

**CITY OF HANOVER  
PLANNING COMMISSION MEETING  
OCTOBER 28, 2013 – OFFICIAL MINUTES**

**Call to Order/Pledge of Allegiance**

Chair Spraungel called the October 28, 2013 Planning Commission Meeting to order at 7:00 p.m. Members present were Chair Dawn Spraungel, Jim Schendel, Reid Rabon, Chris Zanetti, and Liaison Doug Hammerseng. Also present were Administrative Assistant Brian Hagen, City Planner Cindy Nash, John Vajda, Jeff Zierdt and Matt Schiller from Lupulin Brewing LLC, and other guests. Planning Commission member Julie Smola was absent.

**Approval of Agenda**

**MOTION** by Zanetti to approve agenda as presented, seconded by Schendel. Motion carried unanimously.

**Approval of Minutes from August 26, 2013 Regular Meeting**

Rabon corrected where it stated members wanted the use of natural gas for the reduced noise possibility. It should read, natural gas is suggested to be used for environmental concerns.

**MOTION** by Schendel to approve amended minutes, seconded by Rabon. Motion carried unanimously.

**Citizen's Forum**

None

Regular meeting closed at 7:02 p.m. for a Public Hearing

**Public Hearing**

**Wetland Setback Variance – 707 Kalea Court**

Nash opened the discussion by reviewing the request. She stated the request was similar to the variance that was issued earlier in the year. She went on to state the property borders the same wetland. Nash explained how without a setback a small house would be forced to be built on this parcel. Nash recommended approval of the variance request with the following conditions:

- The home shall be constructed in a substantial conformance with the Certificate of Survey prepared by Carlson McCain and dated September 21, 2013, including finished floor elevations and grading of the site.
- No grading or land disturbing activities are permitted to occur within the existing easement containing the wetland. Silt fence shall be installed along the easement line to demarcate the location past which no grading or land disturbing activities shall be permitted.
- Following completion of construction, signs approved by the City Engineer shall be install along the easement line denoting that a wetland/conservation area exists on the other side of the line.
- Following completion of building foundation, a foundation as-built survey shall be provided to demonstrate that the property is not closer than 23 feet, and the future deck not closer than 11.7 feet from the wetland, that it is being constructed as according to the approved plan, and that the construction is in compliance with the conditions of this resolution.
- Prior to the issuance of a building permit, an escrow of \$1500 must be provided to ensure compliance with the conditions of this variance.

Spraungel continued discussion by referencing the City of Hanover Comprehensive Plan adopted in 2008. She specifically referenced a map with the plan showing the parcel in question is located in a high ecological area. Spraungel felt because of this fact, the property in question was not similar to the variance previously approved by the City. Spraungel also stated that a smaller home would be able to be built without needing a variance on the wetland setback. She stated the lot is not providing practical difficulty to build on, but instead felt the owners are choosing the lot for the price making it a cost difficulty.

Rabon agreed with Spraungel, he stated at an earlier meeting it was discussed between the Planning Commission and the City Council that the lots in this development were created with the goal of having a variety of sizes for homes.

Spraungel opened the discussion for guests present.

Ms. Bury is an adjacent property owner. She stated she was present at the last variance request because the two properties are near where she lives. She was against this variance request as well because she would like to see wildlife habitat preserved. She stated on the other parcel, the silt fence is falling down and there is garbage all around the property. Hagen responded to this statement by stating he has visited the site several times and was very pleased with the builder. He stated the dirt is lying against the silt fence, but the builder did not place the silt fence on the drainage and utility easement line so he has some room for error. He further stated that an additional escrow was collected as well as an as built survey is required so if there is any fill that went into the wetland, the City has funds available to correct the problem.

Rabon felt the higher sensitivity according the Comprehensive Plan should be considered. Spraungel asked what the options were for the request. Nash responded by reminding the members that the building pad on the parcel was set before the wetland setback was implemented by the City. Nash further recommended approval of the request, but she also stated the Planning Commission could recommend Council deny the request with specific reasons. The members felt they needed more information before they could make a quality decision. Nash stated statute requires a decision be made within 60 days of time of application so the board would have time to table, make a recommendation to Council at a later date, and Council could still vote on it within the time period allotted for a decision.

The members requested more information including:

- Adjacent properties home foundation sq. ft.
- Adjacent home distance from wetland
- What a front yard setback would need to be to meet the wetland setback
- The builder attend the next meeting

**MOTION** by Schendel to table discussion, seconded by Rabon. Motion carried unanimously.

Public Hearing closed at 7:30 p.m.

### **Unfinished Business**

None

### **New Business**

#### **Brewery Discussion**

Mr. Zierdt and Schiller were present to provide the Planning Commission an overview of their new microbrewery this wish to open in Hanover. They stated they wanted to gauge the member's interest and determine the feasibility of moving the business to town. They stated they wanted this chance to meet with the members because in order to move to town they would have to apply for a text amendment allowing this use in one of the districts as well as apply for permits to operate within Hanover. They provided a presentation outlining their business plan and details of how the brewery would operate. They stated they would be a small brewery who focused on a quality product and their advertising would be word of mouth. They see their company benefiting Hanover because of the highly known River Inn and feel they would be a compliment to that existing business. They are interested in a property within the Industrial Park and would be looking to lease the building. Within the brewery would be a tap house where customers could by small portions of their product for consumption on site or to bring home.

Hammerseng question any environmental impacts the business would have from the bi-products created in the process. Rabon stated Joint Powers would need to review the business because of the potential excess in wastewater needs. The owners are not aware of any concerns because these types of business are opening throughout the U.S. often. They plan follow all regulations set forth by the government. Zanetti stated this would be a good business to partner with the Harvest Fest and the Oktoberfest. The owners were excited about providing their product to local festivities. They stated Surly Darkness Days draws a large crowd each year and they feel they could offer an attraction to Hanover.

The Planning Commission is open to further discussion to allowing a business of this nature in Hanover. They feel it would bring a benefit to Hanover, and Spraungel noted Hanover once had a winery in town.

## **Reports and Announcements**

### **Planning Commission**

Rabon praised Hanover Elementary for the quality of the school. He hears great things about the district and has met people who moved to Hanover because of the school district credibility. He also asked for details on the site plan review which was discussed in August. He saw after reading the Council minutes that the Council passed it with no conditions. Hammerseng stated it was passed by Council, but he voted against it to protect the Planning Commission's interests. Hagen added to the response by stating it was not a situation where conditions could be placed on the request, instead it was a site plan review to determine whether the request fit the location it was being requested for. Council felt it fit the proposed use, therefore could not justify denying the request. Council did agree with the interest of the Planning Commission and directed Hagen to make those recommendations to the companies.

Spraungel had questions about the new zoning ordinances. She expressed concern about some content that was dropped from the previous ordinances. Nash and Hagen explained the new ordinance becomes part of the existing City Code. Nash further stated she was directed to make it more builder friendly. Nash went on to explain the Sub Division Ordinance will be amended next. She informed the board that she has been in contact with several developers and predicts a preliminary plat will be submitted next year.

Zanetti stated his neighborhood was chip sealed this year and there is excess loose gravel. Questioned why this has not been swept up. Hagen stated it has been swept already, but there is one more sweeping planned for this fall yet.

Hagen updated the board on the two trail projects.

## **Adjournment**

**MOTION** by Schendel to adjourn at 8:45 p.m., seconded by Rabon. Motion carried unanimously.

ATTEST:

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Brian Hagen, Administrative Assistant