

# PLANNING COMMISSION MEETING MINUTES

## CITY OF GRANT

July 19, 2016

**Present:** John Rog, James Drost, Darren Taylor, Jeff Schafer, Dennis Kaup, Jeff Geifer and Robert Tufty

**Absent:** None

**Staff Present:** City Planner, Jennifer Haskamp; City Clerk, Kim Points

1. **CALL TO ORDER**

The meeting was called to order at 7:00 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **OATH OF OFFICE**

New Commissioner Geifer took the Oath of Office for City of Grant Planning Commission.

4. **APPROVAL OF AGENDA**

MOTION by Commissioner Schafer to approve the agenda as presented. Commissioner Kaup seconded the motion. MOTION carried unanimously.

5. **APPROVAL OF MINUTES, MAY 17, 2016**

MOTION by Commissioner Drost to approve the May 17, 2016 Minutes, as presented. Commissioner Taylor seconded the motion. MOTION carried with Commissioner Geifer abstaining.

6. **NEW BUSINESS**

**A. PUBLIC HEARING, Application for Septic Variance, 7555 99<sup>th</sup> Street Court –** City Planner Haskamp advised the Applicant and Owner (“Applicant”), Brad Micetic has requested a variance from wetland setbacks for installation of a new mound septic system on the property located at 7555 99<sup>th</sup> Street Court North. The Applicant recently purchased the subject property which includes an existing single family residential home and accessory structure. The existing septic system which serves the property has failed, and therefore the system must be replaced to serve the home. The Applicant has been

coordinating with Washington County to acquire a permit for installing the new system, and they were notified by the County that the location of the replacement system is within the City's required wetland setbacks and thus would need to obtain a variance from the city prior to being issued a permit for installation of the new system.

The following staff report summarizes the requested variance, and existing conditions of the site.

**Project Summary**

Applicant & Owner: Brad Micetic	Site Size: 2.5 Acres Location: 7555 99 <sup>th</sup> Street Court North Existing Home: Constructed in 1974 Zoning & Land Use: R-1
Request: Variance from wetland setbacks and grading buffer to install a replacement subsurface sewage treatment system (SSTS) at the existing home	

As referenced above, the Applicants have requested the following variance:

- Structural Setback from wetland for the septic system (75 feet).

As previously described, the Applicant is seeking a variance from the required setbacks for installation of a septic system to replace the existing system which was deemed failing during the recent real estate transaction in which the Applicant acquired the property.

MOTION by Commissioner Drost to open the public hearing at 7:13 p.m. Commissioner Kaup seconded the motion. Motion carried unanimously.

Ms. Judy Froehling, 7545 99<sup>th</sup> Street Court, came forward and expressed concern regarding aesthetics and contamination of the water resulting from the mound system. She asked if the mound system was too close to the road, if the MPCA is involved and why the system can't be placed behind the home.

MOTION by Commissioner Schafer to close the public hearing at 7:15 p.m. Commissioner Geifer seconded the motion. Motion carried unanimously.

City Planner Haskamp stated the MPCA does not get involved in individual septic permits. Washington County does make sure all rules and regulations are followed that include MPCA requirement. The City does not have an ordinance relating to aesthetics and septic systems. The mound will be designed in a way that the drain fields clean properly. The designer did submit an appropriately designed system. The well is behind the structures and there are rules regarding the drain field being a certain distance from a well. Washington County has determined there is no other location for the system and

they are the permitting authority. They do the site visit and issue the permit. Certain plantings can be done on the mound if the property owner chooses to do so.

MOTION by Commissioner Rog to recommend approval of the variance request, as presented. Commission Tufty seconded the motion. Motion carried unanimously.

This item will appear on the regular City Council meeting agenda on August 2, 2016.

**B. PUBLIC HEARING, Application for Septic Variance, 93143 75<sup>th</sup> Street North -**

City Planner The Applicants, John and Bernadette Fiske, and Owners, (hereafter collectively referred to as “Applicants”), have requested a variance from wetland setbacks for installation of a new mound septic system on the property located at 9313 75th Street North. A third party inspection of the existing system revealed that the system is non-compliant with current standards, and therefore the Applicants are requesting approval to bring the system into compliance. The Applicants have been working with Washington County to acquire a permit for installation of the new system at which time they were notified by the County that the location of the replacement system is within the City’s required wetland setbacks and thus would need to obtain a variance from the city prior to being issued a permit for installation of the new system.

The following staff report summarizes the requested variance, and existing conditions of the site.

**Project Summary**

Applicants: John and Bernadette Fiske Owners: Applicant	Site Size: 4.67 Acres (per GIS records) Location: 9313 75 <sup>th</sup> Street North Existing Home: Constructed in 1987 Zoning & Land Use: R-1
Request: Variance from wetland setbacks and potentially the grading buffer to install a replacement subsurface sewage treatment system (SSTS) at the existing home	

As referenced above, the Applicants have requested the following variance:

- Structural Setback from wetland for the septic system (75 feet).
- Buffer grading area encroachment for installation of septic system (50 feet) – staff identified that there may be some encroachment within the grading buffer depending on grading and work performed to install the new system.

As previously described, the Applicants are seeking a variance from the required setbacks for installation of a septic system to replace the existing system which was deemed non-compliant during a recent third-party inspection. Additionally, the location of the new system may require some grading work to be installed which may encroach within the City’s grading buffer of 50-feet. While this is not identified in the application, staff has

included it as part of this review to expedite the process, and to ensure that if the variance is granted for the location of the drain field that there are no issues if it is determined that some minimal grading work is necessary within the grading buffer to install the new system.

Mr. Pat Fiske, applicant, came forward and provided the background on the property as well as the system. He noted that through the sale of the property, it was determined the current system is out of compliance. It is not failing but for compliance purposes an upgraded mound system has been recommended.

MOTION by Commissioner Schafer to open the public hearing at 7:42 p.m.  
Commissioner Rog seconded the motion. Motion carried unanimously.

Mr. Steve Bar, 7330 (?) came forward and stated he would receive all the affluent drainage from this septic on his property. He asked that all rules and regulations be strictly adhered to as he is very concerned about drainage and the close wetlands.

MOTION by Commissioner Rog to close the public hearing at 7:44 p.m. Commissioner Schafer seconded the motion. Motion carried unanimously.

Commissioner Geifer asked if the City Planner had concerns regarding the proposed location and stated he does not think it is possible for the system to drain on nearby wetlands.

City Planner Haskamp stated technology has come a long way in terms of septic systems and rules relating to systems. Septics are far more detailed now and the system is being brought up to date so it will be in compliance. There are very few areas where this could be located and Valley Branch has the permitting authority relating to the wetlands if a permit is required. The variance request is for the setback from a wetland and not the property line.

Commissioner Drost stated the mound system is being brought in because it is a much better system and if it is installed correctly there should not be any problems.

MOTION by Commissioner Geifer to recommend approval of the variance application, as presented. Commissioner Drost seconded the motion. Motion carried unanimously.

This item will appear on the regular City Council meeting agenda August 2, 2016.

**C. PUBLIC HEARING, Application for Conditional Use Permit, Commercial Tree Farm, 10000 Lansing Avenue N** – City Planner Haskamp advised the Owners and Applicants, Jon and Kirsten Yocum (“Applicant”), are requesting a Conditional Use Permit (“CUP”) to operate a commercial Tree Farm and Nursery on a portion of the property located at 10000 Lansing Avenue North. The Applicant recently acquired the

property and is currently constructing a new home on the property which will be their principal residence. In addition to living on the subject property the Applicant would like to utilize a portion of their property for the establishment of a Tree Farm and Nursery, which per the City’s code requires a CUP. As such, the following staff report is provided to assist the Planning Commission in your review and consideration of the Applicants’ request.

**Public Hearing & Notice**

A duly noticed public hearing was published for July 19<sup>th</sup>, 2016 at the Planning Commission’s regular meeting, and letters were mailed to property owners within ¼-mile of the subject project informing them of the application request and public hearing.

**Project Summary**

Applicants & Owners: Jon and Kirsten Yocum	Site Size: 116.4 Acres (Total)
Zoning & Land Use: A-2	Request: Conditional Use Permit (CUP)
Address: 10000 Lansing Avenue N.	PIDs: 1103021440001 (74.92 Acres) 1403021110002 (5 Acres) 1403021120001 (35.75 Acres) 1103021430003 (0.76 Acres)

The Applicant is applying for a CUP to establish and then operate a wholesale Tree Farm and Nursery on an approximately 0.99 Acre portion of the site. As indicated in the Project Summary table there are several separate Property Identification Numbers (PIDs) associated with the total project site, and the CUP would apply to and be recorded against all parcels included in the Application. The following summary of the proposed site improvements is provided:

**Tree Farm Area:** As shown on the plant set contained in Exhibit B, the initial Tree Farm Area would be located south of the existing driveway and would be located on an approximately one acre portion of the site. The Tree Farm would be comprised of a variety of planting areas that are shown on the Exhibit entitled “Tree Farm – Layout Plan.” The operations would include several hoop houses, community gravel nursery beds, orchard space and a perennial/vegetable garden. Further description of the uses of each of the planting areas can be found in Exhibit A which includes the Applicant’s narrative.

**Storage Shed & Shade Structure:** To support the nursery operations the Applicant is proposing to construct a small storage shed approximately 12’ x 15’ (180 SF) and shade structure approximately 12’ x 15’ (180 SF) on the southwestern corner of the proposed initial Tree Farm Area.

Main Access and Parking: The Applicant is proposing to use the existing gravel driveway which was previously used to access a single family home on the site. While the existing home has been demolished, the Applicant is constructing a new home in generally the same location as that which was previously onsite, and it is their intent to use the existing gravel driveway to access their new home. The Tree Farm Area is located east of the new residential structure, and therefore it is logical that the existing graveled driveway would be used to serve the Tree Farm operations as well provide a single access from Lansing Avenue North. Internal to the Tree Farm Area there would be an extension of the gravel driveway to access the various planting areas and would provide space for staging as well as some onsite parking.

Utilities: To properly irrigate the proposed nursery stock a well and power will be necessary to operate the irrigation pumps. The Layout Plan (Exhibit B) indicates that the well would be located to the west of the Storage shed which would be located on the southwestern corner of the Tree Farm Area.

Stormwater Control/Ponding: The proposed project is located in the Brown's Creek Watershed District (BCWD) and is subject to their rules and regulations, as well as the City's. While the proposed use is agricultural in nature there will be hardcover added and grading work completed to create Tree Farm Area. The narrative states that the Tree Farm Area would be graded to smooth out the area will opportunities for positive drainage and passive irrigation. This information is being reviewed by the City Engineer, and BCWD should be contacted to ensure compliance with any of their applicable rules and regulations.

Operations: The Applicant's narrative and supplemental information (Exhibit A) describes the proposed operations of the Tree Farm. The following summary of the materials is provided:

- The Applicant describes the use as a tree farm and plant propagation operation. The use will include the creation of a "new nursery area for the specialty cultivation of bare root woody vegetation and perennials."
- Number of Employees: One permanent employee and potential for temporary seasonal employment once the nursery is more established during busy seasons.
- Hours of Operations: The hours of operation will be irregular and are likely to vary by season; however, the majority of the work can be conducted between 8 a.m. and 6 p.m.
- Traffic/Parking: It is unclear from the materials how much traffic is expected from those visiting the site. The narrative states that the operations will be primarily wholesale to vendors and landscape professionals, but does indicate that by-appointment retail sales would also be accepted.

City Planner Haskamp also advised some lighting would be placed on the shed and it must adhere to the ordinance requirements. The proposed signage does meet the City's

sign ordinance. The MPCA does have noise regulations and they would be required to meet those noise standards. Staff is recommending any potential future expansion of the site would require an amended permit.

City Planner Haskamp reviewed the memo from the City Engineer relating to any additional requirements. She stated the applicant indicated to her yesterday the estimated trips per month, plans for deliveries, parking areas, clarification relating to on site retail sales and no regular retail hours. City Planner Haskamp then reviewed draft conditions to consider for permit approval based on that information that was provided yesterday from the applicant.

Commissioner Rog inquired about noise from trucks and the backup beepers.

Mr. John Yocum, applicant came forward and provided the background on the property. He stated they would like to do something on the land and offer an educational piece for the community. He would like to grow something that fits with the land and provide a product to wholesale landscapers. The plantings will be done on one acre and will not generate a lot of product as they are trying to ease into the project. The planting will be a couple feet high to start and the roots are what grow out. There will not be semi-trucks but trucks a bit larger than a pickup. An in-out access can be provided in the back to eliminate and back up beepers. The well runs at 10 gallons per minute and he doesn't know if nutrients will be needed but the water will be reused and plants watered every 3-4 hours. As the trees get more seeded less watering is required. Pipe can be used to run that water to other areas. He stated he is not sure about the percentage of retail to wholesale. There are no plans to supply gravel. Stock will include trees, shrubs, classes, fruits and some vegetables. It is anticipated truck traffic would be at approximately five trips per month.

Commissioner Rog requested the City Engineer take a look at any impact on the grading schedule and increased dust that may occur from the truck traffic.

**MOTION** by Commissioner Geifer to open the public hearing at 8:59 p.m. Commissioner Drost seconded the motion. Motion carried unanimously.

Mr. Steve Halstenson, 10004 Lansing, came forward and stated he believes the applicant should be able to do this but with the bike trail, traffic and dust from the driveway is an issue that needs to be considered.

Ms. Melissa Lewis, 10799 105<sup>th</sup> Street, came forward and stated she supports the operation but is concerned about additional traffic and safety on the trail. She stated the classes being proposed were not part of the application and much more information should be submitted about those classes and additional cars, trips, etc.

Ms. Lois Walton, 10030 Lansing, came forward and expressed concern regarding additional traffic and dust generation.

Ms. Joanie Halstenson, came forwards and stated they bought their home in this area because it is a residential area and caters to trail users. Lansing Avenue already has bad traffic and is a gravel road.

Mr. Dan Potter, 9653 Lansing, came forward and stated he does support this type of activity on the property as it is not too large. There are many other uses that could apply to a parcel this large. The biggest issue is that Lansing Avenue is one of the highest traveled gravel roads in Grant. There are pedestrians, horses and many trail riders at the trail crossing. IT is a good use without the public retail and sales piece of the proposed use.

Ms. Josie Holker, 9899 Keswick Avenue, came forward and stated she has lived here for twenty years and loves the quiet. She asked how loud the generators will be.

Mr. John Yocum, applicant, came forward and stated he will be providing power through a solar system as he does not want generator noise either. There will not be any generators.

Ms. Kirstin Yocum, applicant, came forward and explained the type of classes she would have noting they are hands on and very low tech. It would be quiet groups with a low frequency on Saturdays. Potentially, there would be two classes a month.

Mr. Stewart Opel, 10310 Kismet Lane, came forward and stated he is an avid bike rider. It seems as though the traffic increase would be minimal. The issue is that the bicyclists do not stop at the posted signs at the trail. Vehicle traffic is not the problem but there will be an accident there. He stated trucks and UPS vehicles are already in the neighborhood. He stated he has ordered trees that have been delivered. He indicated he fully supports the proposed operation.



MOTION by Commissioner Schafer to close the public hearing at 9:15 p.m. Motion seconded by Commissioner Rog. Motion carried unanimously.

City Planner Haskamp advised additional conditions could address the additional information and they did note two events per month. Saturday classes have to be addressed and the City Engineer could address dust generation from the projected trips per month.

Through discussion, the Planning Commission requested more information regarding the following:

- Potential of a circular driveway within the plan
- Specific parking plan
- Solar system for power plan
- Detailed plan on entrance and vegetation
- Dust management plan
- Fertilizer/water management plan
- Specific plan for classes
- Additional signage at the gateway crossing
- Lighting plan

City Planner Haskamp did explain the complaint process within the City in terms of conditions within a conditional use permit noting there is a bit of honor code involved between both parties.

MOTION by Council Member Schafer to table this item to the next regular Planning Commission meeting based on the need for additional information. Commissioner Drost seconded the motion. Motion carried unanimously.

7. **OLD BUSINESS**

There was no old business.

8. **ADJOURNMENT**

MOTION by Commissioner Giefer to adjourn the meeting at 9:34 p.m. Commissioner Kaup seconded the motion. Motion carried unanimously.

Respectfully submitted,

Kim Points  
City Clerk

APPROVED