

SPECIAL PLANNING COMMISSION MEETING MINUTES FEBRUARY 21st, 2024

Call to Order: The Special Planning Commission meeting was called to order at 7:00 p.m. by Chair Clarence Mattson.

Pledge of Allegiance: All present recited the Pledge of Allegiance.

Present: Commissioners present are Chair Clarence Mattson, Vice Chair Sherry Newman, Patti Miller, Calvin Schmock, Richard Marshall, Joy Johnson
Also present Planner Dan Licht and Town Board Liaison Bryan Lawrence

Absent: Commissioner William McGowan

Claim forms were passed out and returned to the Deputy Clerk.

Agenda: Commissioner Marshall motioned to approve the February 21st, 2024 agenda as presented, seconded by Commissioner Schmock. All in favor, motion carried.

Minutes: Commissioner Schmock found one correction on page 3 to correct "re-election" to "re-appointment". **Commissioner Schmock motioned to approve the November 15th, 2023 as amended, seconded by Commissioner Marshall. All in favor, motion carried.**

New Business:

Discussion of Private Motor Sports Vehicles – Planner Dan Licht went through the memorandum which is available in the agenda packet.

Commissioner Marshall suggested a timeframe of when private sport vehicles would be allowed. Commissioner Newman asked if Baldwin Township has a noise ordinance.

Planner Dan Licht stated no. Commissioner Marshall asked if Baldwin Township has a nuisance ordinance? Planner Dan Licht stated no.

Commissioner Newman asked at what point does the land of a lot not qualify as a parcel. Planner Dan Licht stated there is a problem in the section referring to residential subdivision since there isn't a specific definition. Commissioner Marshall asked what percentage of complaints come solely from noise. Planner Dan Licht stated approximately 75% of complaints. Commissioner Marshall suggested requiring decibel limits for noise control. Commissioner Marshall asked how a noise decibel could be determined by the Sheriff. Planner Dan Licht stated it would be under the Towns discretion rather than the Sheriffs. Commissioner Newman stated it would be difficult to determine which vehicle is causing the excess noise in large groups. Planner Dan Licht stated the best way to approach this Ordinance would be to determine:

1. What areas would be affected.
2. What timeframes would be allowed in between the use of sport vehicles.
3. How much setback from property lines would be required.
4. What equipment would be required.

Town Board Supervisor Tom Rush was present and presented before the Committee. He is in support of property owner rights, but he emphasized the needing of respect for

neighboring properties. Supervisor Tom Rush spoke with the Sherburne County Sheriff, and he had stated if you present an Ordinance to the homeowners, it usually resolves the problem. He stated when neighbors try to approach the neighbors directly it usually is not effective. Therefore, having a time limit on when someone is allowed to ride around on a track would be beneficial. He stated the Township attorneys have a draft of this time frame and they stated it may work for the Township. Commissioner Mattson questioned how a required timeframe in an Ordinance would be monitored effectively. Planner Dan Licht stated Town staff would need to observe the activity. They then would need to alert the homeowner about the Ordinance. Then inspect to see if the activity is still being done. He stated it is the Town's responsibility to enforce its Ordinance. Commissioner Newman suggested having two separate Ordinances for noise and private motor sport vehicles. Commissioner Mattson asked the Commission if they think there should be start and stop hours and language included about the continuous use and nuisance. The Commission agreed. Supervisor Tom Rush agreed the time frame language would be beneficial. Planner Dan Licht stated the current service agreement between the Town and the Sherburne County Sheriffs Office is that the Town must enforce their own Ordinances that are not statutory. Town Board Liaison Bryan Lawrence expressed that he appreciates that residents are able to have a track on their property and the Town would not be enforcing them to remove it but rather enforce the time and level of noise being emitted. Commissioner Mattson asked Supervisor Tom Rush if he thinks the 50 feet setback is sufficient. Supervisor Rush stated the property lines in his particular situation are not an issue, rather it is the noise and continuous use.

Planner Dan Licht presented the question to the Committee if the Township should allow ATVs to be driven on public roads. If they are over 200 pounds, the ordinance has to be passed to allow heavier vehicles on the roadway. Other requirements that would need to be added to the Ordinance are:

- Permits would be required to allow use on the roadways
- The Special Use vehicle would need to be insured
- Hours of operation would be required

Commissioner Newman asked should they have anything referencing snowmobiles in the Special Use vehicles section of the Ordinance. Planner Dan Licht stated snowmobiles would be included in the private motor sports section.

Planner Dan Licht stated the Township staff would provide residents with the permits. The Commission are in agreement with adding Special Use Vehicles to the Ordinance.

Old Business: None

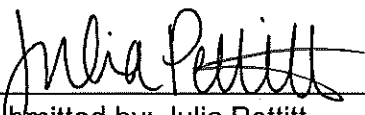
Town Supervisor Liaison Update: Town Board Liaison Bryan Lawrence stated the dates for the upcoming 2024 elections. He encouraged the Committee to research the candidates for the Township Election. Lawrence also shared the upcoming hearing for March 7th and March 8th at the Town Hall for the Petition for Incorporation of Baldwin Township and encouraged the Committee to come if they're available. He stated there will be a Town Board meeting next week, Monday February 26th. There will only be one meeting in March due to the Township Election and Annual Meeting.

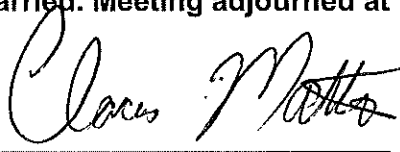
Commissioner Update: Commissioner Newman stated her goal to have the next newsletter out in April 2024 and to have everything to the staff by March 15th, 2024. She stated as she and Commissioner Miller move forward, there will be room for interesting topics. She would like the Commissions input on what they believe the community should know about. She is interested in interviewing Bryan Lawrence and what he sees for the future of the community.

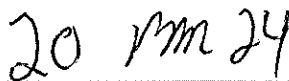
Town Staff Update: Planner Dan Licht stated there will be a public hearing next week at the Planning Commission meeting for a septic system variance.

Miscellaneous Information and Communications: None.

Adjourn: Commissioner Marshall made a motion to adjourn, seconded by Commissioner Schmock. All in favor, motion carried. Meeting adjourned at 8:50 p.m.


Submitted by: Julia Pettitt
Deputy Clerk/Treasurer


Approved by: Clarence Mattson
Chair


Date

Attendees: Town Board Supervisor Tom Rush