

**MINUTES OF THE REGULAR MEETING
PLANNING COMMISSION
LITTLE CANADA, MINNESOTA**

March 9, 2023

Pursuant to due call and notice thereof a regular meeting of the City Council of Little Canada, Minnesota was convened on the 9th day of March, 2023 in the Council Chambers of the City Center located at 515 Little Canada Road in said City.

Chair Taelor Johnson called the meeting to order at 5:30 p.m. and the following members of the Planning Commission were present at roll call:

PLANNING COMMISSION: Buesing, Johnson, Kulousek, Masrud, and Thorson. Absent: Boe, Lum.

ALSO PRESENT: Community Development Director/ Planner Corrin Wendell

ADOPT AGENDA

Commissioner Kulousek made a motion to approve the agenda as presented. Commissioner Thorson seconded the motion. The motion was unanimously approved.

MINUTES

Commissioner Thorson made a motion to approve the February 9, 2023 Planning Commission minutes as submitted. Commissioner Kulousek seconded the motion. The motion was unanimously approved.

OPEN TO THE PUBLIC

No comments.

PUBLIC HEARING

COMMISSIONER BUSINESS: ELECT VICE CHAIR

Chair Johnson stated that Commissioner Kwapick has vacated his position as he has been appointed to the City Council, which moved her to the position of Chair and leaves the position of Vice Chair vacant. She opened nominations for the position of Vice Chair.

Commissioner Thorson nominated himself for the position.

Commissioner Kulousek nominated herself for the position.

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There were no other nominations.

Commissioners Thorson and Kulousek provided brief statements on why they would like to serve in the position of Vice Chair.

Commissioner Thorson received one vote.

Commissioner Kulousek received four votes.

Commissioner Kulousek was elected for the position of Vice Chair.

**COMMISSIONER BUSINESS: FINAL PLAT AND VARIANCE – VILLAS OF
GERVAIS LAKE #1414**

The Community Development Director presented a final plat and variance request for the Villas of Gervais Lake. She noted that the developer was unable to attend because of a death in his family and did provide a letter to the Commission. She stated that the Commission recommended approval of the preliminary plat and variance during its review in January and no changes have been proposed since that time. She reviewed background on the process of this proposed development, identified the project area and the unique characteristics that make typical development more challenging. She reviewed the site plan, identifying the buildable area for each lot. She provided details on the road as proposed and the landscaping plan. She reviewed the variance request and related findings that support approval of that request. She provided more information on the review of development applications that is done by City staff and other entities. She stated that this will move forward to the City Council on March 22nd.

Commissioner Masrud referenced the landscaping plan within the packet.

The Community Development Director explained that the plan that she displayed was the updated plan that addressed the requested buffering by the neighboring property owner.

Chair Johnson asked and received confirmation that the Watershed District has provided its approval. She stated that at the last meeting there was a question from the property owner to the south related to snow removal and asked if that was addressed.

The Community Development Director confirmed that the Public Works Director did provide input on snow removal and snow storage at the Council meeting and noted that if there was a large amount of snow, that snow could be hauled offsite as well.

Commissioner Thorson asked if the cost for snow removal of that type is built into the City's budget or specific to this project.

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The Community Development Director confirmed that public works has that service built into the budget, should it be needed.

Chair Johnson noted that these homes would also contribute to the City's tax base.

The Community Development Director stated that the issue of lighting was also discussed at the Council meeting and as they move forward, the Public Works Director will be involved in the type of lighting and spacing between the lights.

Commissioner Masrud acknowledged the lack of sidewalk and asked if that could be added in the future or whether that is a consequence of the lack of space available for the road.

The Community Development Director commented that there is not a sidewalk planned at this time but there should be room within the right-of-way if that is desired in the future.

Commissioner Thorson stated that one of the larger outstanding issues was the Watershed District and that has now been resolved, which is assuring.

Chair Johnson invited members of the public to speak.

Jessica Turcotte, 2674 Schletty, stated that she believes the builder has made strides to be accommodating as the process has evolved. She stated that she has two concerns that remain. She commented that there is a large drop in elevation between the subject property and her property. She recognized the intent to use landscaping and a swale to direct the water, which she believes will initially work. She asked where the liability would lie if the new homeowner were to alter their backyard in the future that caused water to then run onto her property instead of the desired path. She referenced lot four which runs along her backyard and the backyard of her neighbor. She stated that her neighbor is actually a group home for developmentally disabled adults and believes that location was chosen because of the privacy. She wanted to ensure that privacy is maintained and asked if the Commission would recommend a privacy fence along the back of lot four. She said that 13-year old boys could be looking down at their property if a fence isn't installed.

Commissioner Masrud asked if privacy fences would be shown on the plat at this stage or whether that would be left to the preference of the future property owner.

The Community Development Director stated that the City does not require fencing between two residential developments, outside of tree preservation/replacement requirements. She stated that given the increased depth of the lots, there would be about 75 feet between the back of the new home to the back of the existing lot.

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Ms. Turcotte stated that she would also be interested to know if she could construct a fence on her property and would want assurance that the trees, as proposed on the subject property would not interfere with that ability.

The Community Development Director commented that property owners can construct fences on their own property but recognized the challenges with the topography of the property.

Ms. Turcotte commented that the only ability she would have to construct a fence would be along her lot line and therefore she would want to ensure that planted trees would not interfere.

Commissioner Kulousek stated that perhaps shrubs would be more appropriate in that area rather than the trees.

The Community Development Director noted a similar situation where developments abut each other with different topography along Edgerton. She noted that because of the space between homes and the backyard space, that situation would not occur here.

Chair Johnson asked if it would be possible for the resident to request a variance to construct a fence along her lot line, should she desire that in the future.

The Community Development Director stated that she has not been asked that but could follow up with the Building Official. She reviewed some of the issues that arise when fences are constructed on the property line such as maintenance, question of ownership, etc. She noted that the setback for a fence is one foot from the property line.

Commissioner Thorson stated that they could request that no trees be placed on the lot line.

The Community Development Director confirmed that trees cannot be planted on the lot line.

Chair Johnson noted that there is an erosion plan included in the development plans that address runoff.

Commissioner Buesing stated that a property owner would be prevented from creating a situation where water is directed onto a neighboring property, which assuages the concerns of the resident.

Kulousek introduced the following motion:

***RECOMMENDING THE APPROVAL OF FINAL PLAT AND VARIANCE
APPLICATION FOR THE PROPERTY LOCATED AT 0 EDGERTON STREET
(PID 052922340061) TO SUBDIVIDE THE PARCEL INTO SEVEN PARCELS
WITH AN EIGHT FOOT REDUCTION OF LOT DEPTH FROM 130 FEET TO 122***

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***FEET FOR FOUR OF THE SEVEN PARCELS LOCATED ON THE WEST SIDE
OF THE SUBDIVISION***

The foregoing motion was duly seconded by Buesing.
Ayes (5). Nays (0). Motion passed.

Chair Johnson thanked the residents that continue to provide input and be a part of this process.

REPORTS FROM STAFF

No comments.

REPORTS FROM COMMISSIONERS

Chair Johnson recognized former Chair Kwapick and thanked him for his service to the Commission noting that he will continue to do a great job serving on the City Council.

There being no further business, the meeting was adjourned at 6:13 p.m.

Respectfully submitted,

Amanda Staple
TimeSaver Off Site Secretarial, Inc.