

The Planning Commission meeting was called to order by Bill Campbell at 7 p.m. at the Community Meeting Room, 100 Village Center Drive, Suite 150, North Oaks, MN. Present were commission members Katy Ross, Nancy Reid, Dick Hara, Gregg Nelson, Bob Wilson, Joyce Yoshimura-Rank and chair Bill Campbell. Also present: Building Official Greg Schmit, and Videographer Kevin Scattum.

APPROVAL OF AGENDA

Chair Campbell made two corrections to the agenda: 1. The Shoreline Restoration should be a public Hearing, so there will be a public hearing before considering CUP 11-05.
2. The ISTS on 9 Black Oak Road should be a variance and not a CUP.

Also, redevelopment was added to the agenda.

Greg Nelson moved to approve the agenda as amended. The motion was seconded by Katy Ross and passed unanimously.

APPROVAL OF MINUTES

Bob Wilson moved to approve the minutes of the March 30, 2011 regular meeting. The motion was seconded by Joyce Yoshimura-Rank and passed unanimously.

CUP 11 – 05 8 Ironwood Lane Shoreline Restoration

Greg Schmit presented this application for a Conditional Use Permit (CUP). The applicant, Sean McDermott is requesting approval to undertake a shore land restoration project within 20 feet of the shoreline at 8 Ironwood Lane.

The applicable sections of the zoning ordinance are as follows: Section 153.052 Shoreland Alterations, Section (B)(2)(b), no vegetation may be altered, trimmed or removed between 20 feet and 100 feet from the ordinary high water level of any public water, without first obtaining the approval of the City Forester. Forester approval shall be subject to satisfaction of the following criteria:

1. Intensive vegetation clearing of clear-cutting is prohibited except as necessary for placing public roads, utilities, structures, parking areas and trails.
2. Large openings in overhead forest canopy are not created; the area of post-cutting canopy coverage must be 80% or more of the pre-cutting canopy coverage;
3. Topping of trees is prohibited
4. The screening of structures, vehicles, or other facilities, as viewed from the water, assuming summer leaf on conditions is not substantially reduced; and
5. Clearing is limited to providing a view of the water from certain portions of the principal dwelling site and to accommodate the placement of stairways, landings, and access paths.
6. Section 153.052 (B)(3) Vegetation may only be altered, trimmed, or removed within 20 feet of the ordinary high water level after securing a conditional use permit in accordance with the review and approval procedures, and criteria and conditions for review of conditional uses, established in Section 153.056. The following additional evaluation criteria and conditions shall apply.
 - (a) Only the removal of non-native plant materials is permitted.
 - (b) Planting of native plant materials is permitted, especially to prevent soil erosion and to trap sediments before they reach surface water.
 - (c) Trimming of branches is permitted to allow sufficient sunlight for growth of understory vegetation and reforestation.

Chair Campbell opened the public hearing at 7:05 pm.

Public hearing closed at 7:06 pm.

The applicant, Sean McDermott, presented to the Commissioners more details regarding the project.

Gregg Nelson moved to approve a conditional use permit for Shoreland Restoration at 8 Ironwood Lane be approved with the following conditions:

1. That the applicant obtains written approval from NOHOA to work on the land.
2. That the applicator of the pesticide be properly licensed. The pesticide, more specifically, is Rodeo.
3. Return the NOHOA trail to its former condition after the completion of the project.
4. That any remaining stumps be cut down to lower safe level but no grinding is allowed.
5. The goose and other protective fences put up be removed as soon as practicable and within two years.
6. The use of the pesticide, Rodeo, be specifically approved by the City Forester, VAIMO and NOHOA.
7. The City Forester inspects and approves the project upon completion.

The motion was seconded by Dick Hara and passed unanimously.

VARIANCE 11-06 9 BLACK OAK ROAD ISTS into Road Easement

Greg Schmit presented this Variance. The applicants, Frank and Marilyn Nogai have requested two variances. The current ISTS is failing and on-compliant and needs to be replaced. The applicable regulations are as follows:

Section 151.050 (F)(1) Setbacks. A variance of 30 feet from the required 30 foot north road easement on Black Oak Road and a variance of 15 feet from the road easement on Charles Lake Road for installation of ISTS systems.

In August, 2010, this system was classified as an Imminent Threat to Public Health, and as such is required to be replaced within a 10 month period of time. We are looking at about 60 days to have it done. Building Official Schmit is in agreement with the designer, Tradewell Soil Testing, that the proposed location of the new system appears to be the only viable location for a standard ISTS.

Steve Strandland from Dirt Works, Inc. was present and identified himself as the excavator who will be doing the installation.

Gregg Nelson moved to recommend to the North Oaks City Council that Variance #11-06, at 9 Black Oak Road: be APPROVED with the following conditions:

1. Project completed with 60 days after final approval.
2. The setbacks will be as described in the staff report.

The motion was seconded by Nancy Reed and the motion was passed unanimously.

REDEVELOPMENT

Commissioner Hara asked whether redevelopment projects and new development projects are treated the same as far as requiring the space for two septic systems. Building Official Schmit informed the Commissioners that if the house is destroyed, damaged or removed, the lot is treated as redevelopment and must comply with the requirement for two 5,000 square foot sites.

Building Official Schmit suggested that the Planning Commission may want to look at developing some guidelines, so that when someone approaches the city about tearing down a house and building a new one, they know what they need to do. Chair Campbell's concern is that by changing things, it may be unappealing for people to do redevelopment. He said it is something they need to think about and that they could put it on their agenda for later this summer or early fall.

On motion duly made, seconded and carried unanimously, the meeting was adjourned at 8:01 p.m.

Attest:

Respectfully submitted,

Bill Campbell, Chair

Donna Osterbauer
Recording Secretary