

**Gilmanton Township/City of Foley
Joint Planning Board –AGENDA
December 6, 2022 – 7:00pm
Gilmanton Town Hall**

1. Approve the agenda.

2. Approve Joint Planning Board Minutes.
 - December 7, 2021

3. City of Foley – Minor Subdivision Request
 - Certificate of Survey provided for review.
 - Will be requesting annexation of Parcel 1 following subdivision. Parcel 1 will then be platted through City planning process.
 - Both lots meet general requirements of lot area (10 acres) and width (250 feet) per A-1 zoning district of OAA.
 - Parcel 2 will remain in the Township and zoned agricultural.

4. Other Business
 - Still waiting on complete applications for Northern Hallow Winery.

5. Next Meeting Date
 - TBD

6. Adjourn

Current Joint Planning Board Members:

Scott Baron (Township), Jeff Gondeck (City), Doug Lezer (Township), Gary Swanson (City)

**Joint Planning Board Minutes
November 2, 2021 - 6:30 pm
Gilmanton Town Hall**

Members Present: Scott Baron (Township), Jeff Gondeck (City), Doug Lezer (Township), Gary Swanson (City)

Members Absent: None

The meeting was called to order by Doug Lezer @ 6:30 p.m.

Motion by Gondeck seconded by Swanson to approve the agenda. Motion carried.

Motion by Gondeck seconded by Swanson to approve the minutes of August 3, 2021. Motion carried.

Preliminary & Final Plat of Triple E Secure Storage – Public Hearing

Craig Wensmann, representing the applicant and from the firm Bogart & Peterson was at the meeting to present the preliminary and final plat which had to be revised due to the changes in access permits from MnDOT. Zoning Administrator Brunn explained how the process has moved forward so far and that an early start and site plan approval have already been made.

John Rahm, a neighbor of the affected property asked for more information regarding the project and orderly area which Brunn provided.

Motion by Gondeck seconded by Swanson to approve the preliminary plat as presented with the following conditions:

- MnDOT approves plat and drainage plan and any of their conditions of approval are implemented.
- All necessary easements are provided for a recorded by the developer.

Motion carried, unanimous.

Motion by Swanson seconded by Gondeck to approve the final plat as presented with the following conditions:

- MnDOT approves plat and drainage plan and any of their conditions of approval are implemented.
- All necessary easements are provided for a recorded by the developer.

Motion carried, unanimous.

Discussion on Other Project Inquiries

The board was greeted by potential developers looking to establish a winery/brewery near Foley in the orderly area. They have not submitted an official application but wanted feedback before doing so. The board was very interested in the development and did not see any major concerns.

The board was also approached by Bill Stevens who would like to paint his semitrailer with a sign of the bed & breakfast. The trailer is not technically a sign but a vehicle. The board approved this request and directed staff to proceed with any necessary paperwork or permits if they would be required.

Other Business

The next meeting will be determined when an action item is received.

Motion to adjourn the meeting by Swanson seconded by Gondeck. Motion carried.

Submitted by: Sarah Brunn, Zoning Administrator (Foley City Administrator)

City of Foley *JTB* Subdivision Development Plat Review Application

Street Location of Property: See Legal - Glen St
 Legal Description of Property: See Cert. of survey
 Current Zoning of Property: A-1 (OAA) Proposed Zoning: _____
 Type of Request: Subdivide property in order to annex into City of Foley
 *** (Attach narrative describing details of project scope) ***

Property Owner: City of Foley 968-7260
 Name 251 Glen Ave N, PO BOX 709 Phone 968-6325
 Address Foley, MN 56329 Fax _____
 Email shum@ci.foley.mn.us

Applicant: City of Foley _____
 Name Same as above Phone _____
 Address _____ Fax _____
 Email _____

Type of Request & Fee Amount:

<input type="checkbox"/> Rezoning/Amendment	\$250.00
<input type="checkbox"/> Conditional Use Permit	\$250.00
<input type="checkbox"/> Variance	\$250.00
<input type="checkbox"/> Planned Unit Development	\$250.00

<input type="checkbox"/> Preliminary Plat	\$500.00
<input type="checkbox"/> Final Plat	\$
<input type="checkbox"/> Annexation	\$400.00 +
<input checked="" type="checkbox"/> Site Plan Review/Other	—
<i>minor subdivision</i> Total Fees Paid	\$ —

Has a request been made previously on this property? Yes No Explain: _____

This application must be completed in full, be typewritten or clearly printed, and must be accompanied by all information, supporting documents and plans as required by applicable City Ordinance provisions. A determination of completeness of the application shall be made within ten business days of the application submittal. A written notice of application deficiencies shall be mailed to the applicant.

This is to certify that I am making application for the described action by the City and that I am responsible for all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application. I have attached a copy of proof of ownership (either copy of Owner's Duplicate Certificate of Title, Abstract of Title or purchase agreement), or I am the authorized person to make this application and the fee owner has also signed this application.

- Supporting Documents Attached
- Appropriate Fees Paid
- Review by City Staff
- Completed Application Accepted

Application Filed: 11/14/22
 Date Fees Paid: N/A JB
 Staff Initials: JB
 Date Application Accepted: 11/14/22

Sandra B 11/14/22
 Signature of Applicant Date
 City Administrator

Sandra B 11/14/22
 Signature of Fee Owner Date
 City Administrator

SECTION 11 MINOR SUBDIVISIONS

Subdivision 1: QUALIFIED MINOR SUBDIVISIONS

1. **Criteria.** Any subdivision containing not more than two (2) lots and which does not involve any new street or road, and that is not likely to precipitate the extension of municipal facilities or public improvements shall be considered a Minor Subdivision.
2. **Exemption from Platting Requirement.** Minor Subdivisions shall be exempt from the requirements of this Ordinance requiring platting.
3. **Certificate of Survey.** An Applicant for Minor Subdivision approval must submit to the City at least ten (10) working days prior to the next Planning Commission meeting fifteen (15) copies of a Certificate of Survey, dated and signed by a registered land surveyor. All copies of the Certificate of Survey shall be 11" x 17" in size; one (1) copy shall be reproducible. The survey shall include at a minimum the following information: legal description of each parcel, parcel area, site improvements including buildings and dimensions, free standing signs and paved areas, and distances from buildings to ownership and property lines, North point, designated as true north, and any easements, ingress or egresses clearly marked.
4. **Planning Commission Approval Required.** The Planning Commission shall review and recommend minor subdivisions for approval before being submitted to the City Council.
5. **Consultant Review of Minor Subdivisions.** The Planning Commission may require qualified technical and staff services such as engineering and legal to review the Minor

Subdivision application and advise on its suitability regarding general planning; conformity with plans of other private and public disposal, drainage and flood control, special assessment procedures and other features. The property owner/applicant shall pay the costs of all such services.

6. **Application Fee.** A fee the City Council shall establish by resolution must accompany the minor subdivision application. An additional fee may be charged for additional staff time and/or City Expenditures. It shall be a term of any Minor Subdivision approved by the City, whether or not specifically stated, that the property owner(s) shall pay all fees associated with enforcement of the terms of the subdivision. The applicant shall pay all costs incurred by the City, including, but not limited to, administrative staff time, engineering, legal, planning, and inspection expenses, in connection with the application, including approval and acceptance of the application and review of site plans and documents, as well as any other required agreements for the application.

Section 11, Subdivision 1 (3 - 6) of the Subdivision Ordinance Number 320 was amended by Ordinance Number 413, adopted November 5, 2013 and published November 12, 2013.

**GILMANTON/FOLEY ORDERLY ANNEXATION AREA
JOINT PLANNING BOARD
"A-1" AGRICULTURAL DISTRICT**

Subdivision 1: INTENT

The intent of the A-1 Zoning District is to establish and preserve areas for low-density residential and outdoor recreation without permitting intensified development which would require the provision of municipal facilities and services, and further allow agricultural uses in this district.

Subdivision 2: PERMITTED USES

1. Agricultural crop production and gardening (not including the keeping of livestock), farm dwellings and agricultural related buildings and structures.
2. Single-family dwellings.
3. Public parks, undeveloped recreational areas, wildlife areas and game refuges.
4. Wholesale nurseries and tree farms.
5. Essential Services.

Subdivision 3: PERMITTED ACCESSORY USES

1. Hoop/Tubular Frame Buildings as an accessory to Horticultural uses; retail sales are prohibited.
2. Operation and storage of vehicles, machinery and equipment which is incidental to permitted or conditional uses allowed in this district.
3. Boarding or renting of rooms to not more than two (2) persons.
4. Living quarters for persons employed on the premises for agricultural purposes.

5. Home Occupations.
6. Private garages.
7. Fences as regulated by Section 6.
8. Parking spaces as regulated by Section 7.
9. Signs as regulated by Section 8.
10. Towers and Antennas as regulated by Section 9.

Subdivision 4: CONDITIONAL USES

The following uses require a Conditional Use Permit based on the procedures set forth and regulated in Section 22 of this Ordinance:

1. Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community.
2. Commercial outdoor recreational areas including but not limited to golf courses, clubhouses, country clubs, swimming pools, parks, camping areas, snowmobile trails, riding trails and similar facilities.
3. Processing and packaging or sales of agricultural products or supplies, including livestock; cold storage plants; fertilizer plants; livestock farming; livestock feed lots; agricultural equipment sales yards, and seed sales, subject to all applicable Pollution Control Standards.
4. Commercial Kennels and animal hospitals, stables and riding academies.
5. Churches, schools, hospitals and cemeteries.
6. Essential Services structures and associated buildings.

7. Towers as regulated by Section 9.
8. Bed and Breakfast Operation.
9. Uses the City Council determines to be substantially similar to those listed in this zoning district and not detrimental to the City's general health and welfare.

Subdivision 5: INTERIM USES

The following uses require a Interim Use Permit based on the procedures set forth and regulated in the Interim Use Section of Ordinance:

1. Solar Energy Systems, as regulated by the Solar Energy Systems Ordinance of the Gilmanston/Foley Orderly Annexation Area – Joint Planning Board.

Subdivision 6: LOT, YARD, AREA AND HEIGHT REQUIREMENTS

1. Lot Area. Lot area must be at least ten (10) acres.
2. Lot Width. Lot width must be at least two hundred fifty (250) feet.
3. Setbacks.
 - A. Front Yard Setback. The front yard setback must be at least one hundred (100) feet.
 - B. Side Yard Setback. The side yard setback must be at least sixty (60) feet.
 - C. Rear Yard Setback. The rear yard setback must be at least one hundred (100) feet.
4. Building Height.

- A. Residential Structures. Residential structures must not exceed thirty five (35) feet in height.
- B. Non-agricultural non-residential structures. Non-residential structures must not exceed thirty-five (35) feet in height.
- C. Agricultural buildings. Agricultural buildings have no height restrictions.

Subdivision 7: PROTECTION OF RESIDENTIAL DISTRICTS.

In issuing any conditional use permit that permits or in any way pertains to the construction or operation of any nonresidential facility under this Section, the City Council may, in addition to any other restrictions, stipulate that the construction and operation be situated so that distance from residential property and general topography will prevent the operation from being or becoming a nuisance which will, in any way, be detrimental to residentially zoned property.

Section 12 "A-1" Agricultural District, Subdivision 3, was amended by Ordinance Number, 443, to add Hoop/Tubular Frame Building, passed May 7, 2019, and published May 14, 2019.