

BALDWIN TOWNSHIP
PLANNING COMMISSION MEETING MINUTES
March 27, 2024

Call to Order:

- The Baldwin Planning Commission Meeting was called to order by Chairman Clarence Mattson at 7 p.m.
- Pledge of Allegiance: All stood and recited the Pledge of Allegiance.
- Roll Call - **Commissioners present:** Clarence Mattson, Calvin Schmock, Richard Marshall, William McGowan, and Patti Miller.
Commissioners Absent: Sherry Newman and Joy Johnson
Others Present: Town Supervisor Liaison Bryan Lawrence and Town Planner Dan Licht
- Claim Forms - Claim Forms were completed and submitted to the Clerk.

B. Add/Approve/Amend Agenda:

Commissioner Marshall made the motion to approve this evening's agenda with Commissioner Schmock seconding the motion; all in favor, the motion passed.

C. Approve/Amend Minutes:

No meeting minutes for review.

D. Public Hearings:

D1. Tyler Paulson – Request for Variance for Expansion of Existing Single-Family Dwelling – 27931 137th Street

It was noted at this point that the address reflected on the agenda should be 27931 137th St. Planner Dan Licht provided the planning report regarding this variance request to the Planning Commission members. This report will be made part of the minutes. Planner Licht advised the Chair that Mr. Paulson was not in town so he would not be present. Planner Licht explained that the applicant wishes to expand the existing house and deck on the lakeside of the property. The existing house is non-conforming and the enlargement of the house/deck would require a variance. To meet the zoning ordinance requirements on nonconforming lots as closely as possible, the property owner would need to combine the two undeveloped lots to the north.

Commissioner Schmock questioned whether the applicant/owner agreed with combining the two lots. Planner Licht said he received the report with this information.

Town Supervisor Liaison Lawrence asked if the two lots being combined were still unbuildable and Planner Licht said that was correct.

Commissioner Marshall wanted to confirm that it would be no closer to the Ordinary High-Water Level which Planner Licht affirmed was correct.

Town Supervisor Liaison Lawrence asked what the lot size would be once the two undeveloped lots were combined with the existing lot with the house on it. Planner Licht said that it would be 1.2 acres in size, but would still be nonconforming.

Chairman Mattson opened the hearing for public comment at 7:06 p.m. Chairman Mattson asked if there were any questions from the public. With no questions or comments from the public, Chairman Mattson asked for a motion to close the Public Hearing for this item. Commissioner Schmock made the motion to close the Public Hearing. Chairman Mattson seconded the motion, all in favor, motion passed. The Public Hearing was closed at 7:08 p.m.

Chairman Mattson asked if there were any more questions or comments from the Planning Commission. There being none, Chairman Mattson asked for a motion to approve with the conditions stated in the planning report.

Commissioner Schmock made the motion to approve the Tyler Paulson Variance request with the following conditions:

- 1. The property shall be developed in accordance with the site and building plans submitted to the town subject to the stipulations, limitations, and conditions as approved by the Town Board in accordance with Section XX-9-5 of the Zoning Ordinance.*
- 2. PID 01-412-0340 shall be combined with PIDs 01-412-0350 and 01-412-0355 as required by Section XX-90-8. A.3 of the Zoning Ordinance, subject to approval of the Zoning Administrator.*
- 3. All SSTs issues and permit applications shall be subject to review and approval of the Building Official.*

Commissioner McGowan seconded the motion, all in favor, and the motion passed.

Chairman Mattson indicated that this would go before the April 1 Town Board Meeting.

D2. Andrea Casselton/Ted Davis - 14338 284th Avenue (PID 01-031-2205) Narrow Lot Variance

Planner Dan Licht presented the planning report regarding this variance request and it will be made part of the minutes.

Planner Licht explained that this is located on the west side of the lake adjacent to County Rd. 1. The applicants want to demolish the existing seasonal home and replace it with a new home that can be lived in year-round. This precipitates the request for a variance because of the nonconforming width of the lot. This variance was previously approved by Sherburne County but the timeline expired before any work had been done, so is now before the Planning Commission to reapprove.

Andrea Casselton, owner/applicant, of 1586 Juno Avenue, St. Paul, MN, came forward to answer any questions the Planning Commissioners had.

Commissioner Marshall asked if the new house was a two-story house with a walkout. Ms. Casselton stated it was a 1 ½ story with a walkout; however, the walkout would not be utilized.

Commissioner Marshall asked Ms. Casselton if they had any plans on building a deck and she said no because they have a patio outside.

Chairman Mattson asked about the driveway location. Commissioner Schmock said he believed it was a shared driveway. Ms. Casselton affirmed that it was shared access but that they had an easement agreement with the property owners for access. Commissioner McGowan asked if it was one or two different property owners the easement agreement was with and Ms. Casselton said two owners. Ms. Casselton did point out where the access would be on the overhead drawing.

With no further questions from the Planning Commissioners, Chairman Mattson opened the hearing for public comment at 7:17 p.m.

Jeff Stanton, son of David Stanton, said his father who lives to the north of this property was unable to attend the meeting tonight but wanted to convey that he had no opposition to this variance request, but welcomed them.

There being no further questions or comments from the public, Chairman Mattson asked for a motion to close the Public Hearing for this item.

Commissioner Schmock made the motion to close the Public Hearing for this item. Commissioner Marshall seconded the motion, all in favor, motion passed. The Public Hearing was closed at 7:19 p.m.

Chairman Mattson asked for a motion to approve with the conditions stated in the planning report if there were no more questions from the commissioners.

Commissioner Schmock made the motion to approve the Casselton/Davis Variance request with the following conditions:

- 1. The property shall be developed in accordance with the site and building plans submitted to the town subject to the stipulations, limitations, and conditions as approved by the Town Board in accordance with Section XX-9-5 of the Zoning Ordinance.*
- 2. All SSTS issues and permit applications shall be subject to review and approval of the Building Official.*

Commissioner Marshall seconded the motion, all in favor, motion passed.

Planner Licht said that this would go before the April 1 Town Board meeting.

D3. 33 Acre 108th LLC - Baldwin Prairie Simple Plat

Planner Dan Licht provided the planning report regarding this simple plat request to the Planning Commission. This report will be made part of the minutes

Planner Licht said this area is 32 acres west of 108th St. (County Rd. 19), south of Young Park. He explained that the developer is proposing an initial preliminary and final plat to subdivide the existing single-family dwelling and accessory buildings from the balance of the property to be platted as an outlot for future development.

Planner Licht stated that the existing dwelling and accessory building within Lot 1, Block 1 meet all the requirements of the zoning regulations. The septic has been updated and there is access from 108th St

(County Rd. 19) to the existing family dwelling and accessory buildings within Lot 1, Block 1. Any additional driveway access from County Rd. 19 would have to be reviewed and approved by Sherburne County.

Planner Licht also stated that park dedication fees do not apply to this split because there are no new lots and there is still an existing home on the property. Park dedication fees would apply once the outlot is subdivided.

Commissioner Marshall questioned if Lot 1, Block 1 is where the existing family dwelling will be located and Planner Licht told him yes.

Cody Rieland of Bogart, Pederson & Associates came forward as a representative in this simple plat request. Chairman Mattson asked if there was anything else he would like to add to what Planner Licht provided and Mr. Rieland said he had nothing more to add.

Chairman Mattson asked what determined the placement of the lot split. Mr. Rieland said that it was because of the wetland, wanting to leave as much land to the north as possible and to meet the required setbacks. Planner Licht added that before Bogart, Pederson & Associates, Rum River worked with the previous owner and did a sketch on how it could be divided with the existing home on it and it was consistent with this layout.

Commissioner Schmock asked Mr. Rieland if Bogart, Pederson & Associates was going to be the future developer and Mr. Rieland said there are no plans at this time.

Commissioner Marshall asked how wide the section to the north was and Chairman Mattson said the space between that lot and the north was 184 feet and would be plenty wide enough.

Chairman Mattson asked if there were any more questions for Mr. Rieland. Town Supervisor Liaison Lawrence, for informational purposes for Mr. Rieland, asked Planner Licht if there would be a two-year waiting period to come back to subdivide the outlot. Per Planner Licht there is no two-year waiting period for re-subdividing plats.

With no further questions from the Planning Commissioners, Chairman Mattson opened the hearing for public comment at 7:30 p.m.

There being no further questions or comments from the public, Chairman Mattson asked for a motion to close the Public Hearing for this item.

Commissioner Marshall made the motion to close the Public Hearing for this item. Commissioner Schmock seconded the motion, all in favor, motion passed. The Public Hearing was closed at 7:32 p.m.

Chairman Mattson asked for a motion to approve with the conditions stated in the planning report if there were no more questions from the commissioners.

Commissioner Marshall made the motion to approve the Simple Plat application with the following conditions:

- 1. The preliminary plat shall be revised to indicate the buildable area within Lot 1, Block 1.*

2. *Right-of-way dedication for 108th Street (CSAH 19) shall be subject to review and approval of Sherburne County.*
3. *Access for Lot 1, Block 1, and Outlot A to 108th Street (CSAH 19) shall be subject to review and approval of Sherburne County.*
4. *A certificate of compliance for the existing subsurface sewage treatment system shall be submitted in accordance with Section XX-4-2. C.1 of the Building Ordinance.*
5. *A Level 1 wetland delineation and any wetland impacts shall be subject to review and approval of Sherburne County.*
6. *All easements shall be subject to review and approval of the Town Engineer.*
7. *No park dedication requirement is due at this time; park dedication requirements for Outlot A shall be deferred until such time as application is made for preliminary plat and final plat approval to subdivide the property.*

Commissioner Schmock seconded the motion, all in favor, motion passed.

Planner Licht said that this would go before the April 1 Town Board meeting

E. Old Business: None

F. New Business: None

G. Town Supervisor Liaison Update:

This is Town Supervisor Liaison Lawrence's last Planning Commission Meeting before he is sworn in as State Representative for House District 27B. Town Supervisor Liaison Lawrence said he enjoyed serving as the liaison to the Planning Commission. He expressed that each member brings with them their unique background which is an asset to the Planning Commission and with Chairman Mattson's leadership role and the tremendous contribution Dan Licht provides, he has every confidence in what the Planning Commission will accomplish. He said that the swearing-in at the Capitol will take place on April 2 at noon and invited anyone wishing to come or they can watch it because it will be live-streamed.

H. Commissioner Update:

Commission Schmock – expressed his interest in serving on the Town Board and asked Town Supervisor Liaison Lawrence to pass that on to the Board.

Commissioner McGowan – Said he has received questions regarding whether we have something in place that requires trees to be planted when plats are approved. Planner Licht said that there should be either sod or grass seed put down and that as of last April, we require two trees per acre of land. He did point out that even if a house has been built in the last six months if the plat was approved before last April, the tree requirement does not apply, so it is not when the house was built, but rather when

the plat was approved. Town Supervisor Liaison Lawrence asked how this was enforced and Planner Licht said through the escrow and before the issuance of a final occupancy permit.

Commissioner Marshall – None

Commissioner Miller – None

Chairman Mattson – Said he would not be here for the April 24 Planning Commission meeting and that Commissioner Newman would be chairing that meeting. He also brought up the question of terms and whether putting a cap on serving as chair for the Planning Commission should be put in place so that everyone had a chance to serve in that capacity. Commissioner Marshall felt that wasn't necessary because Chairman Mattson was doing a great job and that should be up to the Planning Commission or Chairman Mattson when they felt that a change was needed.

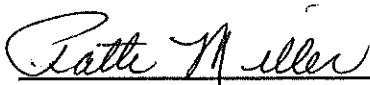
I. Town Staff Update:

Planner Licht said at the April 24 meeting we will have a Shoreland variance to construct a new home and detached garage on a nonconforming lot and a conditional use permit to build a new home on a nonconforming lot.

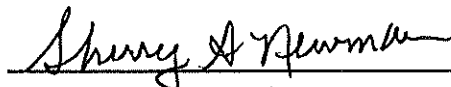
J. Miscellaneous Information and Communications:

Chairman Mattson asked a gentleman in the audience if he was just an observer or if he had any questions or comments. The gentleman said he had none. The Chairman welcomed him and Planning Commission members thanked him for being here.

K. Adjourn: Chairman Mattson asked for a motion to adjourn, **Commissioner Marshall made the motion to adjourn, Commissioner Schmock seconded it, all in favor, motion passed. Meeting adjourned at 7:58 p.m.**



Respectfully submitted:
Patti Miller, Planning Commissioner



~~Clarence Mattson, Chair~~
Sherry Newman, Vice Chair

4/24/24

Date

Attendees: Cody Rieland, Bogart, Pederson & Assoc., Inc.
Curtis Johnson
Ted Davis
Jeff Stanton
Andrea Casselton