

**CITY OF EMILY  
MEETING MINUTES  
PLANNING AND ZONING COMMISSION**

**July 2, 2008, 7:00 PM**

1. Call to Order – 7:05 PM
2. Roll Call

Planning Commission: Bonnie Fairchild, Bob Swanson (Chair), Art Patterson

Council: George Pepek (Mayor), Kent Rees

Staff: Charles Marohn (City Planner), Barb Hubbard (Zoning Clerk)

3. Public Hearings - none
4. Additions or Deletions to the Agenda
5. Open Forum

Cindy Fahlstrom, indicated that she got the wrong letter for ISTS compliance. Stated that she would like a corrected letter and would like to have the ordinance language describing the ISTS inspection requirements. Stated that they are happy to comply but would like the proper documentation for their records.

Marohn indicates that he will send that information.

John Stacy, states that he has received letters from the City Planner. Not sure why he got the August 29, 2007 letter because he wasn't building anything at the time. In April 2006, he had applied and built a house on the property, but this was a year and a half later. States that he disregarded the letter. Received a second and did the same thing. Received a third letter which threatened to refer things to the City Attorney. Is not sure why he is being referred to the attorney. States that he hasn't done anything to the property in regards to screening down by the lake. The way it is now is the way it has always been. In 1999, built a pole building at the property. Had a neighbor at the time that was mad about the pole building and the removal of trees. None of his complaints were legitimate. States that there is a boat landing that he has a 1/50 interest in, and it runs alongside his property. Had placed some logs on there, but got them sold and moved off. Virgil Denzer indicated that he thought everything was fine. States that he has a letter from Kent Rees, sent to his house on July 2, 2006, before he was on the City Council, sending information talking about land use ordinances and permits. Has been having trouble with Rees ever since. An inspector came out there.

Marohn indicates that was him.

Stacy, indicates that Marohn checked the property and said everything was all right.

Marohn states that he was going out to the site to measure the setback. States that he measured it and it was all in compliance.

Stacy says that this has been an ongoing problem. Describes issues with Rees and enforcement from the DNR.

Chairman Swanson states that part of the problem is that, when the permit was pulled, he was required to revegetate the lake setback. The first 50-feet is supposed to be screened with trees and natural vegetation. That should have been a requirement of the building permit. What is being asked is to meet the intent of the ordinance by not having sod down to the water and providing a 50-foot screening to the lake.

Stacy says there is plenty of screening. On the bank, the house and the pole building can't be seen.

Marohn recommends that he meet with Stacy and see what can be worked out.

Chairman Swanson asks that this happen.

Stacy states that this is fine, but this is not a matter of screening but harassment.

Chairman Swanson states that all we are asking is for the shoreline to be restored. The Planning Commission is not interested in neighbor disputes. Directs Marohn to meet and have something for next month.

Donald Dee, Emily resident, has a question regarding the Roosevelt Shores preliminary plat. States he did not recall seeing anything about an archeological study.

Chairman Swanson states that this is in there.

Dee asks if a new alternate Commission member has been seated.

Chairman Swanson indicates that they have two applicants and will look to interview them this month and have them for the next meeting.

6. Approval of Minutes
  - a. June 2008 Meeting

**Motion to approve made by Commissioner Fairchild, seconded by Commissioner Patterson. Passed unanimously.**

7. Planning and Zoning Administrator's Report
  - a. Permits
  - b. Correspondence
  - c. Enforcement Actions
  - d. Council Action
  - e. ISTS Compliance Testing
  - f. CUP and Variance Review

Commissioner Fairchild states that a follow-up on the pughole development needs to be done. States that the grass needs to be killed and reseeded. Marohn directed to follow up.

8. New Business

9. Old Business

a. Alternate Shoreline Standards, Conservation Design

Marohn presents powerpoint on alternative shoreline standards.

Discussion on standards amongst Planning Commission members. Members indicate that they want a site visit Randall Arendt style before preliminary plat submission. Also state that they want digital submittals and Google Earth file rendering before walk through.

b. Off Lake Conservation Design

Marohn presents models and writeup on conservation design.

Discussion. Add the term “passive recreation” to 4G to clarify that we want no ATV’s. Find a way to make open space contiguous.

Marohn directed to make these changes, do a thorough review of the proposal and prepare for one additional review prior to a public hearing in September.

10. Adjourn – 9:30 PM

Respectfully Submitted,

Charles Marohn