

**New York Mills Zoning Committee
Regular Meeting
September 29, 2020
1:00 p.m.**

CALL TO ORDER AND DETERMINATION OF A QUORUM

The regular meeting of the New York Mills Zoning Committee was scheduled for 1:00 p.m. in the Council Chambers of the City Hall, New York Mills, Minnesota, all members of the Committee having been notified of the meeting. A quorum was present.

Members Present: Chairperson Dianna Wallgren, Latham Hetland, Greg Imsande, Ken Peltier (attended by phone conference)

Members Absent: Jann Lee, Mike Parta, Tim Johnson

Staff Present: Administrative Assistant Cheri Kopveiler, Zoning Administrator David Delaney, City Clerk Julie Roberts

Call to Order: Members met for the July meeting, beginning at 1:00 pm. **A quorum was present.**

Approval Minutes:

Old Business: Minutes for December 4, 2018, September 10, 2019, Public Hearing minutes for September 10, 2019 and July 21, 2020 minutes were presented.

A motion was made by Dianna Wallgren to approve the minutes and seconded by Ken Peltier. Motion was passed with no dissenting vote. (Ken left the meeting following this motion. As there was no longer a quorum, the remainder of the meeting was update and discussion only.)

1. Daycare Update—

Clerk Roberts updated the Zoning Committee on the daycare They are searching for a 2nd provider as the original one resigned for health reasons. The storage shed should be delivered mid-October and final landscaping is being done.

2. Tumberg Parcel—

Discussions continue as to what the best use is for future planning of the parcel. The City is working with Apex to create a draft which will in turn be shared with various groups in the planning process.

2. Annexation of Newtonville—

The City is looking to begin the process of annexing additional property, including Newtonville, in to the City. Their goal is to do this annexation the middle of next summer if possible. Ehlers & Associates has been contracted to help with an analysis of how this process would affect property owners' taxes, utilities and other costs.

New Business:

Zoning Committee Resignation—

Chairperson Dianna Wallgren presented a letter of resignation from member Mike Parta, due to health reasons. Dianna stated that Mike has been an invaluable member of the committee since the 1970's when he helped with forming the original committee. Ken Peltier also stated that due to his busy schedule he felt a replacement should be found for his spot. Members were asked to think about possible replacements. There have been a couple of individuals who have expressed interest in the past. The City Council will accept Mike's resignation at their next meeting and discuss the membership criteria of the committee.

Review of Zoning Permits for 2019 & 2020

Permits were reviewed. A permit has been issued for a new home on Frazee Street. Other new homes included one on Broadway and a spec home in Nature's Acres. There is someone looking seriously at a lot in Country View as well. Clerk Roberts is working with County Auditor/Treasurer Wayne Stein to obtain the tax forfeited property on South Main with the blue trailer house. Next they plan to try to clean up the blighted home further south on Main. Those locations other than in Country View should qualify for the tax rebate program if a new home is built.

Election of Officers—

Chairperson Dianna Wallgren noted that our ordinance says that officers are selected at the beginning of each year. She suggested that since it is already October, we wait until the first meeting of 2021 and elect officers.

Review of Zoning Ordinance 125—

Zoning Committee Structure—

The Committee discussed the structure of the Zoning Committee. One factor that has come up is residency. Neither Mike nor Ken reside within city limits. That criteria has been considered in the past and several members have resigned when they moved outside of city limits. Administrative Assistant Cheri Kopveiler commented that nearly all of the cities she checked on required that members live within city limits. Council man Jerry Nesland has inquired into whether more than one council member could serve on zoning. The ordinance currently reads "The Zoning Commission, consisting of 7 members, with one being a councilperson....". The Committee discussed the part of the ordinance which reads "Officers shall be appointed from among the members of the Commission and shall include a chairman, vice-chairman, secretary and directors. The secretary position shall be filled using a member of the City staff to promote property communication..." It was felt that this should be changed to state that City staff may carry out the duties of secretary, but in a non-voting capacity (ex-officio) rather than as a member, since they

may not live within city limits. Dianna pointed out that this is how the EDA handles their secretary position. They also discussed the difficulty the Zoning Committee has had in getting a quorum at meetings. It was noted that the Zoning Committee will need to discuss replacing some members if they have not attended meetings regularly, in light of the lack of quorum. They discussed a policy as to attendance, and whether the zoning administrator could be added as a voting member.

Building Materials—

The Committee discussed construction requirements for residential districts. Our ordinance now states that buildings need to be compatible with the neighborhood. League Attorney Jed Burkett suggested not having such a vague requirement as it leaves much open to opinion. Greg Imsande commented that he felt we should leave the ordinance as is as far as building materials.

Shops with Living Quarters—

A discussion was held as to verbiage for “shouses” in city limits. League attorney Jed Burkett, in a conversation advised against allowing them, but also commented that if we choose to, we need to clean up conflicting parts of the ordinance with requirements that they be on a permanent foundation with frost pillars etc. He expressed concern about the portion of the home not used for living quarters, that it would be easy to go over the allowable percentage of home-based business or type of business done there. Also, he was concerned about the part of our ordinance that says no one may live in an accessory building, garage, cellar, basement, etc. Discussion ensued. The Committee will research more and discuss this again.

Issuance or Denial of Permit Correction-Page 81—

Administrative Assistant Cheri Kopveiler reported that the company working on codification of the ordinances listed some corrections that will need to be done on the zoning ordinance. Wording on Page 81 of the ordinance shall be changed from “NYM City Ordinance #7-16-07c” to City Resolution #7-16-07c.

Final Actions-Correction of wording, Page 82—

The section on page 82 regarding final actions was corrected. The statement “If the application is not complete upon submission, a letter must be sent to the applicant stating the information which is needed within 15 days.”

Correction of Wording-Page 25/26 Clear Sight Triangles at Intersections—

Sentences were corrected under Sight Triangles. Subsection a. shall be deleted as well as part of subsection b. which reads: “Within

the triangles identified in subdivision (a) above, and except as provided in subdivision c. below”.

Zoning Administrator’s Report:

Zoning Administrator Dave Delaney gave a report. As reported above, there have been several permits issued for new homes. Many of the projects have been smaller projects such as decks, fences, etc.

Dave asked the Zoning Committee to take a look at changing the classification of class 5 gravel as impervious surface. He commented that water does soak into a gravel driveway and it creates confusion between older driveways which have not had gravel added for many years, and are grass or dirt surfaces. Many of the smaller lots in town struggle to do any improvements because they run over on impervious surface when gravel driveways are taken into consideration. Discussion ensued. This will be revisited again when there is a quorum.

Next Meeting Date:

The date of the next meeting of the Zoning Committee will be set depending on need.

Adjournment: The meeting was ended at 2:03 p.m.

Respectfully Submitted by,

Cheri Kopveiler
Administrative Assistant/Zoning