

April 25, 2006

On the above date a Workshop Meeting was held involving the Planning Commission and the New Scandia Town Board. The following Planning Commission members were present: Chair Chris Ness, James Malmquist, Kevin Nickelson, Peter Schwarz, Donnette Yehle. The following Town Board members were present: Chairman Dennis Seefeldt, Michael Harnetty, Blair Joselyn, Nancy Madden. Michael Hinz absent. Town Planner Richard Thompson and Town Attorney Dave Hebert were also present.

#### **ADULT ORIENTED BUSINESSES**

Discussion of the Draft of an Adult Use Ordinance submitted by Town Attorney Dave Hebert included changes and additions to the wording. The ordinance was modeled after three Town Ordinances of surrounding communities. The ordinance cannot prevent their establishment in town, but can discourage their operation. No public hearing is necessary to adopt this particular ordinance, as it is defined as a police ordinance. Preceding adoption of an Adult Use Ordinance, a study needs to be presented to the Ordinance Revision Committee. This study would show the effect on crime in communities where Adult Businesses are present. A report on this study from the Attorney General's office will be obtained.

#### **TREE PRESERVATION ORDINANCE**

In establishing guidelines for tree preservation, it was agreed upon that an ordinance should more clearly state what is needed for the developer of a property to adhere to. A permit for tree removal should be a requirement. It was agreed necessary to have a qualified arborist mark the trees to remain and the engineering firm would do periodic on-site inspections. A penalty for violating the agreement or harming the trees during construction would be assessed. The current ordinance in the Development Code appears in multiple sections. This seems to be scattered and should be combined to more concise wording. Dennis Seefeldt and Peter Schwarz will pull the current ordinance together and also review Forest Lake's Woodland Preservation regulations. The Rural Landscape Preservation Committee will also work with Kathy Widin, an arborist who has written tree codes for other municipalities. Ms. Widin could possibly work as a consultant to revise the current ordinance.

#### **DEFINITION OF AN AGRICULTURAL BUILDING**

As currently defined, an agricultural building can be built for any type of operation. There have been several instances of large buildings being constructed to house three goats or storage for two to three acres of hay, then being used for storage associated with a small business (lumber, semi-trucks and trailers). This type of use is classified as non-compliant. Discussion of the wording that should make this more clear includes that use of an ag building should be tied to the actual farm operation which is tied to the agricultural use of the land. With twenty to forty acre farms, current allowable square footage may not be adequate. It may be necessary to allow additional size through a certificate of compliance, therefore giving a handle on what is being done with the building. But there is also the question of what becomes of these large buildings after the farm operation ceases. The aesthetics of a building was also discussed. Can "hoop buildings" be disallowed? How can the rural character of the town be maintained through the Development Code? Discussion also included how to deal with horse operations. Defining "companion animals" may need to be addressed. Supervisor Dennis Seefeldt and Planning Commission member Kevin Nickelson will further research this issue.

A follow-up Workshop will be held May 9, 2006 at 7:00 p.m.

Meeting adjourned.

  
Brenda Eklund

New Scandia Township Deputy Clerk