as improvements and he would bring this to the Town Board.

Nuisance Ordinance

Mike Jungbauer stated that Nuisance Ordinances will have to be worked on for the new Comp Plan.

Solar Ordinance

Mike Jungbauer stated that Solar Ordinance will have to be worked on for the new Comp Plan.

NEW BUSINESS

Comprehensive Plan

Mike Jungbauer stated that there are new requirements for the Comp Plan, one item requires that the 2040 Comp Plan be submitted to the neighboring communities six months prior to finalizing. He went through the checklist of minimum requirements for the Comp Plan.

Land Use: Not much land is available to develop. Mike will prepare a list of proposed residential developable land for the February meeting. We also need to look at areas for commercial or redevelopment.

Flexible Development Ordinances: This would include PUDs, some of this was touched on with Shoreland that we recently worked on. We may be able to hook all of that together.

Transportation: We can use Met Council roadway maps. We will have to think about what we see in our future as to where we may need new roads for items such as Public Safety.

Transit: We can mention Ride Share in Wyoming.

Bike Paths: Amanda Anderson said she had spoken with Anoka County regarding bike paths or corridors in Linwood. Even though it may show up on their maps, they do not have plans to develop any trails in Linwood.

Aviation: We may need to address seaplanes.

Wastewater: Mike Jungbauer is trying to get maps together and this would fit in with Shoreland Ordinance. Joe Dolphy suggested Cluster development or Planned Unit Development could incorporate community treatment systems.

Surface Water and Water Supply: Mike Jungbauer will work with Craig Jochum from Sunrise River Watershed. Each Watershed will have a plan and most of the surface water will be taken care of in this plan so we can incorporate the One Watershed, One Plan in terms of water surface protection.

Housing: Mike Jungbauer will work with John S. from Anoka County GIS. In talking about low income housing, Jim Garrison pointed out that if we put in low income housing, we do not have low income jobs available for them with no commercial base, so there is some impracticality there. We need to be looking at areas for future commercial development and Planned Unit Developments which may require updated zoning. We may not see the need today but this plan is for 2040. The township can designate certain parcels or areas that would be beneficial to the township with different zoning.

Resilience: The Solar Ordinance will come into play here. We don't need to have to worry about Wind Energy since we don't have that high of winds. Carol Searing feels we need a Solar

Ordinance due to the clean-up of solar panels. Laura Kearns said we should be requiring reclamation plan and projects for when they take down solar panels and we should also get a bond so if they cannot clean it up, we can cash the bond and the Township can go and clean up the property.

Mike Jungbauer feels if we construct the 2040 Comp Plan together piece by piece we will be fine and that he feels we are ahead of the game. The rough draft form should be completed in six months for comments. He plans to start out with an outline at the end of January.

Amanda Anderson gave a report on the notes from the Comprehensive Plan Committee and ideas that they would like to see incorporated into the 2040 Comp Plan. In meeting with various people, she felt there was a lot of good input. Some of the ideas that the Committee discussed have already been covered by the P&Z, i.e. water and water treatment.

Parks: People had ideas about historical preservation, working with identifying snowmobile trails, remove Library from verbiage in the proposed Comp Plan. When referencing parks, remove the wording of “No further development in this area is anticipated. “

Land Use: Senior housing should be flexible when presented in the right place.

OTHER BUSINESS

Adjourn

Jim Garrison moved to adjourn at 9:28 pm, Tom Sausen seconded. All voted in favor; motion carried.

Respectfully submitted,

Sandra J. Lathrop, Office Assistant

Minutes Approved January 16, 2018

Vice Chairman:

Thomas Searing