

Town of Somerset Plan Commission

August 18 2010

Minutes

7:00- 10:55 pm

Present: Larry Rauch, Chair; Sherrill Schottler, Secretary; Russ Hultman, Joe Jahnke, Bill Lawson, Craig Letourneau, Miles Wittig

Meeting called to order 7:00 pm. Quorum established. Agenda was reviewed. Letourneau moved, Hultman seconded motion to approve agenda. Motion approved.

Minutes of July 21, 2010 were reviewed, Letourneau moved, Hultman seconded motion to approve. Motion approved.

There were no concerned town residents wishing to be heard at this time.

Old Business

Report from Town Board meeting. Buckthorn and wild parsnip infestation was discussed. There is continuing work on ordinance codification with MuniCode.

Reports from Parks and Rec Committee: Hultman reported on August 9, 2010 meeting held at the Parnell Prairie Preserve site. There will be appropriate maintenance this fall on the site and a burn is planned for the spring of 2011. Next meeting will focus on applying for grants.

Updates: Rezoning, special exception and zoning approvals on hold pending County updates; ordinance codification is in progress and on budget - next step is to send back an updated manuscript showing requested changes.

Concert Report: Apple River Hideaway Rampage, August 7 2010. It appeared that there was a limited attendance.

Other: none

New Business

County Notifications: Chuck Oesterlein, 1998 County Road I, Somerset received notice from county. See enclosed letter. Matthew Rehbein 1642 54th Street Somerset received notice from county. See enclosed letter.

Somerset Fire/Rescue sent report of inspection of Apple River Eatery. See enclosed letter.

8:00 pm Land Division, Rezoning and Special Requests

Rezoning Application: from commercial to commercial. For Apple River Eatery (not Hideaway) 1742 Hillcrest Drive New Richmond by Mike Kappers. To remove language in 1982 ordinance restricting site to beer sales and change to full service liquor establishment. Postponed until Kappers shows up.

1 Lot CSM 12 acres split off from 160 acres held by the Holen Trust located at 2224 Hwy 35 Gene Holen, Trustee 5965 7th Drive Shoreview MN 55126 by Doug Zahler S & N Land Survey, Hudson, WI. County zoning verification was presented. Ag Res, Adjacent landowners notifications, letter and returned letter was presented. Worksheet with review fee paid was presented. (Jahnke volunteered to perform the "traveler" function.) CSM was reviewed. Letourneau moved to approve Holen 1 lot CSM, Lawson seconded motion. Motion passed.

Special Exception Permit To park one commercial vehicle on ag-residential property at 1562 89th St. Somerset for Dave Hayden E. 9781 County road N. Colfax. After fact request to satisfy County violation notice. Verification was received from County on parcel zoning Ag Res. Adjacent landowner notification was presented with return receipt. Hayden Ridge Tree Service is requesting special exception permit for contractor storage yard. Request is to keep truck with chipper on lot 12 of Boardman Estates, a platted major subdivision.

Adjacent landowners viewed Boardman Estates plat. Shirley & Ken Williams, lot 13; Mark & Cindy Jackson, lot 11; Janet & Neal Strand, adjacent in Nathan Hills Development. Janet Strand asked Hayden to confirm where property line is. Jackson wanted confirmation that no wood chips would be transported by the business to the property. Rauch researched the definition of CBA in land division ordinance which states on p. 27 there must be one acre or more of CBA capable of accommodating building site without disturbing areas of 20% and greater slope that existed prior to concept review. According to County Zoning Ordinance 17.1-5 under Permitted uses, special exceptions (d) a contractors storage yard would be allowed by town approval. Doug Plourde 566 Plourde Drive Somerset; Plourde was on Plan Commission when this upscale subdivision was platted and Plourde feels it would be not in keeping with the covenants to allow commercial establishments at this time. Rauch: is there a homeowners association that is enforcing the covenants in this subdivision. Adjacent landowners answered NO. Rauch talked to County today in regards to this request and read the wording from the County Ordinance which allows for a storage yard in a platted subdivision.

Discussion: Plan Commission wishes to have specific language spelled out when considering this request.

Hultman moved to table request until site visit is made and all specifics are met.

Specifically:

1. One vehicle
2. No imported chips, bush, trees, etc
3. No work related storage
4. Specify how screening requirements will be met
5. The Covenants need to be researched

Before approval need to perform an on site visit and need to have specific details of building, driveway, etc be placed on topographical map - at next Plan Commission meeting. PC is requesting Hayden to have building site staked out prior to Plan Commission visit.

Dave Hayden has now changed his request to put pole shed at the end of the existing 150 foot driveway rather than located further back on property.

Hultman withdrew present motion.

Hayden agreed to a site visit on Friday, August 20 1 pm. Schottler will post site visit meeting. A quorum of the Town Board might also be present.

Hultman moved to table approval pending site visit. Lawson seconded motion. Motion passed.

Hayden will need to return to September meeting with revised proposal.

Concept 123 Acres to divide into parcels for Joann Montbriand 710 170th Ave Somerset by Joel Anez Landmark Surveying 21150 Ozark Trail North, Scandia, MN 55073. County confirmed property is Ag Res. Anez presented a concept drawing showing which portion of the property would be split off. Configuration of the division was studied and discussed. Mike Kappers was also questioned as to what his intentions are for the use of the parcel in question. Because this is such a unique parcel Rauch recommended everyone involved first get input from the County.

Rezoning Application from commercial to commercial. For Apple River **Eatery**, 1742 Hillcrest Drive New Richmond by Mike Kappers PO Box 390 Somerset. To remove language in 1982 ordinance restricting site to beer sales and change to full service liquor establishment. Kappers presented history of the property. Rauch has been in contact with County; County attorney has rendered decision that all the current restriction language tied to the zoning on this establishment must be removed.

The restriction language being removed from the zoning include Hours, fence, riprap, , closing time, police protection, garbage facilities, alcoholic beverages. According to Town Ordinance these items must still be taken care of; this motion is only to remove language from County Ordinance.

There will need to be a special exception permit issued as appropriate to deal with this establishment.

In addition, Rauch is waiting for decision from County on whether or not the spot zoned 3 acres that is commercial does or does not need to be sub divided off the larger parcel.

Lawson moved to approve removal of the restrictions with the assumption the appropriate special exception permit will be issued by the time the current license expires. Hultman seconded motion. Letourneau abstained. Motion passed.

There being no further business Rauch moved, Jahnke seconded motion to adjourn. Meeting adjourned 10:55 pm.

Respectfully submitted
Sherrill Schottler