

**CITY OF COHASSET
PLANNING COMMISSION MINUTES
305 NW FIRST AVENUE, COHASSET, MINNESOTA
WEDNESDAY NOVEMBER 4, 2020 – 6:00 P.M.**

1. **Call Meeting to Order:** Chair Steve Otto called the meeting to order at 6:00 p.m.

2. **Roll Call**

a. **Voting Members Present:** Josh Casper, Lesley Kleveter, Steve Lavalier, Steve Otto, Lucas Thompson, Gary Wheelock, and Harlow Zeppelin

b. **Absent with Notice:** City Council Liaison Mary Flinck

c. **Ex-Officio Members Present:** Zoning Officer Greg Tuttle, City Attorney John Licke, and City Council Liaison Jason Tabaka

d. **Others Present:** Joann Bakken, David Leingang, John Guenther, Frank Redfield, Brenda and Gary Ruesink, Kelvin Kling, Harry Corwin, Scott and Patty Johnson, James Bujold, and Katie Firman.

3. **Review and Approve the Agenda**

a. **Additions:** None

b. **Deletions:** None

A motion was made by Wheelock/Lavalier to approve the agenda as amended. Voting in favor: Casper, Kleveter, Lavalier, Otto, Thompson, Wheelock, and Zeppelin; Voting against: None; Absent: None; Motion carried.

4. **Resident Input:** None

5. **Approve October 7, 2020 PC Minutes:** *A motion was made by Lavalier/Zeppelin to approve the October 7, 2020 Planning Commission minutes as presented. Voting in favor: Casper, Kleveter, Lavalier, Otto, Thompson, Wheelock, and Zeppelin; Voting against: None; Absent: None; Motion carried.*

6. **Public Hearing** to consider recommending that City Council amend Section 10.08 Use Tables as follows:

a. Section 10.081 – Use Tables:

1) Add “PUD” next to “CU” for campground and resort to clarify that they go together and are both required; and

2) Add “PUD = Planned Unit Development” in NOTES at bottom;

b. Section 10.2200A.2 – PUD eligibility requirements to read as follows: “PUD may be applied for within any district provided the following requirements are met:

1) The site shall not be less than two acres in size. If less than two acres in size does not mean exempt from requirement but need more land:

2) Land to be incorporated in a PUD shall be under the control of one owner or groups of owners:

3) Shall be capable of being planned and developed as a single integral unit;

4) All residential PUDs must have enough room for at least five dwelling units or sites

- c. Section 10.027 Environmental Review B. Review required second sentence to read as follows: “This review shall take the form of a discretionary Environmental Assessment Worksheet (EAW).”
- d. Establish a six month moratorium on resorts and campgrounds to establish performance standards

Zoning Officer Greg Tuttle reviewed the informational packet.

Commissioner Lucas Thompson explained that Cohasset’s current use table doesn’t comply with the State shoreland rules and does not support allowing resorts/campgrounds in residentially zoned shoreland areas. The use tables need to be reformatted to be similar to the State and County for consistency.

City Attorney John Licke explained there are some exceptions for small commercial uses with conditions in residentially zoned shoreland areas. Since it is not a clear interpretation he felt it would be best to clarify it in an ordinance.

Chair Otto asked each Commissioner to weigh in on each recommendation and explained that City Council does not support a moratorium.

Chair Otto proposed clarifications a, b, and c, along with prohibiting resorts and campgrounds in WR and SR zone districts. Commissioner Wheelock said a moratorium is not needed if prohibiting in SR and WR. Chair Otto suggested that smaller resorts and campgrounds should be allowed on a case-by-case basis. Commissioner Casper agreed that resorts and campgrounds should be prohibited in SR and WR zone districts and the EAW requirement for a PUD in shoreland should be eliminated. EAW’s should only be triggered by state statute. Commissioner Zeppelin indicated that Cohasset’s ordinance is ambiguous and agrees with the clarifications specifically that section 10.027. Also the Use Tables should be amended to make them more user-friendly. Commissioner Kleveter indicated to keep a and b but add the word “contiguous” before “land” to b.1., and get rid of c and d. Attorney Licke added that b.1. Shall read “The site shall be two or more contiguous acres in size”. Commissioner Lavalier doesn’t have a problem with a, b, and c but does not think the mandatory EAW is necessary because that can be covered by the state, and prohibiting campgrounds and resorts in SR and WR would solve the problem. Zoning Officer said that without SR and WR, campgrounds and resorts could be allowed in all the other non-residential zone districts in shoreland with a Conditional Use and Planned Unit Development. All Commissioners agreed. Commissioner Lavalier asked if a variance would be appropriate for small resorts and campgrounds. Zoning Officer Tuttle said a variance to allow a use that is prohibited is illegal, the property would have to be rezoned. The zoning map was reviewed as to where the various zone districts are.

A motion was made by Casper/Kleveter to recommend to City Council item a. in its entirety; all of b. except for 1 to read “The site shall be two or more continuous acres in size” and no second sentence; all of item c; d. Section 10.220 1. Eliminate mandatory EAW; e. allow resorts and campgrounds in all zone districts with a Conditional Use and Planned Unit Development except in SR and WR.

Co-Chair Steve Otto called for anyone in favor:

James Bujold 36225 Otter Way – suggested that the City agree to the rental of a house and three cabins on four acres on Jay Gould Lake which would be marketed to bicycle, and kayak people.

Otto called for three times for anyone opposed. The following residents came forward:

Katie Firman.- would like to keep the second sentence of b. (1) “If less than two acres in size doesn’t mean exempt from requirement but need more land.”

Written communications were read by Zoning Officer Tuttle from residents:

DNR Waters – no concern over proposed changes from 11-4-20 PC packet

Steve Kohorst, 24313 Ingebo Road – wishes to prohibit campgrounds and resorts in SR and WR, maintain mandatory EAW, and maintain minimum PUD size.

Brad Peterson, 24626 Ingebo Road – stated that safety and security of the residents should not be sacrificed for economic development and suggested a campground at tax forfeited land north of Tioga Beach.

James Twaddle, 37555 Loon Drive: Opposed

Douglas Winkler, 36595 Daybreak Drive – opposed to the planned development to protect the environment and the area resources.

Johnnie Fulton, 2810 Meyers Bay Road – against easing the ordinance regarding resorts and campgrounds because of the threat to water quality

Steve Fisher, 24217 Ingebo Road – concerned over commercial campground because of traffic on Ingebo Road.

Harry Corwin, 24345 Ingebo Road – Corwin had concerns that a campground would cause property valuation to go down.

Otto closed the public portion of the meeting. *Voting in favor: Casper, Kleveter, Lavalier, Otto, Thompson, Wheelock, and Zeppelin; Voting against: None; Absent: None; Motion carried.*

A motion was made by Thompson/Casper to postpone the recommendation to City Council until after January 1, 2020. Voting in favor: Casper, Kleveter, Lavalier, Otto, Thompson, Wheelock, and Zeppelin; Voting against: None; Absent: None; Motion carried.

7. Ordinance Review–minimum lot dimensions in shoreland: After discussion, *a motion was made by Wheelock/Lavalier to table this item until the next meeting. Voting in favor: Casper, Kleveter, Lavalier, Otto, Thompson, Wheelock, and Zeppelin; Voting against: None; Absent: None; Motion carried.*

8. Expiring Planning Commission Terms: Lavalier’s and Zeppelin’s PUC terms are expiring at the end of the year and they are both re-applying.

Adjourn: 7:50 p.m.

Submitted by Deputy Clerk Karen Blair

Approved: