

BECKER TOWN PLANNING COMMISSION
7:00 P.M. JULY 9, 2019
BECKER TOWNSHIP HALL
PLANNING COMMISSION MEETING MINUTES

Board Members Present: Brad Wilkening, Brian Kolbinger, Ryan Peckskamp
Absent: Frank Kasowski, Cole Petroske
Staff Present: Lucinda Messman - Clerk; Fran Seeley - Deputy Clerk
Others present: Luke Biegler, Nicolle & Brandon Hines, Lucy Eisele, Tony Wruck

Chair Wilkening called meeting to order at 7:04 p.m. Quorum verified present.

**Motion to approve minutes as distributed by Peckskamp, second by Kolbinger.
Motion carried, all voting in favor.**

**Motion to approve agenda after addition of Tony Wruck to other business section by
Kolbinger, second by Peckskamp. Motion carried, all voting in favor.**

Public Hearing – Interim Use Permit Application – Rowan Brown/Holtzs Three LLC

Messman reviewed staff information with Planning Commissioners [full text on file]

- Application submitted for 16496 149th Street SE, The Hideout Restaurant for special events.
- There was an IUP submitted last year.
 - No overnights, must be kept trash free, music to end by 2 am, site to be adequately lit, parking to be kept off the roads and off other properties unless check with owners, porta potties to be used, signage must meet regulations, removal of stage, tent/signs to happen by next day, future events shall be under new application.
 - Last year 2 events were approved
 - Applicant stated this year, outdoor activities would be limited to the patio and no porta potties planned.

Chair opened for public comment

- Brandon Hines, Accurate Automotive
 - Parking lot is currently shared due to court order. Concerns as property owner and customers also concerned with people drinking and driving when they have left their cars for repair.
 - Septic system is shared – concerns of over use/heavier demand on septic causing an issue
 - There have been 4-5 of these events so far this year
 - Last weekend they had an event – lots of traffic and no porta potties
 - His business follows all rules, applies for permits and remains in compliance. Why is The Hideout allowed to ignore the rules?

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No other comments, **Motion to close public hearing by Peckskamp. Second by Kolbinger. Motion carried, all voting in favor.**

Board Discussion

- Staff asked if aware of other events.
 - Staff has witnessed facebook posts before event and after Reggae festival – not the actual event.
 - Facebook shows images of people in the parking lot and ads for several different events.
 - RV was noted on site overnight once and Sign complaint image in file.
- Applicant is not in attendance.
- We are up against 60 day rule here.
- Application is for event that was already held June 1.
- This needs to be an application for all the occurrences in a year and get through without any violations.
- Last year's IUP stated, *"This permit shall apply only to the weekend event of June 30th and July 15, 2018 (with subsequent cleanup and restoration dates). Future events shall be considered under a new application, with longer-term permitting and more general conditions possible, if the Township determines that such permitting is appropriate following observance of this event."*

Clerk called away from meeting due to Attorney being in automobile accident on way to meeting – requested the board hold off on further discussion/motions at this time, **Motion to table decision until later this evening by Kolbinger, second by Peckskamp. Motion carried, all voting in favor.**

Automatic Pool Covers Discussion

- Luke Biegler appeared before the Planning Commissioners to ask if they would consider changing the ordinance to allow pool covers rather than just fencing for in-ground pools.
 - New pool covers aren't just tarps, but very sturdy and safer than fences
 - Several different items presented to the board
- Clerk reported information received and forwarded onto appropriate staff members. Pool information submitted stated one ASTM standard number and ordinance example submitted from Sherburne County stated another. Staff needs time to verify standards/levels.
- Mr. Biegler asked if he would be required to put up a fence at this time if a pool cover would work. He has received different answers from different staff members. Board – ordinance needs to be followed.

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- **Motion to direct staff to review for possible Town Board Building Code ordinance change by Kolbinger. Second by Peckskamp. Motion carried, all voting in favor.**

Motion to reopen the Hideout IUP discussion by Kolbinger. Second by Peckskamp. Motion carried, all voting in favor.

Clerk reported that the Attorney is fine and that board needs to clearly define reasons for an IUP denial at this time.

Findings:

1. The planning commissioners lack the confidence that the applicant will follow the conditions of the IUP based on past violations.
2. The increased impact on the shared septic system is a very valid concern. Concerns over parking issues also discussed.
3. The shared parking is based on court order and Mr. Hines is not allowed to block his parking lot in order to protect customer's vehicles until the matter is resolved.

Motion by Kolbinger to deny the Hideout/Holtz Three LLC IUP Application for the following

- **Previous IUP conditions not adhered to and additional events occurred outside those applied for by permit in 2018.**
- **Additional parties have already occurred in 2019 despite Joint Planning Board condition stating events in 2019 need to fall under a new IUP.**

Second by Peckskamp. Motion carried, all voting in favor.

Other Business

- Tony Wruck presented his plans to the Planning Commission. Not actual application has been made at this time. Planning Commissioners instructed him to work with Planner, Ben Wikstrom as his plans may or may not require a conditional use permit.

Adjourn 8:00 p.m.



Brad Wilkening, Chair



Lucinda Messman, Clerk