

**MINUTES
PLANNING COMMISSION MEETING
MARCH 28, 2019**

The meeting was called to order at 6:29 p.m.

Present: Artner, Denn, Flann, Kotilinek, Patrick, Swisher; Town Board Liaison: McCune; Planner: Riedesel.

Absent: Loes, with notice.

APPROVAL OF AGENDA (Additions/Deletions): Artner moved approval of the agenda as submitted. Kotilinek seconded. Ayes all.

APPROVAL OF MINUTES OF FEBRUARY 28, 2018: Artner moved approval of the Minutes of February 28, 2018, with the correction of agenda item 7, the Stable of White Bear Township, “Patrick seconded.” Correction to “Loes seconded.” Patrick was absent on February 28th. Patrick seconded. Ayes all.

CONSENT AGENDA – THOMAS FIUTAK & COLET LAHOZ, 5770 WEST BALD EAGLE BOULEVARD – Request for the following Variances: 8.25’ Right-of-Way Setback Variance; 18.52’ Lakeshore Setback Variance: Fiutak and Lahoz are requesting approval of 2 variances which would permit them to construct a second story addition onto their existing home. The addition is proposed on the southwest corner of the home and is proposed to be 25’ x 19’ 8”. The footprint of the addition is within the footprint of the existing home, save the balcony. The balcony is proposed on the south side of the addition, approximately 40’ from the side lot line. Lakeshore and right-of-way setback variances must be approved for the second story addition as proposed.

The Variance Board met on March 20th to discuss this agenda item. The Variance Board recommended to the Planning Commission to recommend to the Town Board to approve the 8.25’ right-of-way and the 18.52’ lakeshore setback variances as requested noting that the proposed balcony could be up to 6’ x 6’ in area. The balcony will not impact the setback requirements.

Kotilinek made a motion to approve the 8.25’ right-of-way setback variance and the 18:52’ lakeshore setback variance, adding in a suggestion to conform the style and structure of the addition to the existing house’s style and structure, creating uniformity. Artner seconded. Ayes all.

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LUTHER COMPANY, 2321 LEIBEL STREET – Request for Zoning Ordinance Amendment & Conditional Use Permit to Allow Temporary New Automobile

Parking: 2321 Leibel Street lot space has been used by school busses since 1991. White Bear Luther Subaru is proposing a temporary situation for storing brand new cars. No cars are proposed to be sold from the site. The proposal is for storage only. The Town does not permit outside automotive storage of cars in the I-1 Zone.

Linda McGinty and Kevin Shaw from Luther Company were present to discuss this agenda item. McGinty started off with an apology, stating that there were already cars in the lot due to the heavy snowfall in February. The company had to move them from the White Bear Subaru lot. Though Luther knowingly put cars at this site, their intent is to only keep new cars there temporarily, while the company gains access to a developing property. McGinty stated Luther is asking to store the cars on-site for one year.

Due to the length of time the school busses have been on the lot, Artner made the motion requesting approval for the Zoning Ordinance Amendment, adding #12 “automotive storage” to the list of I-1 Conditional Uses to Section 6-5 of the Zoning Ordinance, specifically giving no timeframe. Kotilinek seconded. Ayes all.

Artner made the motion to approve Luther Company’s request of a Conditional Use Permit to allow temporary new automobile parking. Kotilinek seconded. Ayes all.

The Public Hearing for this agenda item will be during the Town Board Meeting of May 6, 2019.

WHITE BEAR LAKE DENTAL CLINIC, 4100 BELLAIRE AVENUE – RESIDENT

CONCERNS: Joy and Joe Johnson, owners of White Bear Lake Dental, located at 4100 Bellaire Avenue are in process of adding some landscaping improvements to their property, and in the process of adding a pond removed 8 trees. The Johnsons stated that they were not intending to remove 8 trees, but in process determined that removing them would be the best option for both properties. The pond was designed to catch water; however, due to higher than normal temps and fast melting, neighbors Mike and Meri Gagen at 4112 Bellaire Avenue have experienced standing water. Gagen stated that before the project, the water would run down between the two properties. There was discussion of the process. The Johnsons’ Engineer Chuck Plowe explained the project and what the work in spring will add. The Johnsons’ current Contractor Ben Eiler of Frattalone Companies was present for discussion as well.

There was discussion by the Planning Commission, the Johnson’s and their engineer and contractor regarding the project and the current status. The Landscaping Plan needs completion. The Gagan’s were unhappy with the proposed Landscaping Plan.

The Johnsons are planning on adding in 8 trees to replace the trees they had to take out in the fall, sending in these adjustments in process to the Town Planner. With these additions, and potential changes they bring, the Johnsons and Gagens agreed to see

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the project through until the summer, and once it is done may they return to the Planning Commission to review if any other concerns arise.

Artner made the motion to table this agenda item until the June meeting. Swisher seconded. Ayes all.

ZONING ORDINANCE UPDATE – SHORELAND MANAGEMENT SECTION: The Planning Commission has been working on a Zoning Ordinance Update for several meetings. Part of the Zoning Ordinance was adopted in the early 90's based on the DNR model. The Planner will provide a copy of the Zoning Ordinance amendments worked on by an intern. The members found, at initial review or that copy to be confusing.

The Planning Commission discussed regulating tree removal in the Township. Staff noted that the tree removal requirements recommended by the Planning Commission regarding lakeshore trees was adopted.

There was discussion of adding in language of certain tree size so the Township doesn't run into cases like with the White Bear Township Dental – Residential Concerns item again. Riedesel stated that the Township had studied tree replacement requirements 20 years ago, but none were adopted. Denn stated that he wouldn't want the Township overstepping their legal authority.

The Town Planner has been making changes to this document, but is not ready to give the full presentation. Artner motioned to table this agenda item to a future meeting. Patrick seconded. Ayes all.

ADDED AGENDA ITEMS – JACKETS: Denn brought up a potential added agenda item. There was discussion on jackets for committee members that have the White Bear Township logo. While it would be an expense to the Township, it would serve as a kind of badge of honor when out in the Township, touring parks, making a house call, etc. Kotilinek brought up the fact that members wouldn't wear the jackets in the summer. Artner suggested the members could bring in a jacket they already own and have the Township put the logo on it. There is no formal discussion and therefore no motion is needed.

Artner motioned to adjourn the meeting at 8:14 p.m. Flann seconded. Ayes all.

Respectfully Submitted,

Megan R. Cavanaugh
Recording Secretary