

**Barnesville Planning Commission
Regular Meeting
Monday, May 5, 2008**

The regular meeting of the Barnesville Planning Commission was called to order by Chairman Merlin Strom at 6:32 p.m.

Members present: Steve Mortenson, Margaret Follingstad, Merlin Strom, Pat Berndt, Mike Detloff and Karen Lauer, Zoning Administrator.

Members absent: Gary Fraedrich, Mike Osten, and Aaron Grommesh.

Others present: Shaw Simonsen, Jim Braton Jr., William Kozojed, Cynthia Kozojed and Pam Aakre of the Barnesville Record-Review.

AGENDA

05-05-08-01 Motion by Berndt and seconded by Detloff to approve the agenda. Unanimously carried.

MINUTES

05-05-08-02 Motion by Follingstad and seconded by Mortenson to approve the minutes of the April 7, 2008 meeting. Unanimously carried.

PUBLIC HEARING: J & J BRATON PROPERTIES CUP REQUEST TO MOVE IN EXISTING HOUSE

05-05-08-03 Motion by Detloff and seconded by Follingstad to open the public hearing at 6:37 p.m. on J & J Braton Properties CUP request to move in an existing house. Unanimously carried.

Karen Lauer reviewed the zoning ordinance regarding moving a building. Karen noted that the notice of the public hearing had been published and neighboring property owners had been notified as required. The house to be moved is currently located outside of city limits and is to be moved to a site zoned R-2. The placement of the house meets the required front and side yard setbacks. All homes in the city are required to have sheltered parking and the plan for this house does include providing a two car attached garage. Jim Braton Jr. indicated the intent to comply with all the rules and regulations as set forth by the city. He also indicated there has been interest expressed in the house so the intent is to have everything completed in a timely fashion. Contractors are lined up to do the bulk of the work which includes the demolition of the trailer currently on the property. Cynthia Kozojed questioned which side of the house will face their house. Kozojeds also expressed concern regarding where they would be able to locate a new garage on their property and if they could have concrete up to the property line. Karen Lauer noted that the Kozojeds' concerns could be handled when the need arises.

05-05-08-04 Motion by Mortenson and seconded by Follingstad to close the public hearing at 7:09 p.m. Unanimously carried.

Karen Lauer reviewed the staff recommendation which is to approve the CUP with four conditions.

05-05-08-05 Motion by Detloff and seconded by Berndt to recommend to the City Council to approve the J & J Braton Properties CUP request to move in an existing house with the following conditions. Unanimously carried.

1. Proper demolition permits, building permits and utility permits will be acquired prior to work commencing.
2. Construction will adhere to the standards of the International Building Code.
3. By October 1, 2008 the home will be moved in, the garage will be completed and sided like or similar to the home and the asphalt or concrete driveway will be completed.
4. The City of Barnesville reserves the right to inspect the property on a regular basis for conformity with these conditions.

PUBLIC HEARING: BARNESVILLE LIBRARY REQUEST TO ERECT WROUGHT IRON FENCE

05-05-08-06 Motion by Follingstad and seconded by Mortenson to open the public hearing at 7:19 p.m. on the Barnesville Library request to erect a wrought iron fence. Unanimously carried.

Karen Lauer reviewed the ordinance for commercial fences and noted that all commercial fences require a CUP. Karen reviewed the conditional use requirements noting that although the library is not on a corner it does have a driveway that accesses the highway. Zero setbacks are required and the fence is proposed to be four feet high. Shaw Simonsen indicated the need for a fence is in part a safety issue. The fence will force library patrons to use the sidewalk and not cut across the driveway in various areas.

05-05-08-07 Motion by Mortenson and seconded by Detloff to close the public hearing at 7:35 p.m. Unanimously carried.

Karen Lauer reviewed the staff recommendation and conditions.

05-05-08-08 Motion by Berndt and seconded by Mortenson to recommend to the City Council to approve the Barnesville Library request to erect a wrought iron fence with the following conditions. Unanimously carried.

1. The fence be limited to 4 feet in height and be of a 75% open design style.
2. No temporary or permanent signage shall be placed on the fence which may cause a visual obstruction.

GEO-THERMAL HEATING SYSTEMS

Karen Lauer reviewed the need to have an ordinance regulating Geo-Thermal Heating Systems. Karen recommended having a public hearing in June. The Department of Health is indicating the need for cities to have regulations in place. The City Attorney has access to templates and has put together language for an ordinance. The Department of Health is currently attempting to get special legislation to address the issue of well-based geo-thermal systems being used in a well head protection area. Currently they are not able to deny systems in protected areas due to state statute. The pump and dump systems may be controlled with a front-end fee or a discharge fee. The Department of Health likes the horizontal closed system as long as the type of fluid used is regulated which takes away about 80% of the risk. The approved fluids should be listed rather than just stating the fluids must be of food grade. A new ordinance should require that any existing systems be registered, set an application fee, set inspection requirements, designate no surface discharge, and regulate both residential and commercial systems. Planning Commission members expressed concern with the possible risk to the well, the number of pump and dump systems that the aquifer can handle, and the lack of regulations. Possible ordinance language should include an annual fee for the pump and dump systems and a statement of owner liability if their system would contaminate the city's water supply.

5-5-08-09 Motion by Mortenson and seconded by Follingstad to call for a public hearing on June 2, 2008 on an ordinance to regulate Geo-Thermal Heating systems. Unanimously carried.

UPCOMING LAND USE PLANNING WORKSHOPS

Planning Commission members discussed workshop opportunities.

REVIEW OF BUILDING PERMIT PROCEDURES

Karen Lauer reviewed the current building permit application process. International Building Codes gives the building inspector the authority to grant 180 day extensions on a building permit. Concern was expressed with the possible "unlimited" extensions and building projects not being completed. Planning Commission members wondered if the City has authority to be more restrictive than the IBC and if directive can be given that the City won't issue more than 2 extensions under any circumstances. Karen Lauer will complete research and bring the information back at the June meeting.

FINAL PLANS FOR HIGH SCHOOL PARKING LOT

Merlin Strom distributed the final plans for the high school parking lot and Planning Commission members reviewed the plans.

BUILDING PERMIT LIST

Buildings permits for April 1 through April 30, 2008 were reviewed.

The next Planning Commission meeting is Monday, June 2, 2008 at 6:30 p.m.

05-05-08-10 Motion by Detloff and seconded by Mortenson to adjourn at 8:50 p.m. Unanimously carried.

Submitted by:

Pat Berndt
Planning Commission Secretary