



CITY OF BALDWIN
PLANNING COMMISSION MEETING AGENDA
Wednesday, June 25, 2025 at 7:00 P.M.
Baldwin City Hall

- A. **Call to Order:**
 - 1. Pledge of Allegiance
 - 2. Roll Call
 - 3. Planning Commission claim forms
- B. **Approval of the Agenda**
- C. **Approval of Minutes:**
 - 1. Planning Commission meeting of May 28, 2025
- D. **Public Hearings:**
 - 1. Johnathan Lee Clover (28213 128th Street)
 - a. Home business within an accessory building Interim Use Permit.
- E. **New Business:**
 - 1. Discuss stormwater management with City Engineer.
 - 2. Accept Resignation for William McGowan.
 - 3. Consider recommendation(s) for appointment to the Planning Commission.
- F. **Old Business:**
 - 1. None.
- H. **City Council Liaison Update**
- I. **Commissioner Update**
- J. **City Staff Update**
- K. **Miscellaneous Information and Communications**
- L. **Adjourn by 9:00PM**

Notes:

- 1. Five copies of the agenda and two copies of the packet materials are available for review by the public.
- 2. The meeting will be video and audio recorded for transcription purposes only.
- 3. This agenda does not claim to be complete and is subject to change.
- 4. A quorum of the City Council may be present at the Planning Commission meeting.



PLANNING COMMISSION MEETING MINUTES

MAY 28, 2025

Call to Order: Chair Clarence Mattson called the Baldwin Planning Commission meeting to order at 7:00 pm.

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

Roll Call: Present: Chair Clarence Mattson, Commissioners Patti Miller, Calvin Schmock, Richard Marshall and Vice Chair Sherry Newman.

Absent: Commissioner William McGowan

Also present: City Planner, Dan Licht, and City Council Liaison, Jay Swanson.

All claim forms were filled out and returned to the Deputy Clerk.

Approval of the Agenda:

Add B1: Commissioner Marshall Public Statement

Commissioner Schmock motioned to approve the agenda as amended. Commissioner Newman seconded. All in favor. Motion carried.

Commissioner Marshall Public Statement

Commissioner Marshall made a statement about Commissioner Newman. Commissioner Newman helped create the foundation of the Planning Commission. Commissioner Marshall wanted to commend Commissioner Newman for all the great work she has done for the Planning Commission.

Approval of the Minutes:

Planning Commission meeting of March 26, 2025

The incorrect date is on the top right corner on pages two through four. The date needs to be changed from March 20, 2025 to March 26, 2025.

Commissioner Marshall motioned to approve the minutes as amended. Commissioner Schmock seconded. All in favor. Motion carried.

Public Hearings: None

New Business:

Ordinance 920 (SSTS) amendment

Amendment of Ordinance 920 is an update to chapter four of the building ordinance which regulates septic systems within the City. The City of Baldwin has to mirror or make less restrictive the Sherburne County ordinance. Sherburne County updated their Subsurface Sewage Treatment System ordinance and now the city can update and adopt the ordinance.

Commissioner Marshall would like to challenge this against the State and County. City Planner Licht stated the City Council can continue to talk to the County Commissioners to lobby to have the ordinance changed, however the County has been unwilling to do so.

City Planner Licht stated that the State says the City must be consistent with the County. If the City does not follow the County regulations, the State could take away the ability to permit septic systems and give that back to the County.

Commissioner Newman asked when you should have your septic system checked. City Planner Licht stated that you should have your septic system serviced every 2 years. The State requirement for compliance is at point of sale and if you change something in or on your house that adds capacity.

Commissioner Newman asked what the delineation is between having your septic checked and having your septic in compliance. City Planner Licht stated having it checked means it is functioning the way it was designed. A septic compliance is making sure your septic is compliant with the current Minnesota rules and statutes.

The Planning Commission can note the objection to the Sherburne County requirements in the recommendation so that it will be communicated to the City Council.

Commissioner Marshall motioned to recommend the approval of Ordinance 920 with comment that City Council continue pursuit of fair requirements for septic certification with issuance of a building permit. Commissioner Schmock seconded. All in favor. Motion carried.

Agricultural building permit application

City Planner Licht drafted an agricultural building permit application after a discussion was held at the joint City Council and Planning Commission meeting on April 23, 2025. City Planner Licht stated the form/permit goes over the different criteria that a property owner would need to follow in order to get an agricultural exemption.

The Commissioners discussed the agricultural exemption form/permit. Commissioner Miller noted changes that need to be made on page two including adding a phone number and email.

Commissioner Miller asked if there is a fee associated with this form. City Planner Licht stated that it would be a City Council decision, but this is just a preliminary form and there would not typically be a fee associated with this.

Commissioner Schmock motioned to recommend approval of the agricultural building permit exemption application for the City of Baldwin. Commissioner Newman seconded. All in favor. Motion carried.

Old Business:

Discuss Fence Regulations

City Planner Licht updated the zoning ordinance regarding fence regulations and brought it back to the Planning Commission for approval.

Commissioner Marshall motioned to recommend approval of the zoning ordinance regarding fences. Commissioner Schmock seconded. All in favor. Motion carried.

Planning Commission bylaws

City Planner Licht updated the Planning Commission bylaws and brought it back to the Planning Commission for approval.

Commissioner Schmock motioned to recommend approval of the Planning Commission bylaws. Commissioner Marshall seconded. All in favor. Motion carried.

Planning Commission Interview questions

City Planner Licht provided the Commissioners with interview questions that could be used during applicant interviews.

The Commissioners discussed the interview questions, and what order they should be asked in.

Chair Mattson asked how long each interview should be and if there should be a timeframe for each interview. The Commissioners discussed the interview process.

City Council Liaison Update:

Mayor Swanson updated the Planning Commission on recent City Council discussions.

Commissioner Update:

Commissioner Schmock asked Mayor Swanson if he could use the City property to harvest sage. Mayor Swanson directed Commissioner Schmock to come to a City Council meeting.

Commissioner Newman thanked the Commissioners for a wonderful few years on the Planning Commission. Commissioner Newman stated she will be staying on to work on the Newsletter for the City.

Chair Mattson thanked Commissioner Newman for her service with the Planning Commission and the City.

City Staff Update: None

City Planner Licht thanked Commissioner Newman for her dedication to the Planning Commission.

Miscellaneous Information and Communications: None.

Adjourn:

Commissioner Marshall motioned to adjourn the May 28, 2025 Planning Commission meeting at 9:12 pm. Commissioner Schmock seconded. All in favor. Motion carried.

Respectfully submitted:

Approved by:

Kayla Nielsen
Deputy Clerk

Clarence Mattson
Chair

Date

Attendees: Council Member Alan Walker and Rosie Walker.



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Anoka, MN 55303
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PLANNING REPORT

TO: Baldwin Planning Commission

FROM: D. Daniel Licht

REPORT DATE: 17 June 2025

60-DAY DATE: 3 August 2025

RE: Baldwin – Clover; Home Occupation Interim Use Permit

TPC FILE: 269.02

BACKGROUND

Jonathan and Megan Clover own the residential property at 28213 128th Street (PID 01-00033-2303), which includes their single family dwelling and a detached accessory building. The property owners are operate a consignment boat sales business from the property with an outdoor sales and display areas. The proposed home occupation is allowed within the R1, General Rural District with approval of an Interim Use Permit. A public hearing to consider the property owner's application for an Interim Use Permit has been noticed for the Planning Commission meeting on 25 June 2025.

Exhibits:

- Site Location Map
- Site Plan
- Draft Findings of Fact

ANALYSIS

Comprehensive Plan. The Comprehensive Plan guides the property for rural uses. The Comprehensive Plan promotes establishment of land use patterns that will provide connections to existing public amenities and the natural landscape. Existing rural residential character is to be expanded without adversely affecting scenery or open spaces. The Zoning Ordinance limits home occupations through performance standards intended to preserve rural character consistent with the Comprehensive Plan. That a proposed home occupation involving outdoor sales and display is consistent with the desired rural character of the City is a determination to be made by the Planning Commission.

Zoning. The property is zoned R1, General Rural District and within the Shoreland Overlay District of Cantlin Lake. Home occupations are allowed in the R1 District with approval of an Interim Use Permit subject to the standards set forth in Section 900-5-4.K of the Zoning Ordinance:

1. The business shall be located on the homesteaded property of the business owner.
2. All business activities may be conducted within a maximum area of 1,800 sq ft within one accessory structure. If the accessory building is to be used for nonbusiness use (i.e. personal storage), a partition wall or similar divider shall be used to separate business from non-business use to identify compliance with the 1,800 sq ft maximum floor area. All work shall be conducted within the accessory building.
3. There may be no more than two employees (full time equivalent) other than a member of the household residing on the premises.
4. There may be no sandblasting, chemical/paint spraying, or similar use associated with the business.
5. There may be no more than one non-illuminated business sign totaling not more than 12 square feet on the premises.
6. Excessive noise, glare, odors, traffic or other nuisances may be justification for the City to revoke or modify the terms of the interim use permit.
7. The City Council may limit the daily hours of operation.
8. Any solid or liquid waste shall be handled and disposed of according to any applicable county or state regulations.
9. The applicant and/or property owner shall permit the Zoning Administrator to inspect the property at any time.

The proposed business involves outdoor display of board offered for sale by the applicant on a consignment basis. There will be no outside employees and sales are intended to be conducted on an appointment basis only. The outdoor display area is to be located along the south side of the driveway accessing the property from 128th Street (CR 45). City staff recommends the Planning Commission establish a limit on the maximum number of boats that may be displayed.

License. Boat sales businesses within Minnesota requires issuance of a license by the Department of Public Safety. City staff recommends that maintenance of a State issued boat dealer license be included as a condition of approval.

Surrounding Uses. The subject property is located on the east side of 128th Street (CR 45) on the south side of Cantlin Lake. There are other rural residential dwellings to the south and south east of the subject property, as well as across 128th Street (CR 45) to the east. The Planning Commission should consider to what extent additional landscaping may be needed to screen the proposed outdoor display area from view of adjacent properties.

Lot Requirements. Lots with the R1 District are required to be a minimum of 2.5 acres in area and a minimum of 200 of width to an improved public street. The subject property is 21.45 acres in area and approximately 750 feet in width. The existing parcel complies with the lot requirements of the Zoning Ordinance.

Impervious Surface. Section 900-90-10.B.1 of the Zoning Ordinance limits impervious surface coverage within a lot subject to the Shoreland Overlay District standards to 25 percent of the lot area. Impervious surfaces include the footprint of the principal building and detached accessory building, any patios, walkways, and driveways, and the proposed outdoor sales display area that would prevent water from infiltrating directly into the ground. We recommend a condition of approval be included that impervious surfaces not exceed 25 percent of the lot area. The property owner will be required to provide an estimate of the area the area of the lot parcel the Ordinary High Water Level and area of all existing or impervious surface areas as a percentage of the lot area upon approval of the Interim Use Permit.

Setbacks. The table below outlines the R1 District setbacks applicable to the subject property as required by Section 900-51-8 and Section 900-90-7.B.1 of the Zoning Ordinance:

128 th St. (CR 45)	Side	Rear	OHWL
100ft.	20ft.	25ft.	150ft.

The proposed outdoor sales display area is subject to the setback requirements above. Based on the site plan provided by the applicant, the outdoor display area may be encroaching into the setback required from Cantlin Lake. It further appears that there is an ability to comply with the setback from Cantlin Lake, the south property line, and 128th Street (CR 45) by shifting the outdoor display area to the west.

Access. The subject property will be accessed via a driveway to 128th Street. No alteration of the existing driveway is proposed.

Hours of Operation. The Zoning Ordinance establishes limits on noise corresponding to Minnesota of Pollution Control Agency rules. More stringent night-time hours are in effect from 10:00PM to 7:00AM each day. The Planning Commission may consider imposing limitations on the hours of operation for the proposed business use of the property necessary to maintain compatibility with surrounding residential dwellings. The Planning Commission recently limited other business uses within the R1 District to the hours of 7:00AM to 7:00PM on Mondays through Saturdays with no work allowed on Sunday.

Utilities. The property is to be served by an on-site well and Subsurface Sewage Treatment System. The proposed home occupation will not affect the existing utilities and will not require certification of the Subsurface Sewage Treatment System as no building permit is being sought.

Stormwater. The extent of the outdoor sales area does not trigger stormwater management requirements. The surface of the outdoor display area is not indicated. Long term display of boats may affect the health and maintenance of grass. We recommend that a Class-5 gravel surface be placed for the outdoor display area both to prevent dust and erosion and to define extent of the allowed outdoor sales area.

RECOMMENDATION

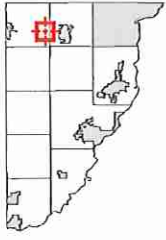
City staff recommends approval of an Interim Use Permit allowing a home occupation within the R1 District based on the draft findings of fact as presented and subject to the conditions outlined below.

POSSIBLE ACTIONS

- A. Motion to adopt findings and recommend City Council **approval** an Interim Use Permit allowing a home occupation at 28213 128th Street, subject to the following conditions:
1. The Interim Use Permit shall terminate upon happening of the following events, whichever occurs first:
 - a. Upon violation of conditions under which the interim use permit was issued.
 - b. Upon change in the Zoning Ordinance that renders the use nonconforming.
 - c. The redevelopment of the use and property upon which it is located to a permitted or conditional use as allowed within the respective zoning district.
 - d. Upon a change in ownership, whether pursuant to move, sale, transfer, assignment, or otherwise, the owner or proposed new owner must complete a new application subject to approval pursuant to the Zoning Ordinance.
 2. The business shall be located on the homesteaded property of the business owner.
 3. Shall be no employees other than members of the household residing on the premises.
 4. The property owner shall obtain and possess boat dealer license issued by the Minnesota Department of Public Safety at all times that boats are offered for display from the property.
 5. Outdoor sales and display shall be limited be limited to a number of boats as determined by the City Council a defined area that complies with the setback requirements of the R1 District and surfaced with Class- 5 materials.
 6. Business hours of operation shall be limited to 7:00AM to 10:00PM on Monday through Saturday; no work shall be allowed on Sunday.
 7. There may be no more than one non-illuminated business sign totaling not more than 12 square feet on the premises.
 8. Any solid or liquid waste shall be handled and disposed of according to any applicable county or state regulations.
 9. There may be no sandblasting, chemical/paint spraying, or similar activity associated with the business.

- 10. The applicant and/or property owner shall permit the Zoning Administrator to inspect the property at any time.
- B. Motion to recommend the City Council **deny** the application based on a finding that the request is does not comply with the Zoning Ordinance.
- C. Motion to **table**.
- c. Joan Heinen, Town Clerk/Treasurer

Overview

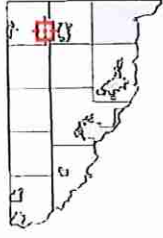


Legend

- Parcels
- Streams
- Wetlands



Overview



- Legend
- Parcels
 - Streams
 - Wetlands

SITE PLAN



**FINDINGS OF FACT & RECOMMENDATION
INTERIM USE PERMIT
PID 01-00033-2303**

APPLICANT: Jonathan and Megan Clover

APPLICATION: Request for an Interim Use Permit to allow a home occupation.

PLANNING COMMISSION MEETING: 25 June 2025

FINDINGS: Based upon review of the application and evidence received, the Planning Commission now makes the following findings of fact:

1. The property is Property Identification Number 01-00033-2303 located at 28213 128th Street.
2. The property is guided for Rural Residential land uses Comprehensive Plan.
3. The property is zoned R1, General Rural District.
4. The applicant is proposing to conduct a home involving outdoor sales and display of consignment boats; home occupations are allowed within the R1 District subject to approval of an Interim Use Permit subject to Section 900-5-4.K of the Zoning Ordinance.
5. The Planning Commission must take into consideration the possible effects of the request with their judgment based upon (but not limited to) the criteria outlined in Section 900-5-2 of the Zoning Ordinance:
 - A. The proposed action's consistency with the specific policies and provisions of the town comprehensive plan.

Finding: The Comprehensive Plan promotes establishment of land use patterns that will provide connections to existing public amenities and the natural landscape. Existing rural residential character is to be expanded without adversely affecting scenery or open spaces. The Zoning Ordinance limits home occupations through performance standards intended to preserve rural character consistent with the Comprehensive Plan.

- B. The proposed use's compatibility with present and future land uses of the area.

Finding: The Zoning Ordinance allows home occupations subject to the performance standards set forth by Section 900-5-4.K of the Zoning Ordinance to maintain compatibility with surrounding uses; if the proposed use complies with the requirements of the Zoning Ordinance, the expectation is that the use will be compatible.

- C. The proposed use's potential to impact natural resources such as surface water, groundwater, or wetlands; sites identified for rare biological species habitat; ecologically sensitive areas; or historically significant areas.

Finding: The proposed use will not impact natural resources or historically significant areas.

- D. The proposed use's conformity with all performance standards contained within [the Zoning Ordinance] and other town ordinances.

Finding: The proposed use will comply with all applicable City ordinances.

- E. Traffic generation of the proposed use in relation to capabilities of streets serving the property.

Finding: The property is accessed via 128th Street (CR 45), which has with adequate capacity to accommodate traffic generated by the proposed use.

- F. The proposed use can be accommodated by existing public services and facilities and will not overburden the City's service capacity.

Finding: The proposed use will not overburden the City's existing service capacity.

6. The planning report dated 17 June 2025 prepared by the Town Planner, The Planning Company LLC, is incorporated herein.
7. The Planning Commission conducted a public hearing at their meeting on 25 June 2025 to consider the application, preceded by published and mailed notice; based upon review of the application and evidence received, the public hearing was closed.

RECOMMENDATION: Based on the foregoing information and applicable ordinances, the Planning Commission recommends the request be **APPROVED**, subject to the following conditions:

1. The Interim Use Permit shall terminate upon happening of the following events, whichever occurs first:
 - a. Upon violation of conditions under which the interim use permit was issued.
 - b. Upon change in the Zoning Ordinance that renders the use nonconforming.
 - c. The redevelopment of the use and property upon which it is located to a permitted or conditional use as allowed within the respective zoning district.
 - d. Upon a change in ownership, whether pursuant to move, sale, transfer, assignment, or otherwise, the owner or proposed new owner must complete a new application subject to approval pursuant to the Zoning Ordinance.
2. The business shall be located on the homesteaded property of the business owner.
3. Shall be no employees other than members of the household residing on the premises.
4. The property owner shall obtain and possess boat dealer license issued by the Minnesota Department of Public Safety at all times that boats are offered for display from the property.

5. Outdoor sales and display shall be limited to a number of boats as determined by the City Council to be within a defined area that complies with the setback requirements of the R1 District and surfaced with Class- 5 materials.
6. Business hours of operation shall be limited to 7:00AM to 10:00PM on Monday through Saturday; no work shall be allowed on Sunday.
7. There may be no more than one non-illuminated business sign totaling not more than 12 square feet on the premises.
8. Any solid or liquid waste shall be handled and disposed of according to any applicable county or state regulations.
9. There may be no sandblasting, chemical/paint spraying, or similar activity associated with the business.
10. The applicant and/or property owner shall permit the Zoning Administrator to inspect the property at any time.

(remainder of page intentionally blank signatures follow)

MOTION BY:
SECOND BY:
ALL IN FAVOR:
THOSE OPPOSED:

ADOPTED by the Baldwin Planning Commission this 25th day of June, 2025.

BALDWIN PLANNING COMMISSION

Clarence Mattson, Chair

ATTEST:

Kayla Nielsen, Deputy Clerk

Kayla Nielsen

From: Annette McGowan <abmcgowan@msn.com>
Sent: Tuesday, June 17, 2025 5:03 PM
To: Kayla Nielsen
Subject: Planning commision

Planning Commision members

In the last couple weeks I was diagnosed with cancer and I'm now getting Chemotherapy treatment. With deep regret I need to resign from the planning Commision because of this. This Planning Commision has great members that do very good for our City of Baldwin. I extremely enjoyed working on the Commision and with very good members. If you need me to come to some meetings until you find new members I could except for tomorrow.

Deep regret
Bill McGowan



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MEMORANDUM

TO: Baldwin Planning Commission

FROM: D. Daniel Licht

DATE: 20 June 2025

RE: Baldwin – Planning Commission

TPC FILE: 269.01

BACKGROUND

The Planning Commission currently has three vacancies. Interviews were conducted at the Special Meeting on 18 June 2025 for appointment to the vacant positions. The following people were interviewed:

- | | |
|-------------------|---------------------|
| ▪ Mary Larson | ▪ Abby Newland |
| ▪ Teresa Barnes | ▪ Edward Stofferahn |
| ▪ Cartrell Cooper | ▪ Rose Mary Walker |

The interviews consisted individual sessions with each applicant using a preset list of 10 questions, with follow up questions from the Commissioners present. The Planning Commissioners present discussed the interviews at the conclusion of the meeting.

City staff has included consideration of recommendations to the City Council for appointment to the Planning Commission. City staff notes the importance of having new members appointed as soon as possible to be able to efficiently and effectively carry out the duties of the Comprehensive Plan.

POSSIBLE ACTION

Motion to recommend the City Council appoint the following individuals to the Planning Commission:

- Seat B (term ending 2027): _____
- Seat E (term ending 2028): _____
- Seat G (term ending 2027): _____

c. Joan Heinen, City Clerk/Treasurer