

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

APPROVAL OF MINUTES

Bob Wilson moved to approve the minutes from the January 27, 2011 Planning Commission meeting. The motion was seconded by Dick Hara and passed unanimously.

CUP 11-02 22 Evergreen Road Shoreline Tree Work

The applicant, Norris and Lesley Carnes are requesting approval to remove buckthorn and to allow tree pruning within 20 feet of the shoreline at 22 Evergreen Road. There are some sections of the zoning code that apply to this – 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.

There were attached letters from the applicant and the City Forester. The City Forester is recommending approval with conditions.

Bob Wilson moved that a conditional use permit for removal of buckthorn and tree trimming at 22 Evergreen Road, be APPROVED with the following conditions:

1. The City Forester reviews and supervises the specific trees and buckthorn removal areas under the blanket NOHOA conditional use permit.
2. Return the trail to its former condition.
3. No chemical use near the lake.
4. Leave stumps in place to hold slope.
5. That the applicants obtain the necessary approval from NOHOA to work on their land.

The motion was seconded by Katy Ross and passed unanimously.

CUP 11-03 24 Evergreen Road Shoreline Tree Work

The Applicant, Paul and Kathryn Ernst are requesting approval to remove buckthorn and to allow tree pruning within 20 feet of the shoreline at 24 Evergreen Road. They are also planning the planting of additional native species in the area. There are some sections of the zoning code that apply to this – 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.

There were attached letters from the applicant and the City Forester. The City Forester is recommending approval with conditions.

Dick Hara moved that a conditional use permit for removal of buckthorn and tree trimming at 24 Evergreen Road, be APPROVED with the following conditions:

1. The City Forester reviews and supervises the specific trees and buckthorn removal areas under the blanket NOHOA conditional use permit.
2. Return the trail to its former condition.
3. No chemical use near the lake.
4. Remove debris from the site.
5. Replant with native species.
6. Remove some lower tree limbs to improve light penetration.
7. That the applicants receive the required approval from NOHOA to work on their land.

The motion was seconded by Joyce Yoshimura-Rank and passed unanimously.

Subdivision 11-001 23 & 25 Hay Camp Road Lot Line Change

The applicants are requesting subdivision approval to make a minor change to the existing property line between the property at 25 Hay Camp Road and the neighboring property at 23 Hay Camp Road. A major retaining wall required at the rear of the property line extends across the mutual lines. The proposal involves a swap of land to correct for encroachment. Both parties are working on this together. It is a joint application.

The following materials were submitted with the application:

1. Preliminary RLS for Lot Split for James Metts by Kurth Surveying
2. Subdivision Application signed by both property owners
3. Letter from James Metts explaining the request
4. Letter from Joyce and Dr. Brian Rank supporting the lot split
5. Location Map
6. Aerial photo 2003 original timber wall
7. Aerial photos from 2006 showing new retaining wall
8. Memorandum from Building Official, Greg Schmit

The applicants are submitting the proper documentation as outlined in City Code Section 152.021 Preliminary Plan. This application has been published in the legal paper and notices were sent to nearby neighbors. The Planning Commission is required to hold a public hearing.

PUBLIC HEARING

Chair Nelson opened the public hearing at 7:24 p.m.

No public comments.

Public Hearing Closed at 7:25 p.m.

Katy Ross made a motion to approve the preliminary plan and have the applicants prepare the Final RLS Plan for City Council. The motion was seconded by Bob Wilson and passed unanimously. Commissioner Yoshimura-Rank abstained from voting.

VAR 11-04 3 Deer Lane ISTS Setback; Well/ISTS Setback; Buildable Area

The applicant is requesting several variances to demolish the existing home and construct a new home at 3 Deer Lane. The lot is 1.58 acres however; more than half of the area is unusable due to wetlands

and their respective setback requirements. The current ISTS is failing and non-compliant and would need to be replaced regardless of whether the house was demolished or not.

The applicable regulations are as follows:

Section 151.050 (E) (3)

Suitable Site/Useable Area. A variance of approximately 7000 sq. ft. from the required 25,000 sq. ft.

Section 50.05

Two ISTS (5000) sites required. A variance of approximately 4415 sq. ft. from the required 10,000 sq/ ft.

Section 151.050 (F) (1)

Setbacks. A variance of 10 feet from the required 30 foot north property line setback for installation of ISTS systems.

A variance allowing the well to encroach 22 feet into the required 30 foot road easement setback from Deer Lane.

Section 151.050 (F) (2)

Setbacks. Approval is needed by the Planning Commission for grading (the mound berm) within 30 feet of the adjacent north property line.

Larry King, 3 Deer Lane, was present and explained to the Planning Commission that they have a 1962 Rambler which they are trying to replace with a more efficient home. They hope to stay in the community where they raised their kids.

Joyce Yoshimura-Rank moved to recommend to the North Oaks City Council that Variance #11-04, at 3 Deer Lane to allow:

1. A variance of approximately 700 sq. ft. from the required 25,000 sq. ft. of useable area for building.
2. A variance of approximately 4415 sq.ft. from the required 10,000 sq.ft. for the placement of two ISTS.
3. A variance of 10 feet from the required 30 foot north property line setback for installation of ISTS systems and an additional variance allowing the well to encroach 22 feet into the required 30 foot road easement setback from Deer Lane,
4. Approval for grading (the mound berm) within 30 feet of the adjacent north property line.

Be APPROVED with the following condition:

1. The ISTS be located per the design report prepared by Inspect Minnesota and Midwest Soil Testing, dated January 25, 2011.

The motion was seconded by Bob Wilson and passed unanimously.

Next Planning Commission Meeting

Thursday, April 28 at 7 p.m. in the Community Meeting Room, 100 Village Center Drive, Suite 150.

The City Administrator shared that the City has purchased an automatic external defibrillator for people who are using the community room. It will be placed in the lobby at 100 Village Center Drive. There will be training on how to use the AED (automatic external defibrillator) on Wednesday, April 6th at 3 p.m. in the community room at 100 Village Center Drive. If anyone is

interested in how to use an AED, please call 651-792-7750 or stop by the City of North Oaks Office, Suite 230 to register.

Adjournment

On motion duly made, seconded and carried unanimously, the meeting was adjourned at 7:49 p.m.

On motion duly made, seconded and carried unanimously, the meeting was adjourned at 7:49 p.m.

Attest:

Respectfully submitted,

Gregg Nelson, Acting Chair

Donna Osterbauer
Recording Secretary