



MINUTES OF THE PROCEEDINGS OF THE PLANNING COMMISSION OF THE CITY OF STACY IN THE COUNTY OF CHISAGO AND THE STATE OF MINNESOTA PURSUANT TO DUE CALL AND NOTICE THEREOF

**REGULAR MEETING
FEBRUARY 19, 2013, 7:00p.m.
STACY CITY HALL**

Call to Order

The Planning Commission was called to order by Chair Jim Ness at 7:00pm. Chair Jim Ness announced that both alternates will be voting members in the absence of the full regular commission.

Roll Call

Present: Jim Ness, Dan Winberg, and Jim Clay (arrived late)
Present Alternates: Tony Olivolo, and Cindy Bruss
Absent: Jim Kultala
Absent Alternates: None
Others Present: Mark Ness, Peter Grundhoefer, Tony Janu, and Jeff Alan

Oath of Office

The clerk administered the oath to all the Planning Commission members.

Additions to the Agenda

Addition to the agenda:
Remove Wind Turbines

Motion by Olivolo to approve the agenda as amended. Second by Winberg. Olivolo, Winberg, and Bruss voted yes. Clay absent for the motion. Chair Ness declared the motion carried.

Approval of Minutes

Motion by Ness to approve the January 2013 minutes as presented. Second by Olivolo. Ness, Olivolo, and Bruss voted yes. Clay absent for the motion. Chair Ness declared the motion carried.

Public Hearings

**Public Hearing – Foxtail Woods 3 Re-plat; Now Foxtail Woods 4
7:05 – 7:16pm**

Chair Ness closed the Planning Commission Meeting at 7:05pm and opened the public hearing for Foxtail Woods 4. The purpose of the Public Hearing is to hear public comment on an application for property legally described below they are requesting a subdivision on lots previously platted as part of Foxtail Woods 3.

The property is legally described as:
Lots 2-9, 12-20 Foxtail Woods Plat 3

The applicant is also requesting a variance on lots 18, 19, and 20 of Block 02 of Foxtail Woods Plat 3, the request for a variance for lots 18, 19, and 20 to be re-platted as two (2) lots that will be less than the 100 foot wide requirement due to the location of the existing storm sewer.

Public Comment:

Ginger Preda voiced no objection to the project; thought it was an appropriate use for the neighborhood.

Hearing no other public comment Chair Ness closed the public hearing at 7:16pm and opened another public hearing.

**Public Hearing – Amending
Chapter 115 of the City
Code; Regulating
Peddlers, Solicitors, and
Transient Merchants
7:16-7:26pm**

The purpose of the public hearing is to gather public input on amending the City Code Under Chapter 115, Regulating the Conduct of Peddlers, Solicitors, and Transient Merchants within the City of Stacy.

No public present.

Chair Ness closed the public hearing at 7:26pm and reopened the Planning Commission meeting.

New Business

**Action on the Foxtail
Woods 4 Public Hearing**

Motion by Ness to notify the applicant that we are extending the time period up to an additional sixty days within which the city council to take action. Second by Bruss. Ness, Bruss, Olivolo, and Clay voted yes. Chair Ness declared the motion carried. The city attorney will send the notice to the applicant.

Motion by Bruss to approve the re-plat of Foxtail Woods 3 lots 2-9 and 12-20 to Foxtail Woods 4 contingent upon getting a variance for old lots 18, 19, and 20 or new lots 8 and 9. Second by Clay. Bruss, Clay, Olivolo, and Ness voted yes. Chair Ness declared the motion carried.

Motion by Olivolo to grant the variance for lots 8 and 9 of Foxtail Woods Plat 4; lot 8 at 81.9 foot width and lot 9 at 82.6. Second by Winberg. Olivolo, Winberg, Bruss, and Ness voted yes. Chair Ness declared the motion carried.

The clerk will prepare the Findings of Fact and Decision for the council's review and approval the following will be included:

- The application for a variance meets the requirements of the Comprehensive Plan.
- Lot size is not smaller than required by the code; variance is for the width only. No variance is being requested for setback requirements.
- It is not practical to move the drainage pipe, and was not

placed by the applicant.

- No request for side yard setback back variances.

The clerk indicated there had been a previous issue with a property owner not being able to build a deck on the side of their home where the patio door was installed due to side yard setbacks. The clerk will communicate to the building inspector that for lots 8 and 9, patio doors should not be installed on the side of the building.

Mr. Grundhoefer stated that an additional Public Hearing is required to vacate the easements already recorded; Mr. Grundhoefer will prepare the notice to the paper in the absence of the city clerk.

Motion by Ness to refer the Public Hearing for vacating the recorded easements; and recommend approval of the final plat by the City Council for their March 12, 2013, meeting. Second by Olivolo. Ness, Olivolo, Clay, and Bruss voted yes. Chair Ness declared the motion carried.

The council needs to determine the fee for registration; \$5?

Motion by Bruss to recommend the Council approve the Ordinance Regulating Peddlers, Solicitors, and Transient Merchants. Second by Winberg. Bruss, Winberg, Olivolo, and Ness voted yes. Chair Ness declared the motion carried.

Action on the Public Hearing - Amending Chapter 115 of the City Code; Regulating Peddlers, Solicitors, and Transient Merchants

Old Business

Outdoor Furnaces

This item handled out of order by motion of Ness. Second by Clay and carried.

Motion by Bruss to ban outdoor boiler systems because of their nuisance. Second by Olivolo. Bruss, Olivolo, Clay, and Ness voted yes. Chair Ness declared the motion carried.

What about existing outdoor boiler systems? The city attorney was directed to research the most prudent legal way to have these removed.

**Garages/Mini-Storage in
the Mobile Home park**

Mr. Alan presented a map of the proposed location of the mini-storage facility in the Sunrise Estates Mobile Home Park. The Planning Commission set a public hearing for March 19, 2013, at 7:05pm regarding garages in the mobile home park zoning district.

The clerk will provide Mr. Alan a copy of the Public Hearing notice for distribution to the tenants in the park.

Parking Setbacks

Mr. Grundhoefer will prepare changes to the draft for review at the next meeting.

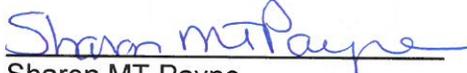
Open Discussion

Snowmobiles

Chair Ness stated that the City Council forwarded the regulating of snowmobiles to the commission for review; the issue is the snowmobiles are driving on sidewalks creating an unsafe situation. What are other cities doing?

Adjourn

Chair Jim Ness Declared the meeting adjourned at 8:50pm.


Sharon MT Payne