

On Tuesday, October 18, 2016 at 7:30 p.m. Town Board Chair Greg Anderson called the regular monthly Town Board meeting to order. Other Supervisors present were Eugene Stoeckel, John Roxbury, Jr., Jim Kusler and Mark Riverblood.

### **Approve Minutes**

A motion was made by Eugene Stoeckel and seconded by John Roxbury, Jr. to approve the minutes of the September 20, 2016 regular monthly meeting as printed. Motion Carried.

### **Approve Financial Report**

A motion was made by Jim Kusler and seconded by Mark Riverblood to approve the Financial Report for September 2016 as submitted. Beginning Balance of Township funds was \$628,220.86; total receipts of \$2,992.19; total disbursements of \$21,061.38; leaving a balance of \$610,243.67. Motion Carried Unanimously.

### **Old Business**

The Clerk explained that she had received several complaints regarding the speed limits on 56<sup>th</sup> Ave. and when she researched the issue, discovered that the speed limit could be changed from 55 mph to 35 mph through a Resolution, rather than having MNDOT perform a speed study.

Mark Riverblood motioned to accept Resolution 2016-3, to erect regulatory speed signs in Rural Residential District. Eugene Stoeckel seconded the motion. Motion Carried.

### **New Business**

The first item on the agenda was an IUP Request by Bill Whitcomb for permission to build a garage in a commercial zone, Section 20.

John Roxbury, Jr. stated that with the condition of the IUP not being transferrable, how can the house be sold with a non-conforming structure, and the condition that the IUP is terminated with the end of his ownership, it now becomes an illegal structure. Mr. Anderson stated that an IUP is not transferrable. John Roxbury stated that IUP's are transferrable and that could be set as a condition.

Mr. Roxbury stated that he would make the recommendation that the IUP will terminate when the zoning is changed in that area or the property is used for commercial purposes.

Mr. Anderson asked if the conditions were suggested by the Planning Commission or the Zoning Administrator. The Clerk stated that Mr. Kohnen made the suggestions and they were consistent with the ones from another IUP that was granted last year. Mr. Kusler stated that the owner was fine with all of the conditions.

Mr. Kusler motioned to approve the IUP Request for Bill Whitcomb, Section 20, with the following recommendations:

1. The Interim Use Permit is granted solely to the applicant and is not transferable to any other.
2. The IUP shall terminate with a change of ownership.
3. The IUP will terminate with any Zoning change which would render the use non-conforming.
4. The IUP will end when sold or if the owner is no longer residing on the property.
5. New owner must complete a new application subject to approval of Princeton Township.
6. This IUP will run for a period of 15 years from the date of approval, and the renewal will not include initial IUP fee.

Eugene Stoeckel seconded the motion. John Roxbury, Jr. stated that he thinks Condition #3 is the only condition that is needed. Greg Anderson stated that if they owner is good with it, than he is too. Mark Riverblood stated that striking all of the conditions except #3, makes sense to him also. Mr. Roxbury stated that he would not like to see it become non-conforming or that it may interfere with the sale or transfer of the property.

Eugene Stoeckel stated that Mr. Whitcomb is just looking to build a shed on his six acres and he is residential in a commercial zone and the previous IUP involved a much smaller piece of property because it was less than 5 acres. Greg Anderson stated that they were both involving a pre-existing home in a commercial zone and the issue of acreage never comes into play at all in the ordinance.

Eugene Stoeckel moved to amend the motion to strike the last half of condition #1, all of condition #2 and #6. Greg Anderson suggested bringing the first motion up for vote and if it dies, a new motion can be made. Eugene Stoeckel stated that parliamentary law states that the motion be amended as it is presented to the Board. Mark Riverblood stated that only the author can amend the motion. Mr. Stoeckel stated that anyone can move to amend.

Eugene Stoeckel motioned to strike the second half of condition #1, and all of condition #2 and the 15 years in condition #6.

Mr. Kusler stated that the previous IUP and the current IUP request are located in the same section with the same circumstances and he feels it is appropriate to adopt the same conditions. Mr. Anderson stated that he feels the same way.

Mr. Kusler asked for clarification from Mr. Stoeckel regarding conditions #4 and #5 remaining on the IUP because they still place a restriction on ending the IUP. Mr. Stoeckel stated that it all blends together.

Mark Riverblood stated that he will be voting no because he does not think it reads right.

Chairman Anderson stated that a motion has been made, then amended. There was no second to the motion. Motion for amendment failed.

Chairman Anderson stated that the original motion to approve the IUP for Bill Whitcomb for permission to construct a garage in a commercial zone, Section 20, with the six original conditions, has been made and seconded. John Roxbury, Jr. and Jim Kusler voted in favor with Mark Riverblood and Eugene Stoeckel opposing.

It was determined that a 4/5 vote is required for an IUP. Mr. Anderson stated that he would have voted in favor of the IUP.

Mr. Stoeckel stated that he would change his vote to being in favor of the IUP because he does not want Bill Whitcomb to be hung up any longer.

Chairman Anderson stated that he will let the motion die and ask for another vote.

John Roxbury, Jr. motioned to approve the IUP Request for Bill Whitcomb, Section 20, with the following recommendations:

1. The Interim Use Permit is granted solely to the applicant and is not transferable to any other.

2. The IUP shall terminate with a change of ownership.
3. The IUP will terminate with any Zoning change which would render the use non-conforming.
4. The IUP will end when sold or if the owner is no longer residing on the property.
5. New owner must complete a new application subject to approval of Princeton Township.
6. This IUP will run for a period of 15 years from the date of approval, and the renewal will not include initial IUP fee.

Jim Kusler seconded the motion. Mark Riverblood stated that he is voting no, not because he doesn't approve of the project but feels that the conditions almost conflicted with each other or are at least redundant and he does not support the conditions as written.

Motion Carried with Mark Riverblood opposing.

Greg Anderson stated that he believes some of the conditions are stated in the Ordinances, so if there is change that needs to be made with those conditions, the Ordinances need to be looked at first.

The next item on the agenda was a land split request for Jim & Sara Rutten, Section 1. Mr. Anderson stated that the split was requested for financing reasons.

Mark Riverblood motioned to approve the Land Split for Jim & Sara Rutten, Section 1. John Roxbury, Jr. seconded the motion. Motion Carried.

The last item on the agenda was the CUP Request by Zion Lutheran Church to build an addition, Section 11. Greg Anderson stated that at the request of the Church, the issue has been withdrawn from discussion at this meeting.

### **Open Forum**

Leroy Bargfeld from Zion Lutheran Church stated that they just wish to table the issue of the CUP for Zion Lutheran Church until a future time so they can have more time to research the issue.

### **Supervisor's Reports**

Mark Riverblood stated that he would like to table any motion in regards to the resignation of Larry Ziebarth, Planning Commission Chairman, because he would like to contact Larry and see if he would reconsider or consider staying on as Chairman until the Board can prepare an invitation for a work session with the Planning Commission, as an opportunity for the Board and Commission to look at the future direction of the Township.

Greg Anderson stated that he did contact Mr. Ziebarth and spoke with him and he would like to see him continue as Planning Commission Chairman also.

Eugene Stoeckel gave an update on the Fire & Airport Advisory Board.

John Roxbury, Jr. gave an update on the City of Princeton's Planning Commission.

Mr. Roxbury stated that he spoke with Bruce Cochran at Mille Lacs County and asked if the County would ever consider taking over County Line Rd and Mr. Cochran indicated they would not be interested.

Mr. Roxbury stated that he did the sign inventory and everything looked good except one small sign that needs to be replaced which he has spoken to the Clerk about.

**Clerks Business**

The Clerk notified the Board that the Strunge hearing that was re-scheduled for from November 3<sup>rd</sup> to November 10<sup>th</sup>, which she was planning to attend with the MAT attorney.

**Approve Payment of the Bills**

A motion was made by John Roxbury, Jr. and seconded by Eugene Stoeckel to approve payment of the bills, Check numbers 11381-11411. Motion Carried.

**Adjourn**

A motion was made by Mark Riverblood and seconded by John Roxbury, Jr. to adjourn the meeting at 7:58 p.m. Motion Carried.

Respectfully submitted,

Connie Wubben

Clerk/Treasurer

Attendees: Leroy Bargfeld, Greg Bergman