

November 6, 2007

The Scandia Planning Commission held their regular monthly meeting on the above date. The following were in attendance: Chairman Chris Ness, Christine Maefsky, James Malmquist, Kevin Nickelson and Peter Schwarz. Staff present: City Planner Richard Thompson. Chairman Ness called the meeting to order at 8:30 p.m.

**APPROVAL OF AGENDA, MINUTES**

**Kevin Nickelson, seconded by James Malmquist, moved to approve the agenda as presented. The motion passed unanimously.**

**James Malmquist, seconded by Peter Schwarz, moved to approve the October 2, 2007 Planning Commission minutes. The motion passed unanimously.**

**SWANSON MINOR SUBDIVISION/PRELIMINARY PLAT – OLD MARINE ESTATES, CONTINUED HEARING**

The hearing on the application of John and Sandra Swanson for a minor subdivision/preliminary plat to create three lots at 11980 Lakamaga Trail was continued from October 2<sup>nd</sup>. Comments were received from the DNR, Car-Mar Watershed and Washington County Conservation District, along with additional information from the applicant.

Ned Froberg, Hult Surveying, presented information regarding the updated submission of a Woodland Preservation plan. The plan shows the transplanting of pine trees from the driveway to an area along the lot lines.

City Planner Thompson presented his report in which he recommended approval of the preliminary plat with conditions that need to be met prior to the submission of a final plat. These conditions primarily addressed surface water and wetland protection. The conditions were incorporated into a draft resolution.

The Planning Commission discussed the tree replacement plan and questioned how the plan will be evaluated. City Planner Thompson stated that a qualified landscape architect, which TKDA has on staff, could approve the plan. Commissioner Malmquist noted that condition #5 should state a tree replacement payment of \$100 *per tree*. Commissioner Nickelson questioned the need for a covenant between lots 2 and 3 to address the shared driveway. City Attorney Hebert stated that the plat can be approved with the condition of the shared driveway and the developer can impose conditions as lots are sold. Mr. Froberg stated that each lot has an easement for shared use of the driveway. Administrator Hurlburt stated that the resolution needs to include a condition that access to Lots 2 and 3 shall be from a shared driveway located on Lot 2 to avoid potential wetland impact. Commissioner Malmquist asked if condition #6 is explicit enough in addressing road and driveway design. City Planner Thompson stated that the applicant must work with the City Engineer and Fire Chief on the technical aspects. The area for the turn-around at the end of Lakamaga should be enlarged 20-30 feet to allow for snow storage. This will be determined by the city engineer before final plat approval. Commissioner Nickelson suggested that a condition be added stating that the accessory structure on Lot 1 between the existing house and the lake be removed or moved to meet setback requirements.

Chairman Ness asked for public comments. *Tim Pratt*, representing Pratt family landowners to the northwest, addressed the contents of a letter sent to the Commission and Council in which there were concerns about use of the shoreline, structure heights and raingardens. The intent was to make the city aware of the ecological issues present with development of this land and to take actions to reduce negative impacts, in particular run-off and flooding onto the Pratt property. Mr. Pratt was informed that at the time of a building permit application, the building inspector will provide information to the builder regarding vegetation removal and erosion control. Chairman Ness closed the hearing to the public.

In addressing plans to reduce potential run-off, the developers are aware of the Watershed's recommendation of raingardens and other features to collect the water before it floods onto the Pratt's property. Mr. Froberg described the check dams and the collector basin at the bottom of the hill that will be installed. City Attorney Hebert addressed what can be considered managed woodland and the need for tree removal. Mayor Seefeldt noted that the ordinance does address this and that not necessarily all the removed trees will need to be replaced, which were planted by the landowners in large numbers. TKDA will obtain the recommendation of a landscape architect at the time of final plat submission.

Commissioner Nickelson felt it was important to require a maintenance agreement between the owners of the shared driveway. This could be a way to reduce the city's liability if problems occur in the future. Staff suggested that this is not a necessity, but there would be no harm in doing so. The city could verify that this is done, but could not enforce the agreement.

**Christine Maefsky, seconded by James Malmquist, moved to recommend to the City Council to adopt draft Resolution 11-06-07-03 with the added conditions:**

- **The accessory structure (shed) on Lot 1 between the house and the lake must either be moved to meet setback requirements or removed.**
- **Access to Lots 2 and 3 shall be from a shared driveway located on Lot 2. The driveway shall be built to meet the requirements of the fire chief to allow emergency vehicle access. A driveway maintenance agreement, in the form of a covenant, shall be recorded prior to issuance of a building permit.**

**Voting yes: Peter Schwarz, Kevin Nickelson. Voting no: James Malmquist, Christine Maefsky. Chairman Chris Ness broke the tie by voting yes. Motion adopted.**

**Christine Maefsky, seconded by James Malmquist, moved to adjourn.**

The meeting adjourned at 9:35 p.m.

Respectfully submitted,

Brenda Eklund, Deputy Clerk