

BALDWIN TOWNSHIP

30239 128th Street, Princeton MN 55371

PLANNING COMMISSION MEETING

October 23, 2019

Call to Order:

On this 23th day of October 2019 the regular monthly meeting of the Baldwin Planning Commission was called to order by Chairman Richard Marshall at 7:00 p.m.

Pledge of Allegiance:

The Pledge of Allegiance was recited.

Roll Call:

Commissioners present were Richard Marshall, Richard Harris, Clarence Mattson and Sherry Newman. Baldwin Town Board Liaison Bryan Lawrence arrived at 7:14 p.m. The Claim Forms were filled out and returned.

Approve / Disapprove Agenda:

- Add 'Dredge Elk Lake / Scott Schmidt' to Land Use Requests;
- Add 'Intro Page to Land Use' to Old Business.

A motion was made by Commissioner Harris to approve the regular meeting agenda as amended which was seconded by Commissioner Newman; all in favor; motion carried.

Secretary's Report:

Special Planning Commission Meeting Minutes of September 18, 2019:

A motion was made by Commissioner Harris to approve the Planning Commission Meeting minutes of September 18, 2019 which was seconded by Commissioner Mattson; all in favor; motion carried.

Planning Commission Meeting Minutes of September 25, 2019:

A motion was made by Commissioner Mattson to approve the Planning Commission Meeting minutes of September 25, 2019 which was seconded by Commissioner Newman; all in favor; motion carried.

Chairman Richard Marshall welcomed the guests present reminding them that the Baldwin Township Planning Commission serves at the pleasure of the Baldwin Township Town Board. The Planning Commission is an advisory board that makes recommendations to the Town Board. It was stressed that the final decisions are made by the Baldwin Township Board of Supervisors.

Reminder: All guests please sign the Sign-In Sheet.

Land Use Requests:

Variance Lot Line Setback / Bradley W. and Deborah L. Feero:

Applicant Bradley W. Feero and Deborah L. Feero are requesting two variances to a non-conforming structure to construct an attached garage and a sunroom addition on an existing deck at PID No. 01-414-0120 in the Cool Spring Acres of Baldwin Township. The two variances being requested are to expand a non-conforming structure which was built in 1964. The first request is a 5' variance to the north property line to construct an attached garage and a sunroom on the existing deck. The second request is a 6' variance to the south property line to construct an attached garage and a sunroom on the existing deck. The required setback to both property lines is 10'. All the requirements set forth from Sherburne County have been satisfied except for the replacement of a new septic tank and the removal of a sidewalk. The drain field will remain as is. The sidewalk will be removed and not replaced in order to improve the impervious surface.

Reviewing the Findings of Fact in supporting (or denying) the variances the Baldwin Planning Commission determined:

- Granting the variances will not conflict with the comprehensive plan. The commissioners said they would need to be 'shown chapter and verse' to the contrary.
- Yes, exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same district, and result from lot size or shape, topography, or other circumstances over which the owners of property since enactment of the relevant Ordinance have no control.
- It is correct that the literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
- It is correct that the exceptional or extraordinary circumstances do not result from the actions of the current or previous owner (s) under the current Ordinance or State law.
- Yes, the variance requested is the minimum variance which would alleviate the practical difficult since it is the same footprint.
- Yes, the variance will not alter the essential character of the locality and there would be no significant effect on the surrounding properties since the variance would be an improvement to the locality.
- Yes, adequate sewage treatment systems can be provided since the system is being upgraded.
- Yes, granting the variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because the driveway is inadequate length or width since it is a private road.
- A shoreland variance is not applicable.
- Yes, the variance will not increase loss of sunlight, views or privacy of the neighboring properties of the residence were built according to the applicable regulation and height of structure.
- Yes, economic consideration or circumstances shall not be considered so long as a reasonable use of the property exists under the terms of the Ordinance.

A motion was made by Commissioner Harris to recommend to the Baldwin Town Board to approve the applicant's request for the two variances to a non-conforming structure to construct an attached garage and a sunroom addition on an existing deck at PID No. 01-414-0120 in the

Cool Spring Acres of Baldwin Township which was seconded by Commissioner Newman; all in favor; motion carried.

Dredge Elk Lake / Scott Schmidt:

Scott Schmidt is requesting the Planning Commission's opinion regarding his proposal on improvements to the dredging of Elk Lake. He is starting to gather money from property owners to clean out the outlet in Elk Lake as they did several years ago. He is talking with the DNR and the county soil and water office. He wants to make sure the Town Board is aware of this. He is not expecting any burden from the township. The access point will be from the east side. The DNR put in a few more restrictions and are asking for them to do a survey of the access channel. They are going to determine if they can put spoils on the island instead of hauling it out. They have a lifetime permit with the DNR. The work needs to be completed before April 1, 2020.

The next project is south of Ridgewood Bay. The township owns a parcel there. They would like to obtain an easement, along with property owner Ross Gabrielson, to dredge out the Gabrielson lot. The only issue would be hauling the spoils out. Maybe do some improvements for the township with a boat ramp if the township grants an easement. The project would increase the value in the area by creating a better shoreline and increasing the tax base. It would be dredged 6-8 feet deep. In a response received from general counsel at the Minnesota Association of Townships, *'Assuming the township actually owns the property, then yes, it could give easements or access. However, it may be better to just give the party permission to use it for the time needed. An easement is usually permanent, unless it's made temporary. Permissive access can be revoked'*.

Commissioner Newman purposed an idea that perhaps the access could become part of the Baldwin Township park system.

A motion was made by Commissioner Mattson to recommend to the Baldwin Town Board to approve a resolution to allow access to an easement owned by Baldwin Township in order to dredge the Elk Lake shoreline which was seconded by Commissioner Newman; all in favor; motion carried.

Communications:

Liaison Lawrence informed the commissioners that Sherburne County Board of Adjustment moved to have a seven (7) member board. The Cruz variance request was given approval. Lawrence is still working on clarifying, and perhaps condensing, the eleven questions on the Findings of Fact questionnaire. He commended the commissioners on how impressed he is with their diligence and review of the land use requests.

Old Business:

Discuss / Update 'Land Uses' of Comprehensive Plan:

Intro Page to Land Use:

Commissioner Marshall put together a rough draft of an intro page for the Land Use portion of the Baldwin Township Comprehensive Plan. The commissioners will review the draft in order to discuss it at the next Planning Commission meeting.

New Business:

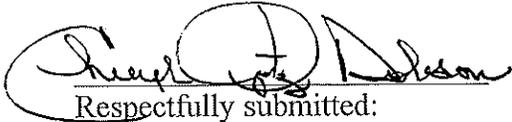
None.

Commissioner's Corner:

None.

Adjourn:

A motion was made by Commissioner Newman which was seconded by Commissioner Mattson to adjourn at 9:03 p.m. with a special Planning Commission meeting to be held on Wednesday, November 20, 2019. Motion carried. Meeting adjourned.



Respectfully submitted:

Cheryl Goetz Dobson

Deputy Clerk


Richard Marshall, Chairman

Nov 27, 2019
Date

Attendees: Scott Schmidt, Mike Sandin, Brad Feero