

The Planning Commission meeting was called to order by Chair Bill Campbell at 7:00 p.m. at the Community Meeting Room, 100 Village Center Drive Suite 150, City of North Oaks. Chair Campbell acknowledged that all commissioners were present. Also present were City Administrator Melinda Coleman, Administrative Assistant Linda Hanson and Videographer Kevin Scattum.

### **Approval of Agenda**

City Administrator Coleman informed the committee that both the application for Amendment 11-09 for massage at 119 Village Center Drive and Variance 11-10 for ISTS Site Size for 1 Wishbone Lane were withdrawn.

Commissioner Dick Hara moved to approve the agenda. The motion was seconded by Commissioner Nancy Reid and passed unanimously.

### **Approval of Minutes:**

Commissioner Bob Wilson moved to approve the Minutes from the June 30, 2011 Planning Commission meeting. The motion was seconded by Commissioner Nancy Reid and passed unanimously.

City Administrator Melinda Coleman proposed a change to The Shoreland Alteration Regulations, 153.052, Section B, (3) regarding alteration, trimming or removal of vegetation within 20 feet of the Ordinary High Water Level after securing a conditional use permit established in 153.056. The city is requesting removal of the requirement for a conditional use permit and instead requesting a requirement for an application for City Forester approval. This would reduce the city and homeowner costs. Currently a CUP would cost the homeowner \$400 and involve a public hearing taking up to 45 days to get approval. The city recommendation requires a Forester application (currently \$100) which would reduce the time for approval. It would also require the North Oaks Homeowners Association approval. The city currently feels it does not have the expertise to make these decisions and relies on the City Forester for final approval. Also, since the season is so short, this would speed up the process. All other conditions in 153.052 would remain the same.

Chair Campbell asked for a motion to approve the request. Commissioner Gregg Nelson moved to approve the proposed change and Commissioner Nancy Reid seconded the motion. It passed unanimously and will now go to the City Council for approval.

Chair Campbell opened and closed the public hearing at 7:10 pm as no homeowners were in attendance.

Chair Campbell asked City Administration Melinda Coleman for an update on other issues.

Regarding the Pool Fence Ordinance, originally there were 8 homes in violation. Currently there are six in violation and 3 of the homeowners are currently suing the city. The League of Minnesota Cities will defend the city; no trial date has been set at this time.

The Lake Gilfillan Water Augmentation Project is moving forward. A contract has been awarded to Magney Construction for \$704,854 and is awaiting the Mayor's signature. This project should be completed in mid-November, 2011. Homeowners around Lake Gilfillan will be assessed.

The Sarpal case went to the MN Supreme Court and ruled in the city's favor. The Sarpals have been given 90 days to move the pool house. If not done, the city will move it and assess the property for the work done. Currently the land has been surveyed and stakes are in place to show the new location of the pool house the on this property.

One Wishbone Lane withdrew their request for a CUP due to a lack of agreement to sell this property.

Commissioner Joyce Yoshimura-Rank questioned if the new proposal for vegetation removal would have an impact on removal of vegetation in conservation areas. City Administrator Coleman explained that this would continue to require a Conditional Use Permit as this is a conservation area where additional safeguards would remain in place.

**Next Meeting**

Thursday, August 25<sup>th</sup> at 7 p.m. at the Community Meeting Room, 100 Village Center Drive

**Adjournment**

On motion made by Commissioner Ross and seconded by Commissioner Yoshimura-Rank and carried unanimously, the meeting was adjourned at 7:31 p.m.

Attest:

Respectfully submitted,

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Bill Campbell, Chair

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Linda Hanson  
Recording Secretary