

CITY OF VERGAS PLANNING COMMISSION
PUBLIC HEARING
Monday, May 23, 2022
6:00 pm
Event Center & Zoom Meeting

The City of Vergas Planning Commission held a public hearing on Monday, May 23, 2022, at 6:00 pm as a hybrid meeting with the following members present: Van Bruhn, Robert Jacoby, Neil Wothe, and Paul Pinke. Absent: Bruce Albright. Also present: Clerk- Treasurer Julie Lammers, Utilities Superintendent Mike DuFrane, Scott Kolbinger, Julie Bruhn, Bruce Nereson, Janice Nereson, Josh Pfeffer, Shelly Bunkowske and Keith Bunkowske.

Robert Jacoby open the public hearing.

Lammers reviewed reason for public hearing: Notice is hereby given that the Vergas City Planning Commission will conduct a Public Hearing regarding a Final Plat of Keilley Shores Third Addition located on parcel 82-000-50-0037-000 Section 30, Township 137, Range 40. This will divide the parcel into fifteen parcels along East Scharf Avenue.

Keith Bunkowske reviewed the plan and addressed drainage concerns by providing a drainage area between lots 2 and 3. Discussed swail located on lots 2 and 3 which a permit will be applied for from MPCA after final plat is approved. Discussed the need for a road to Townline Road and Bunkowske stated they would not be putting in another road at this time and if the rest of the parcel is developed in the future they could deal with a road, at that time. DuFrane question land dedication and Bunkowske stated he was not aware of a dedication. Lammers questioned MPCA permit for drainage and Bunkowske stated they could not apply for the permit until final plat was approved.

Jacoby closed public hearing at 6:15 pm.

CITY OF VERGAS PLANNING COMMISSION MINUTES
Monday, May 23, 2022
Following 6:00 pm Public Hearing
Event Center & Zoom Meeting

The City of Vergas Planning Commission was held on Monday, May 23, 2022, at 6:15 pm as a hybrid meeting with the following members present: Van Bruhn, Robert Jacoby, Neil Wothe, Bruce Albright and Paul Pinke. Absent: none. Also present: Clerk- Treasurer Julie Lammers, Utilities Superintendent Mike DuFrane, Scott Kolbinger, Julie Bruhn, Bruce Nereson, Janice Nereson, Josh Pfeffer, Shelly Bunkowske and Keith Bunkowske.

Call to Order

Vice Chairman Robert Jacoby called meeting to order at 6:15 pm.

Agenda Additions and Deletions

Approved agenda as provided.

Minutes

Motion by Pinke, seconded by Bruhn to approve minutes of the Monday, April 26, 2022, and Tuesday, May 17, 2022. Motion passed unanimously.

Status of Council Recommendations

Council did not make a recommendation regarding land dedication for preferring land or cash donation. Ordinance reads: **§ 152.105 DEDICATION REQUIREMENTS.**

(A) As a condition of subdivision approval, subdividers shall dedicate a portion of any proposed subdivision for conservation purposes or for public use as parks, recreational facilities as defined and outlined in M.S. § 471.191, playgrounds, trails, wetlands or open space; provided that the city may choose to accept an equivalent amount in cash for part or all of the portion required to be dedicated based on the fair market value of the land following the criteria of M.S. § 462.358, Subd. 2b, as it may be amended from time to time.

(B) Land shall be reasonably suitable for its intended use and shall be at a location convenient to the people to be served. Factors used in evaluating the adequacy of proposed park and recreation areas shall include size, shape, topography, geology, hydrology, tree cover, access and location. Land with trash, junk, pollutants, flooding or wetlands and unwanted structures is generally not acceptable.

(C) **The Planning Commission, if the city has a Planning Commission, and the City Council, shall determine the land and/or cash contribution requirements for proposed subdivisions** (Bruce Albright joined meeting and chaired the meeting from this point.)
Bunkowske stated he was unaware of land dedication.

Construction Permits

Approval of permits

Discussed allowing the City Clerk-Treasurer to approve permits that do not include the change in land use. Motion by Pinke, seconded Wothe to recommend to Council to allow the City Clerk-Treasurer to approve non-land changing permits with them providing planning commission with information on permits approved. Motion passed unanimously.

310 Glen Street-building

Loren Menz provided Bruce Albright a new drawing with the building located 125 feet from the front property line which is in compliance with the city ordinance.

105 E Main Street- sign

Motion by Pinke, seconded by Jacoby to approve construction permit for 105 E Main St for a sign. Motion passed unanimously.

110 S Railway Avenue -sign

Motion by Jacoby, seconded by Pinke to approve construction permit for 110 S Railway for sign if location is within sign ordinance. Motion passed unanimously.

1106 E Frazee Avenue, repair fence

Motion by Pinke, seconded by Bruhn to approve construction permit for 1106 E Frazee Ave for fence repair. Motion passed unanimously.

Old Business:

Lot Split on Scharf Avenue

Kolbinger stated the plans and specifications have not been provided for the road or utilities. Discussed easement area and the city not becoming fiscally responsible if drainage does not work.

Motion by Bruhn, seconded by Pinke to approve plat with the following conditions: one. City Attorney drafts easement stating property owners are responsible for fiscal upkeep of the drainage area. 2. Storm water permit is received for drainage area and silk fencing is put up immediately. 3. Shoreline ordinance is followed. 4. Land dedication is waved due to inadequacy of proving information Motion passed unanimously.

Lawrence Lake Project

Reviewed information provided at the public hearing on May 17. Motion by Bruhn, seconded by Jacoby to recommend to council to approve the preliminary plat of Lawrence Lake Acres project. Motion passed unanimously.

Mark Sand & Gravel Interim Use Permit

Discussed

The pit is out of compliance and continuing to grow out of compliance. The processing area is under compliance but the active pit area (compliance is five acres) is almost eleven acres. Discussed Mark Sand and Gravel filing for a variance or getting into compliance. The open pit was 26.3 acres in 2021 and now in 2022 they are twenty-eight acres. Motion by Bruhn, seconded by Pinke to send letter to Mark Sand and Gravel stating they need to be in compliance before 2023 permit will be issued. Motion passed unanimously. Commissioners stated no permit should be sent until letter is address with Mark Sand in Gravel at the next planning commission meeting.

Vergas Ordinances

Next month the planning commission will continue to review the following ordinances which have been discussed as needing to be updated: cat and dogs, interim use, snow ordinances and policies, and snowmobiles.

Nuisance Properties

Discussed public nuisance and properties in Vergas. Ordinances 92.19 - 92.21 were discusses.

' 92.19 NUISANCE PARKING AND STORAGE.

(A) *Declaration of nuisance.* The outside parking and storage on residentially-zoned property of large numbers of vehicles and vehicles, materials, supplies or equipment not customarily used for residential purposes in violation of the requirements set forth below is declared to be a public nuisance because it (a) obstructs views on streets and private property, (b) creates cluttered and otherwise unsightly areas, (c) prevents the full use of residential streets for residential parking, (d) introduces commercial advertising signs into areas where commercial advertising signs are otherwise prohibited, (e) decreases adjoining landowners' and occupants' enjoyment of their property and neighborhood, and (f) otherwise adversely affects property values and neighborhood patterns.

(B) *Unlawful parking and storage.*

(1) A person must not place, store, or allow the placement or storage of ice fish houses, skateboard ramps, playhouses or other similar non-permanent structures outside continuously for longer than 24 hours in the front-yard area of residential property unless more than 100 feet back from the front property line.

(2) A person must not place, store, or allow the placement or storage of pipe, lumber, forms, steel, machinery,

or similar materials, including all materials used in connection with a business, outside on residential property, unless shielded from public view by an opaque cover or fence.

(3) A person must not cause, undertake, permit or allow the outside parking and storage of vehicles on residential property unless it complies with the following requirements:

(a) No more than four vehicles per lawful dwelling unit may be parked or stored anywhere outside on residential property, except as otherwise permitted or required by the city because of nonresidential characteristics of the property. This maximum number does not include vehicles of occasional guests who do not reside on the property.

(b) Vehicles that are parked or stored outside in the front-yard area must be on a paved or graveled parking or driveway area.

(c) Vehicles, watercraft and other articles stored outside on residential property must be owned by a person who resides on that property. Students who are away at school for periods of time but still claim the property as their legal residence will be considered residents on the property.

Penalty, see ' 92.99

' 92.20 INOPERABLE MOTOR VEHICLES.

(A) It shall be unlawful to keep, park, store or abandon any motor vehicle which is not in operating condition, partially dismantled, used for repair of parts or as a source of repair or replacement parts for other vehicles, kept for scrapping, dismantling or salvage of any kind, or which is not properly licensed for operation with the state, pursuant to M.S. ' 168B.011, Subd. 3, as it may be amended from time to time.

(B) This section does not apply to a motor vehicle enclosed in a building and/or kept out of view from any street, road or alley, and which does not foster complaint from a resident of the city. A privacy fence is permissible.

(C) Any motor vehicles described in this section constitute a hazard to the health and welfare of the residents of the community in that such vehicles can harbor noxious diseases, furnish a shelter and breeding place for vermin and present physical danger to the safety and well-being of children and citizens; and vehicles containing fluids which, if released into the environment, can and do cause significant health risks to the community.

Penalty, see ' 92.99

' 92.21 BUILDING MAINTENANCE AND APPEARANCE.

(A) *Declaration of nuisance.* Buildings, fences and other structures that have been so poorly maintained that their physical condition and appearance detract from the surrounding neighborhood are declared to be public nuisances because they (a) are unsightly, (b) decrease adjoining landowners and occupants' enjoyment of their property and neighborhood, and (c) adversely affect property values and neighborhood patterns.

(B) *Standards.* A building, fence or other structure is a public nuisance if it does not comply with the following requirements:

(1) No part of any exterior surface may have deterioration, holes, breaks, gaps, loose or rotting boards or timbers.

(2) Every exterior surface that has had a surface finish such as paint applied must be maintained to avoid noticeable deterioration of the finish. No wall or other exterior surface may have peeling, cracked, chipped or otherwise deteriorated surface finish on more than 20% of:

(a) Any one wall or other flat surface; or

(b) All door and window moldings, eaves, gutters, and similar projections on any one side or surface.

(3) No glass, including windows and exterior light fixtures, may be broken or cracked, and no screens may be torn or separated from moldings.

(4) Exterior doors and shutters must be hung properly and have an operable mechanism to keep them securely shut or in place.

(5) Cornices, moldings, lintels, sills, bay or dormer windows and similar projections must be kept in good repair and free from cracks and defects that make them hazardous or unsightly.

(6) Roof surfaces must be tight and have no defects that admit water. All roof drainage systems must be secured and hung properly.

(7) Chimneys, antennae, air vents, and other similar projections must be structurally sound and in good repair. These projections must be secured properly, where applicable, to an exterior wall or exterior roof.

(8) Foundations must be structurally sound and in good repair.

Penalty, see ' 92.99

Motion by Pinke and seconded by Bruhn to send letters to the following properties 350 S Pelican Ave, 371 S Pelican Avenue, 415 S unit Avenue, 121 W Linden, 1498 E Elm St, 159 E Elm St, 235 E Frazee Ave, 146 Main St and 339 E Frazee Avenue. Motion passed unanimously.

The following properties will be discussed at next month's meeting after commissioners are able to evaluate: 260 1st Ave S, 401 E Pelican Ave, 306 E Frazee Ave and 131 E Mill St.

New Business:

No new business was on the agenda.

Meeting adjourned at 8:43 pm.

Secretary,
Julie Lammers, Vergas City Clerk-Treasurer

Follow Up Actions:

350 Pelican Avenue construction assessment (Tanya at Otter Tail County HRA)

Snow emergency routes.

Develop a developer's checklist form.

Review camper ordinance.

Lammers send letter to Mark Sand and Gravel.

Council recommendations:

Allow the City Clerk-Treasurer to approve non-land changing permits and providing planning commission with information on permits approved.

Approve Preliminary Plat for Lawrence Lake Acres.