

**CITY OF HANOVER
PLANNING COMMISSION MEETING
AUGUST 29, 2022
OFFICIAL MINUTES**

Call to Order/Pledge of Allegiance

Stan Kolasa called the August 29, 2022, Planning Commission Meeting to order at 7:01 pm. Members present were Stan Kolasa, Jim Schendel, Dean Kuitunen, Gretchen Barrett, and John Ganfield. Also present City Planner Cindy Nash, City Engineer Jenn Edison, Council Liaison Jim Zajicek and Administrative Assistant Amy Biren. Many guests were present

Approval of Agenda

MOTION by Schendel to approve the amended agenda, seconded by Kuitunen.

Motion carried unanimously.

Approval of Minutes from the July 25, 2022, Regular Meeting

MOTION by Schendel to approve the July 25, 2022, minutes, seconded by Kuitunen.

Motion carried unanimously.

Citizen's Forum

None

Public Hearing

Amendment to a Conditional Use Permit (CUP) at 10718 Jonquil Lane

Kolasa closed the Planning Commission meeting and opened the Public Hearing at 7:03 pm.

Nash explained the Board would be reviewing an amendment to a conditional use permit (CUP) that had been brought before the Board earlier this year. The applicant is proposing a different style of architecture to the barn as well as a larger footprint than was approved. Nash explained that the approved architecture had the doors on the north side of the barn, a mirror image of what had been proposed.

Allison Eklund, attorney for the applicant, presented a letter that addressed the City Engineer's comments. Eklund explained that she was present to ensure that her clients concerns were heard and that they understood what was being approved.

Barrett asked for confirmation that the Planning Commission had approved the CUP and stated that she did not remember that the Board had outlined the location of the doors on the barn. Nash confirmed that the Planning Commission had approved the barn with the doors being on the south side and said that the change had occurred at the Council Meeting as well as moving the location of the barn to match the rear corner of the house instead of the front corner. Ganfield confirmed that doors were not discussed at the Planning Commission. Nash explained that there was not an application for the barn to be in the side yard so the location needed to be moved to the rear yard and then there were recommendations made at the Council level that were different than those made at the Planning Commission.

Nash stated that the City received information that grading has been occurring and that usually doesn't happen until a building permit has been issued or in the case of a new subdivision (development), an early grading agreement is reached. Nash said the grading should not influence the Board's decision.

Eklund reiterated that she is present to ensure the applicants know what is expected of them. She stated that the footprint of the barn did not change, only the addition of the hay storage. Nash explained that anything that is under the roof of the barn is counted as the footprint, therefore, the hay storage area changes the footprint of the barn.

Eklund went on to say that the concerns about the drainage were not applicable to the CUP. Edison explained that the information received by the City does not have anything pertaining to grading. Grading contours usually are included on the survey to show the current and proposed grading. Edison said that from her visit in the area, it looks like there has been soil moved and it needs to be stabilized. She continued saying that drainage concerns are evident.

Eklund stated that her clients agree with the proposed items listed on page four (4) of the Planner's memo.

Kolasa called upon the audience members that had signed up to speak at the Public Hearing.

Jennifer King Maas and Chris Maas, 10745 Ginseng Lane: She thanked the Board for listening this evening. King Maas stated that they love Hanover and the country vibe that is present. They were excited with the neighbors having horses since King Maas loves horses. As she works from home, she has observed massive amounts of dirt being moved and has concerns. Maas said that they support what people do on their own land, but in doing so, need to follow the rules. King Maas said she had a list of questions and wanted to know if the Board would like to read them or have her ask them. Barrett said to go ahead and ask the questions. King Maas read aloud the questions:

- What prompted the changes to the conditional use permit?
- What is the purpose of the size and location change for the proposed building?
- What is the proposed use of the building? (Plan mentions arena, please elaborate)
- Is the planned usage of the proposed building for that of business?
- How many animals will be kept in the building at 10718 Jonquil?
- What is the total area allotted for pasture/grazing for said animals?
- The size, 60 x 120 feet, seems excessive for two horses? Reason?
- Will the building be utilized by owners or animals of 10680 Jonquil and for what purpose?
- Is there a grading plan for the work already completed for the proposed building site?
- Were the grading changes done on the east side of the property related to the proposed building?
- What efforts will be taken to control erosion and runoff?
- What measures will be taken to ensure animal waste is kept out of the watershed?
- When is the proposed completion date of construction?
- Will there be lights on the building, specifically on the east and south facing sides?
- Why was the building pad raised to its current height?
- What is the finished height of the proposed building?
- Will the building be used to store hay?
- Are there any fire hazards related to the storage of hay?
- Will there be any additional road/driveway access to the building or property?
- Will the building and its use cause an increase in traffic?
- The plan notes two septic systems. Are you adding an additional septic system? How many operational septic systems are being proposed?

A copy of the materials from King Maas are included as part of the record.

Maas said he understands that there are two separate projects occurring on Jonquil. However, the fence was removed between the two properties and it looks like it is one project between the two neighbors. One project without a fence.

King Mass wanted to know if the CUP included information about a business.

Kuitunen asked for confirmation that the proposed septic system was in fact the secondary septic system site. Nash confirmed that stating that a primary and secondary septic site is required with the secondary site being reserved for future use.

Joe Morin, applicant, 10718 Jonquil Lane, responded to the questions asked.

- The reason for the amendment to the CUP is for the location of the hay shed and the doors being located on the north side. Adding the hay shed increases the size of the building and it doesn't make sense for the doors to be on the north side of the barn.
- The pad and height of the building is because of the location of the barn being required to be in the rear yard.
- The paddocks will be south of the barn with the hay field, therefore, the location of the hay shed being on the south side of the barn.
- With the doors being on the north side of the building, there would be a lack of proper ventilation.
- A separate driveway to the barn would be too steep.
- They are not starting a business in the barn. The barn is for personal use. They moved to Hanover to have horses and some land.
- The arena is 80 x 60 feet which is the minimum size for an arena. Otherwise, it would be too small.
- They are not creating a business with the neighbor or creating a huge farm.
- Both properties happen to be using the same excavator.
- They have moved soil off of the property. There has been minor grading on the east side in order to get rid of scrub trees and buckthorn.
- No animals will be in the barn and no stables as the horses will have shelters located on the property.
- There will be an area 40 x 60 feet as his machine shop.
- The property is allowed four (4) horses.
- The fence was removed because new fencing is being installed.
- No work has been done past 8 pm.

Kuitunen asked if Nash's recommendation takes into consideration the location of the doors. Nash said that one of the three recommendation options available to the Board outlines the following: the location of the barn as shown on the survey dated August 17, 2022; the barn and horse shelters are located not less than 75 feet from all property lines; the architecture of the barn be in conformance of the plans dated July 5, 2022, which would address the location of the doors; the barn is to be used for personal use only and no business related to animals can be operated at the property or other owner's horses housed in the barn; and the maximum number of animal units is four (4).

Barrett inquired about the machine shop. Morin replied it would be a workshop to work on their farm machinery and would not be a machine shop business. Nash also stated the CUP does not include anything related to operating a business on the property.

Morin presented the Board with signatures of neighbors supporting the amendment to the CUP. The signatures will be kept as part of the record.

Connie Richardson, 10681 Ginseng Lane: She stated that King Maas and Maas had covered a lot of the concerns already. She said that she and her husband, Doug, have observed the trucks dumping the soil. She is concerned about the excavation and how it is being done. Richardson questioned the moving of the doors from the north side as the house is on the north side of the barn. She is also concerned with hay blowing off of the property and the manure on the property.

Morin responded that the trucks are on Kippie's land (owner at 10680 Jonquil) and the soil did not come from his land. They have a manure management plan in place and manure will be handled correctly. The hay will not blow around as it will be round bales and placed in a hay hut for the horses to feed.

Tom Bradley, 10723 Ginseng Lane, said that he agrees with what has been said by the other public hearing speakers.

Kolasa closed the Public Hearing and re-opened the Planning Commission meeting at 7:34 pm.

Barrett had questions for which she would like answers: Does there need to be a lighting plan as part of the architecture plans and if a road is constructed to the barn, does it need to be part of the grading plan?

Edison said that a driveway to the barn needs to be shown on the plan.

Nash said that the Board could stipulate lighting as a condition.

Morin said there are no plans for anything like street lights, just some ambient lighting in order to see around the barn at night.

Nash said that the City usually doesn't see lighting as part of a building permit.

Barrett said that it would be nice to see lighting in the final architectural plans.

Zajicek asked if the overhang of the hay storage area meets the 75-foot setback from the property line. Nash replied that it does meet the setback.

Kuitunen asked if this would be going to Council. Nash replied that a recommendation is needed and part of the Council approval would include a grading plan so their approval is dependent on when a grading plan is submitted.

MOTION by Kuitunen to recommend approval of the amendment to the conditional use permit at 10718 Jonquil Lane with the conditions A through E listed in the Planner's memo on page four (4) and send it forward to the City Council, seconded by Schendel.

Motion carried unanimously.

Biren asked if the CUP amendment would be at next week's Council meeting. Nash said it will go to Council as soon as the grading plan is submitted. Edison wanted to ensure that if there is a driveway to the barn from the existing driveway that it be included on the grading plan. Morin stated that there is grading on the submitted survey. Edison clarified that existing contours need to be shown along with proposed grading contours. She explained that what was shown on the survey did not indicate either.

Public Hearing

Variances at the River Inn, 11220 River Road and 11201 Church Street

Kolasa closed the Planning Commission meeting and opened the Public Hearing at 7:40 pm.

Nash explained that the River Inn has returned with the five (5) variances needed for their expansion along with the site plan. Staff is recommending approval of the variances and the site plan subject to the conditions presented in the staff memos.

Kolasa said he would like the addition of identifying the areas of no parking by putting yellow striping on the street itself in addition to the yellow curb line in the downtown area. Nash said that could not be part of the variances or site plan as it pertains to street standards at the City level. Kolasa said there also used to be a stop sign on River Road by the crosswalk at Mill Pond Trail. Edison said she would look into both of the suggestions.

No one from the audience wished to speak at the public hearing.

Kolasa closed the Public Hearing and re-opened the Planning Commission meeting at 7:46 pm.

Nash stated that separate motions are needed for each of the variances plus the site plan.

MOTION by Kuitunen to recommend sending to the City Council the approval of the variance related to the number of parking spaces provided with the three conditions provided on pages six and seven (6-7) of the Planner's memo, seconded by Barrett.

Motion carried unanimously.

MOTION by Barrett to recommend approval of having parking stalls with direct access from a public street with the condition listed on page eight (8) of the Planner's memo and send it forward to the City Council, seconded by Schendel.

Motion carried unanimously.

MOTION by Kuitunen to recommend approval and send forward to the City Council the variance related to the distance of parking spaces to the property line with the condition of it being in conformance the site plans dated July 18, 2022, seconded by Schendel.

Motion carried unanimously.

MOTION by Barrett to recommend approval to the City Council the variance of the parking curb less than ten (10) feet from the pavilion building with the condition listed on page ten (10) of the Planner's memo, seconded by Schendel.

Motion carried unanimously.

MOTION by Kuitunen to recommend approval for impervious surface coverage greater than 75 percent (75%) with the condition listed on page eleven (11) of the Planner's memo and to send it forward to the City Council, seconded by Barrett.

Motion carried unanimously.

MOTION by Barrett to recommend approval of the River Inn Site Plan with the conditions listed in the Planner's memo on page twelve (12) as well as send it forward to the City Council, seconded by Schendel.

Motion carried unanimously.

Nash said that this may go forward to the City Council next week.

Public Hearing

Variance to Impervious Surface at the Hilltop, 29953 109th Avenue N

Kolasa closed the Planning Commission meeting and opened the Public Hearing at 7:50 pm.

Nash directed the Board to the revised plans submitted for the Hilltop. There are some items in the plans that need to be addressed because of how these items impact the entire plan. For example, the plans indicate that work will within the bluff setback and this would require a variance. Nash also said that the impervious coverage calculations do not match and this would be something that the Minnesota Department of Natural Resources (MN DNR) would question as they also have to review it. The lighting plan also needs to be updated so that the light does not leave the site. If the applicants prefer not to change it, a variance would be needed for this as well.

Staff is recommending holding the public hearing as it has been advertised and then for the Board to table the variance as there is no one present to answer questions.

There were no audience members that wished to speak at the public hearing.

Kolasa closed the Public Hearing and re-opened the Planning Commission meeting at 7:53 pm.

MOTION by Schendel to table the variance to impervious surface at the Hilltop until updated information can be provided, seconded by Kuitunen.

Motion carried unanimously.

Unfinished Business

Preliminary Plat and Planned Unit Development (PUD) at 10701 Beebe Lake Road, The Highlands at Crow River and The Vistas at Crow River

Nash said that the applicant has submitted revised plans that have addressed comments from the public hearing held in June. Staff is recommending approval of the preliminary plat and the PUD according to the conditions listed in the staff memos.

Chuck Ryan, Homestead Partners, presented information via a PowerPoint presentation. Due to projector issues, he worked from a paper copy of which the Planning Commission received at the start of the meeting. A copy will be included in the minutes. Ryan stated that the developer is working to address comments from the last meeting and reviewed the information for the audience. The temporary cul de sacs in the Crow River Height East neighborhood will be removed to connect with the streets of the new development. The trees and ravine areas will be preserved by installing a street from Beebe Lake Road that ends in a cul de sac rather than the collector street proposed by the Comprehensive Plan. There will be 26 villa lots with an HOA located on the street off of Beebe Lake Road; five (5) lots of larger homes in the southwest corner, and 34 single-family lots in the northwestern area of the development. Concerns about the drainage will be addressed and they are planning on speaking with the neighboring lots on the west side of the property. Ryan directed the Board to the various styles of homes in the presentation packet. He thanked the Board and asked for approval of the preliminary plat and PUD.

Kuitunen asked that the drainage concerns are being met with solutions. Edison said that they have been reviewing the grading plan and have some concerns about the drainage to the north. Kuitunen said that there is only one drain on one of the streets indicating the area near the current cul de sac on Sixth Street NE. He wants to ensure there will be no issues in the future. Edison responded that the developer is not changing the grades in the rear yards in order to preserve existing trees referring to the 34 single-family homes. She indicated there will also be a stormwater pond in the area.

Kuitunen asked if the photocell lights would only be in the HOA area. Ryan responded that is correct and that the other areas would have traditional street lights plus a few traditional street lights in the HOA area, too. Nash said the Board may remove that option if they are interested in doing so.

Barrett asked about landscaping. Nash said the lots would have two (2) trees in the front yard and five (5) bushes at the front of the house as in recent developments. Individually landscaped lots will not be shown on the plat as homeowners have a choice for placement of the trees and bushes.

Kuitunen asked about the status of the trail through the development. Nash replied that is yet to be decided, as ownership and maintenance of the outlots need to be discussed. Edison directed the Board to Outlot A which will be deeded to the City as part of the stormwater system. This is also the area of the proposed trail in the Comprehensive Plan. Barrett asked if only Outlot A is being deeded. Nash replied that this is a discussion to be had prior to the preliminary plat and PUD going before Council as there may be negotiations with neighboring lots that would change the number of outlots presented in the final plat.

Nash reviewed the PUD requests which vary from the villa standard of zoning. The developer is asking for a 9,000 square foot lot size instead of 12,000 square feet; a lot width of 50 feet instead of 80 feet; and a side yard setback of 7.5 feet instead of 10 feet. They will not be asking for a reduced sized garage. Barrett asked if this was a new revision to the plat. Nash replied that it was drawn that way in past plans, just not enumerated.

Anthony Roy, 10430 Kalen Drive NE, said he is happy about the tree preservation. His concern is with the amount of traffic that will now going down a street that is currently quiet with kids playing. He is also concerned about the amount of construction traffic that will using the streets and the damage being done to the street. He asked about the lifespan of the street. Edison agreed that it will increase the use of the street but that the street is built to last 40-60 years. She continued saying she understands the concerns about the

construction traffic and stated that the streets in Crow River Heights West have experienced the increase of traffic with each additional phase and have weathered the additional traffic. Roy said that he does not want to be assess a few years later after completion of the development because the street needs to be repaired.

Nash commented that the developer has asked for an early grading agreement so while that may start this fall, construction of the homes would more than likely start in the spring.

Kuitunen expressed concern about the financial stability and security of the developer related to an early grading agreement as the market is unpredictable right now. Edison that as part of the early grading agreement, there would be financial security to address any issues if the developer did not complete the grading.

Barrett said that her biggest concern is the potential drainage issue. Nash assured her that the concerns will be imbedded in the conditions.

MOTION by Barrett to recommend approval of the planned unit development (PUD) for the development known as The Highlands at Crow River and The Vistas at Crow River with the recommendations on page four (4) of the Planner's memo and send it forward to the City Council, seconded by Kuitunen.

Motion carried unanimously.

MOTION by Barrett to recommend approval of the preliminary plat for the development known as The Highlands at Crow River and The Vistas at Crow River with the recommendations on pages six through eight (6-8) of the Planner's memo and to forward it to the City Council, seconded by Schendel.

Motion carried unanimously.

New Business

Rivers Edge of Hanover Third Addition Final Plat

Nash directed the Board members to the final plat of the Third Addition of Rivers Edge and explained it is a small addition of 16 lots. Staff has some comments that are included as conditions.

Barrett asked how many total phases will make up the Rivers Edge development. Jason Ver Steeg, engineer for the development, stated that there will be six (6) phases. Edison asked for an updated phasing plan and Ver Steeg indicated one would be sent to her. Barrett asked if the addition was already graded and if it would be finished this year. Ver Steeg said yes it was graded. Nash explained there is a date in the conditions because of ordinance requirements and the Council would have to authorize it to be longer and go past that date. Ver Steeg said they may postpone starting construction dependent on market conditions. Aaron Halvorson, JP Brooks, agreed saying they would like to see what happens during the fall. Halvorson continued saying that costs have come down a little and infrastructure costs should decrease by next spring, but the lumber prices are still high.

MOTION by Kuitunen to recommend approval of the final plat for Rivers Edge of Hanover Third Addition with the conditions listed on pages two through five (2-5) of the Planner's memo and send it forward to the City Council, seconded by Schendel.

Motion carried unanimously.

Reports and Announcements

Zajicek announced that he will not be seeking another term as a council member and introduced Greg Zgutowicz who is running along with current council member Mike Amery.

Barrett asked for feedback from the County Road 19 Project WSB booth at the Hanover Harvest Festival. Edison said it was busy with about twenty percent (20%) loving the plan, sixty percent (60%) glad that something was being done, and twenty percent (20%) that were against the project. Those against the project cited a dislike for roundabouts or saw no issue with the current status of the highway. She said there was a lay out of the project and many people took information. The project website is currently being

updated. WSB did a drone flyover of the section that will be impacted and plan to do another one when school begins. Staff is going to meet again with business owners along the corridor next week.

Barrett commented that the prairie grass at the dental office seemed to be finally taking off.

Barrett asked about the speed sign on 15th Street. Edison said she will check with St. Michael. Biren said that Public Works has ordered the speed sign.

Kuitunen inquired about the drainage issue on 8th Street. Edison said she has talked with JP Brooks and needs to do some research for the back history. She said that there may need to be a stormwater structure installed to solve the issue.

Schudel brought up the yellow striping by the crosswalks, particularly the ones downtown. People are parking too close and not leaving enough room to see pedestrians. There should be 20 feet of yellow. This is a safety factor for any crosswalk in the City. Edison said she would look into it.

Schudel asked about the number of building permits being issued. Biren said that new construction has slowed a bit, but that other building projects remain consistent. Schudel said that the building permits in St. Michael have decreased dramatically.

Adjournment

MOTION by Schudel to adjourn, seconded by Barrett.

Motion carried unanimously.

Meeting adjourned at 8:40 pm.

ATTEST:

Amy L. Biren
Administrative Assistant