

April 2, 2002

On the above date New Scandia Planning Commission held their regular monthly meeting. The following Board Members were also present: Michael Hinz, Nancy Madden and John Martineau. Absent were: Dennis Seefeldt and Paul Rasmussen.

Gravel Mining Hearings

Tiller Corporation/Barton Sand and Gravel- Planning Commission recommends to the Town Board to renew a one year gravel mining permit to Tiller Corporation on the grounds that all conditions have been met and with the same conditions as last year. **Nancy Madden made a motion to approve the Planning Commission recommendations for a one year gravel-mining permit for Tiller Corporation/Barton Sand and Gravel. John Martineau seconded the motion and motion adopted unanimously.**

Dresel Contracting- Planning Commission recommends to the Town Board that they renew a one-year gravel-mining permit to Dresel Contracting on the grounds that all township ordinances have been met and with the same conditions as last year. **John Martineau made a motion to approve the Planning Commission recommendations for a one-year gravel mining permit for Dresel Contracting on the grounds that all township ordinances have been met and with the same conditions as last year. Nancy Madden seconded the motion and motion adopted unanimously.**

Bracht Bros- Planning Commission recommends to the Town Board that they renew a one-year gravel-mining permit to Bracht Bros. on grounds that all conditions have been met. Conditions are that Bracht Bros. reimburse the township for calcium chloride sprayed in front of all residences, the road is monitored, and if required the untreated area to County Road 3 is sprayed later if necessary. **Nancy Madden made a motion to approve the Planning Commission recommendations for Bracht Bros to renew a one-year gravel-mining permit.**

Zavoral-Planning Commission recommends to the Town Board to renew a one-year gravel-mining permit to remove stockpile only on the grounds that all conditions have been met. Conditions are the same as last year. **John Martineau made a motion to approve the Planning Commission recommendations for Zavoral Pit to remove stockpile only on the grounds that all conditions have been met. Conditions are the same as last year. Nancy Madden seconded the motion adopted unanimously.**

ANN RINKENBERGER-CUP FOR HARVEST MOON COMMUNITY FARM

Planning Commission recommends to the Town Board to grant the Conditional Use Permit to Ann Rindenberger/Harvest Moon Community Farm, 14363 Oren Road North, Scandia, MN 55073. The NE ¼ of the NW ¼ of Section 11, Township 32, Range 20. To operate weeklong farm and art summer camps for one year. On the grounds that it meets the ordinances. Conditions are: 1) A maximum of 6 weeklong summer camps are held in 2002 from 9:00 a.m. to 4:30 p.m., Monday through Thursday; Staff may be on site at other times for training and preparation; 3) Students are continuously supervised when on the site with a ratio of one teacher per five students; 4) The number of students per camp is limited to a maximum of 40; and 5) There is no overnight camping. Findings are it would not affect the environment and the residences.

Nancy Madden made a motion to approve the Planning Commission recommendation for a Conditional Use Permit for Ann Rinkenberger to operate Harvest Moon Community Farm. John Martineau seconded the motion and motion adopted unanimously.

David Herber-Variance Hearing Reconvened

Planning Commission recommends to the Town Board to deny the variances for David Herber, 18616 Langley Court North, Marine, MN 55047. Lot 3, Block 5, Bliss Plat 1st Division. On the grounds that the structure is less than 3 feet from the shore of Big Marine Lake and approximately 1 foot from the right-of-way of the public street on a property bound on three sides by the lake. The Scandia Building Inspector has determined that the structure is not repairable and should be removed from the property. Findings are: 1) The property is grossly undersized as a building site. The present structure does not fit on the site without variances, which would result in minimal setbacks, from the road and Big Marine Lake. 2) The area covered by the structure exceeds the allowed maximum by 10% and the lot size is about 96% less than the required minimum. 3) The structure has no permanent foundation, is in serious disrepair, is unsafe and a hazard to health and public welfare by reason of inadequate maintenance, dilapidation and is not repairable. 4) Repairing the structure will intensify use of the property with adverse effects on the lake due to increased impervious surface, decreased storm water storage and the parking and storage of automobiles and recreational vehicles. 5) It is a nonconforming structure that does not meet the setbacks required in the zoning code. Section 12.3 (1)(B) provides that a nonconforming structure which is destroyed or damaged by any means to the extent that the cost of repair or replacement would exceed 50% of the appraised value of the original structure shall not be restored, repaired or replaced, except in conformity with the development code. 6) Section 12.3 (1) (C) provides that nothing in this development code shall prevent the repair of a structure when said structure is declared unsafe by a certified building inspector, providing the cost of repair shall not constitute more than 50% of the appraised value of the original structure. The cost of repair of the structure exceeds 50% of the value of the structure as it presently exists. 7) The applicant has reasonable use of the property without the structure for access to Big Marine Lake, for recreational activities such as picnicking, swimming and fishing from shore. The property also may be used for the temporary docking of boats subject to DNR regulations. 8) Granting of the variances will set precedent making the requirement of the Zoning Code as to lot size, setbacks and lot coverage meaningless. 9) Granting of the variances is inimical to the health, safety and welfare of the town.

Nancy Madden made a motion to accept the Planning Commission recommendations for David Herber. John Martineau seconded the motion and motion adopted unanimously.

Planning Commission recommends to the Town Board the following for the structure at 18616 Langley Court North. To act on the February 28, 2002 recommendation to the Town Board by New Scandia Building Inspector and order the removal of the existing structures at that location and restore the property site to safe conditions within a reasonable but clearly specified time frame.

Nancy Madden made a motion to receive the recommendation by the Planning Commission, but to table any action on the motion until all the members of the Town Board are present. John Martineau seconded the motion and motion adopted unanimously.

Vincent Turnblad-Rezone From Agriculture to Village Center

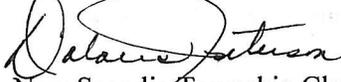
Planning Commission recommends to the Town Board to table the Public Hearing request of Vincent Turnblad and Classic Home Design to rezone the Turnblad property from Agriculture to Village Center on the grounds there is no preliminary plat that reflects the requirements of the Comprehensive Plan to show how development will be integrated into existing Village Center. Conditions are that a written waiver be submitted for the Minnesota State Statute 15.99 sixty day rule and future designs are reviewed by two members of the Planning Commission, two Town Board members, the Town Planner, and a member of the Rural Landscape Preservation Committee.

Vincent Turnblad and Steve May signed the Sixty-Day Wavier for the above property.

Pam Anderson-Concept of a Minor Subdivision

Ms. Pamela Anderson, 16141 Scandia Trail, presented a concept plan to acquire approximately 20 acres adjoining her property and subdivide off a 3-acre lot and a 5-acre lot to sell and use the balance for her horses. The Planning Commission suggested they would not like to see Lot C with a 66 foot road frontage on Highway 97 and recommended combing lots A and B, but would allow two lots, and attach Lot C to their existing property.

Dolores Peterson


New Scandia Township Clerk