

*Bridgewater Township Planning Commission
County of Rice, State of Minnesota
August 25, 2022
Official Minutes*

- 1) Call to order
- 2) Pledge of Allegiance
- 3) Roll Call: John Klockeman, Jeff Johnson, Larry Alderks, Ray Larson, Bruce Morlan, Kurt Schrader, Nate Watter. Staff: Frances Boehning, Cindy Nash. Guests: Johnson Zeledon, Mrs. Zeledon, Mr. & Mrs. Jim Johnson, Mr. & Mrs. Steve Berg, Joel Frana, Kerry Barbetti.
- 4) Approval of Agenda:
 - a) Bruce Morlan made a motion to approve the agenda, Larry Alderks proposed additions to the agenda, Bruce Morlan approved the amended agenda, Jeff Johnson seconded, all approved.
- 5) Approval of Minutes: July 28, 2022
 - a) Larry Alderks made a motion to approve the minutes of July 28, 2022, Bruce Morlan seconded, all approved.
- 6) Open Forum:
 - a) The Forum was opened at 7:02.
 - i) A request was made to add building numbers indicating the address.
 - ii) A question was asked regarding how soon minutes were posted to the website.
 - iii) The Forum was closed at 7:05.
- 7) Public Hearing:
 - a) Sunflower Maze Interim Use Permit
 - i) Cindy Nash reviewed the staff report for the Sunflower Maze interim use permit. She noted that one of the Conditions should be corrected to read Sunday through Saturday. The recommended conditions were reviewed.
 - ii) The Public Hearing was opened at 7:12 pm.
 - (1) Mr. Barbetti asked what triggers the need for an interim or conditional use permit. He asked if an 8 yr old would need a permit for a lemonade stand?
 - (2) John Klockeman reviewed the definitions of the interim and conditional use permits and when they are required.
 - (3) A short discussion was held regarding the current ordinance and what triggers a permit.
 - iii) The Public Hearing was closed at 7:21 pm.
 - (1) Bruce Morlan asked what would happen if the owners chose to expand into offering food or portable toilets.
 - (2) Cindy Nash responded that portable toilets could be covered by adding them into the conditions as a permitted item. Any food offered onsite would need to be addressed first by the State ordinances.
 - (3) A short discussion was held regarding the conditions presented by Cindy Nash.

(4) Larry Alderks made a motion to approve the interim use permit for the Sunflower Maze with the addition to the conditions of allowing portable toilets and changing the days of operation to Sunday through Saturday, Jeff Johnson seconded, all approved.

b) Johnson Zeledon garage variance

i) Cindy Nash reviewed the variance request for 5453 124th Court E., Northfield. A permit was obtained to enlarge an existing detached garage. Following the issuance of the permit, it was discovered that a variance was needed to address the ordinance requirement that accessory buildings in residential areas not be situated in front of a house. It was also determined at this time that a second smaller accessory building was on the property. Per ordinance requirements, only one accessory building is permitted. The smaller accessory building will be removed.

ii) Cindy Nash reviewed the suggested conditions for the variance.

iii) The Public Hearing was opened at 7:37 pm.

(1) Mr. Zeledon (5453 124th Ct. E) noted that he obtained a permit prior to building the garage. He expressed frustration that he had followed the process and due to a complaint, he is required to obtain a variance.

(2) Nancy Johnson (5197 124th Ct. E) expressed concern that Mr. Zeledon had started construction of the garage without discussing the project with neighbors. She is concerned that the garage was built against ordinance and should not have been permitted. She reviewed her history of correspondence with the Township and reviewed selected ordinances and building code. Mrs. Johnson requested that evergreens be planted to shield the look of the garage and a letter from the Board of Supervisors be sent to all neighbors in the development explaining what happened and how ordinances will be followed.

(3) Jim Johnson (5197 124th Ct. E) stated that there were no ill feelings between neighbors prior to this incident. He reviewed past conversations with Mr. Zeledon.

(4) Joel Frana (5431 124th Ct. E) is concerned that the garage is too large. Mr. Frana questioned why the variance was not requested first. He asked if it is common for commercial size buildings to be placed in residential areas. He stated that the permit should not have been issued and if the variance is permitted, he will pursue it in civil court.

(5) Steve Berg (5373 124th Ct. E) asked how a permit goes through with no building permit process. He asked if anyone looks at plans and felt that the process is not defined or followed.

(6) Mr. Zeledon noted that he is considering leaving the area due to the conflicts.

(7) Mrs. Johnson asked what would happen to the garage if the owners moved.

iv) The Public Hearing was closed at 8:07 pm.

(1) Bruce Morlan noted that the permit was issued in error as a variance was needed.

(2) Cindy Nash reviewed the process for permitting and variances.

(3) Larry Alderks stated that he had driven around the neighborhood and noted that setbacks varied between properties. There were other structures that were closer to the road than the garage in question.

(4) Ray Larson said that in his work experience, accidents do happen.

- (5) Kurt Schrader asked if it were possible to set the garage behind the house? Cindy Nash stated that it was not possible due to the septic system.
 - (6) A discussion regarding concerns about other homes in the area was held.
 - (7) Kurt Schrader noted that a similar structure had been built in a development off of Cty Rd 1 and it is now hidden in the trees.
 - (8) As question was asked if additional trees could be planted to hide the garage structure.
 - (9) John Klockeman said that Mr. Zeledon had followed the steps in obtaining a permit and the Township made an error. He recommended approving the variance with the suggestion that the Board of Supervisors consider the requirement to add more coniferous trees.
 - (10) Cindy Nash noted that if coniferous trees are added, they will take many years to mature and provide screening.
 - (11) John Klockeman reviewed an email received from a neighbor stating that they did not have any issue with the garage structure and were neutral on the subject.
 - (12) Kurt Schrader made a motion to approve the variance as is with a second from Jeff Johnson. Larry Alderks requested that the Board of Supervisors evaluate the need for additional screening. Kurt Schrader made a motion to approve the amended conditions to include the evaluation for additional screening, Jeff Johnson seconded, all approved.
 - (13) Nate Watters made a motion to ask the Board of Supervisors to draft a letter per Mrs. Johnson's request, Bruce Morlan seconded, all approved.
 - (14) Bruce Morlan made a motion to have the permit process defined for the Planning Commission, Larry Alderks seconded, all approved.
- c) The Sunflower Maze Interim Use Permit and Johnson Zeledon variance will proceed to the Board of Supervisors meeting on September 14th, 2022.

8) Old Business

- a) Comprehensive Plan
 - i) Bruce Morlan made a motion to table the Comprehensive Plan to next month, Larry Alderks seconded, all approved.
- b) Jesse Jacobson – I.U.P
 - i) A letter will be sent to Mr. Jacobson from Cindy Nash, the Planning Commission will be copied.
- c) Keith Johnson – Auto Salvage
 - i) Cindy Nash is working with Peter Tiede to clarify some concerns.

9) New Business

- a) Newsletter
 - i) Questions regarding the dust control information in the recent Township newsletter were discussed.
 - ii) Questions pertaining to what needs a permit were reviewed.
- b) Accessory Dwelling Units
 - i) Larry Alderks requested that the topic be added to the September agenda.

(1) Cindy Nash asked that suggestions from the Planning Commissioners be forwarded to her.

10) Updates and Miscellaneous - None

Adjourn – Jeff Johnson made a motion to adjourn at 8:57 pm, Bruce Morlan seconded, all approved.