

February 6, 2007

The Scandia Planning Commission held their regular monthly meeting at 7:30 p.m. on this date. In attendance were Chairman Chris Ness, James Malmquist, Peter Schwarz and Kevin Nickelson.

### **Eugene & Bonnie Thielbar – Continued Variance Hearing**

City Planner Thompson presented the background information on the four variances requested by the Thielbars, at the November 14, 2006 meeting, to construct a home on an existing lot located at 19471 Manning Trail N. A determination from the DNR on the location of the OHW level was received and the Applicant submitted a revised site plan. The Planner recommended approval of the variances with findings and conditions.

Chairman Ness opened the floor for public comment. *Mike White, 13310 188<sup>th</sup> St. N.*, asked if the first floor elevation is 2 feet above OHW level, i.e. 945 feet. *Dick Bohrer, 18849 Layton Ave.*, CMWD member, said it was good that CMWD and the Washington Conservation District were involved, as they should be on any permit in the watershed district.

Commissioner Schwarz expressed concern about the road to the property and suggested the road should be constructed and accepted before a building permit is issued. The adjoining neighbors, Melchoirs, were in attendance and said they have already widened the road to 17 feet.

**Commissioner Schwarz made a motion to recommend to the City Council that they accept the Planner's recommendations and findings, and adopt Resolution 2-06-07-01 with a change to Condition No. 4 to add, "before a building permit issued." Commissioner Malmquist seconded the motion and the motion passed with Schwarz, Malmquist and Ness voting yes.**

### **Steven Lombritto – Variance**

Steven Lombritto has made application for variances for front yard setback, side yard setback, rear yard setback, setback from the Big Marine Lake OHW level, minimum lot size, lot width and road frontage, buildable area, and impervious surface to allow construction of a new single family home, located at 18633 Langly Court North.

Chairman Ness opened the floor for public comment. *Arnold Sandberg, 18650 Langly Ct. N.*, asked how there was going to be enough room to put up a ladder to reach the roof? There is already a large overhang. *Dick Bohrer* asked if the Ordinance for impervious surface was 25% and was the Applicant asking for 40%. He said Big Marine Lake water quality has gone down lately due to low water, shoreland erosion, and impervious surface runoff. Chairman Ness said the ordinance was 25%, but the 40% request is an improvement over the 50% existing. *Wayne Moe, 22877 Mallard Ave.*, asked if a lot of land was lost on the Bliss Addition lots at an earlier time. *Mike White*, said the front deck has water under it, and how could the existing setback be accurate when the posts were under water. He also said the proposed height would make it stick out in the neighborhood. *Fred Heinonen*, asked how the impervious surface could be less if the new house has the same footprint. Chairman Ness responded that the deck would be removed as well as brick pavers in a parking area.

Commissioner Schwarz asked about the difference in the impervious surface number between the survey (41.10%) and the Planner's letter (40%). He also commented that the lot is small even by Bliss standards. Schwarz believes the changes would improved the character of the neighborhood, but would like to see the height reduced and move the house pad to a distance of 18 feet from the road right-of-way. Commissioner Malmquist asked who the Applicant should work with to stabilize the shoreland. Dick Bohrer said Lombritto would work with a CMWD engineer and the Washington Conservation District. Sandberg commented that a pickup truck is longer than 18 feet and moving the house pad back would not allow enough parking space. Commissioner Nickelson asked Lombritto if he would be agreeable to a smaller roof pitch. Lombritto said he was trying to achieve a certain architectural look with a 10/12 pitch, but would accept a 6/12 pitch. Lombritto said moving the house pad back would cover access to his septic tank's cleanout. Mayor Seefeldt asked if any other houses on the street were two stories and if the driveway could be constructed with permeable pavers. Commissioner Ness said there were no other two-story homes.

**Chairman Ness made a motion to recommend to the City Council that they grant the variances that they accept the Planner's recommendations and findings, and adopt Resolution 2-06-07-02 with a changes to Condition 2 - "That the pitch of the roof be reduced to no greater than a 6/12 pitch with roof overhang as shown on the plans;" Condition 3 - "That the proposed deck is relocated to the south side of the home or removed from the proposal," by eliminating the last sentence; Condition 4 - "That the structure shall be moved closer to the road right-of-way so that it is further distanced from the lake. In conjunction with the changed location of the deck, this condition would change the variance request to: front yard (right-of-way) setback of 20 feet, OHW setback of 28 feet, and front yard (lake side) setback of 32 feet; Condition 6 - "The gravel driveway shall be replaced by permeable pavers"; Condition 7 - "That the applicant work with the Washington County Conservation District and the Carnelian Marine Watershed District to apply best management practices including erosion control during construction, shoreline stabilization, and prevention of runoff from the roof from directly entering the lake;" Condition 8 - to "That the Carnelian Marine Watershed District permit is granted; and Condition 9 - to "That all fees and escrow payments are made." Commissioner Malmquist seconded the motion and the motion passed with Schwarz, Malmquist, Ness and Nickelson voting yes.**

#### **Draft Ordinance for Swimming Pool Safety Requirements**

Commissioner Nickelson made a motion to recommend to the City Council that they hold a public hearing to consider a draft ordinance for swimming pool safety requirements. Commissioner Schwarz seconded the motion and the motion passed.

**Draft Mining Ordinance**

Planner Thompson reviewed the draft mining ordinance and asked for feedback from the Planning Commission and City Council. Commissioner Schwarz asked to add “odors” to Sec. 1.2 (3). It was also decided that in Sec. 5.2 items 9 and 10 should be combined and reworded. Also, in Sec. 5.1 the third sentence needs correction. In Sec. 6.1 (3) remove the second and third sentences. It was suggested that Sec. 6.1 (19) (B) (1) be changed from 40 acres to a 1,000-foot setback. Further comments are to be sent to Thompson. Another draft will be reviewed at the April 3 Planning Commission meeting prior to scheduling a public hearing.

Malmquist made a motion to adjourn and the meeting adjourned at 10:15 p.m.

Respectfully submitted,

Colleen Firkus  
Planning Commission Secretary