

**Town of Duluth  
Planning Commission  
Meeting Minutes  
September 24, 2015**

Vice Chair, Jo Thompson called the meeting to order at 7:05. Chair, Paul Voge, arrived shortly after.

Present: Paul Voge, John Schifsky, Jo Thompson, Wayne Dahlberg, Larry Zanko, and Jerry Hauge  
Absent: Brigid Pajunen

Also present: Sue Lawson, Planning Director.

The agenda was approved as presented.

The August 27 minutes were approved with minor corrections.

**Director's Report:**

Sue said that there will be an open house and dedication for the new addition to the Town Hall on Saturday November 14.

**New Business**

Sue received an inquiry about a home-based business for a gallery on Stoney Point Drive. She asked that the Commission determine the area of notification if the owner were to decide to submit an application.

The Commission decided that in addition to the quarter mile notification area stipulated by the Ordinance, the notification area should include all of Stoney Point Drive, except outside the north/south entry "arms" of Stoney Point Drive, up to North Shore Drive.

Larry read the home-based business definition from the Ordinance:

A commercial or minor industrial business use conducted on the same property on which the owner's home is situated, which may employ no more than five (5) persons who are not residents of the owner's home, which is of a type or character consistent with rural residential lifestyle, and which is established and operated under such conditions that the use is not a nuisance to or otherwise incompatible with the surrounding area and is not considered a planned unit development (PUD), highway commercial, neighborhood commercial, rural industry, or waterfront commercial use.

The Commission agreed that the proposed use fell under that definition.

The Commission then decided on November 19 for the November/December Planning Commission meeting date. There will not be a meeting in December unless a request for a variance or a conditional use comes in.

**Old Business**

The next trails planning meeting will be September 30. The open house for the trails plan will be October 15 at 7:00. James Gittemeir will have a draft plan by then which will be used for the open house.

Sue said that both the Zoning Ordinance update and the Stormwater Ordinance were approved by the Town Board to be effective on December 31. There will be an article on the new Stormwater Ordinance in the January newsletter to introduce Township residents to the new stormwater rules. John Schifsky has volunteered to write the article.

Sue said that regarding the Kiviranta PUD, one of the requirements from the Ordinance regarding PUDs was overlooked. It is towards the end of the PUD section on page 86, Section 13.A.1:

Exterior setback and public road setbacks shall be twice that required for the particular zone district in which the planned unit development is located.

She said that the preliminary plan for the PUD has been approved already, but this variance still needs to be addressed. So the variance for the road and exterior setbacks will be heard along with the hearing for the final plan in October. Sue said because of a conflict of interest with the Town attorney's firm, the Town will need to retain a different attorney to review some of the official documents once they are submitted, including the association agreement and maybe some of the financial documents.

Paul asked if soil sampling and analyses would be required for the final plan. They will be needed for the stormwater plan.

Sue said that documents for the hearing will include drawings (probably the same ones submitted for the preliminary plan), the association agreement, and stormwater management plans. If there are significant changes, Sue said she will let the Commission know. The units and garages will be identified as tax parcels. The owners are still figuring out how they are going to dedicate the land-in-common and how it will be conserved in perpetuity.

Paul said that sometimes in this situation the land is dedicated to a third party and that party may have stipulations as well.

### **Concerns from the Audience**

None.

The meeting adjourned at 8:55.