

SUNFISH LAKE PLANNING COMMISSION MEETING  
MAY 18, 2023  
7:00 P.M.

Attendants:

Chair: Tom Hendrickson  
Commissioners: Ginny Beckett, Jeannine Naves and Kevin Wu  
City Planner: Lori Johnson  
City Clerk: Christy Wilcox  
and Members of the General Public.  
Commissioner Dominick Driano was absent.

1. CALL TO ORDER: Chair Hendrickson called the meeting to order at 7:00 p.m.
2. ADOPT AGENDA: Chair Hendrickson asked if there were any additions to the agenda and there was no response.

**Commissioner Beckett moved to adopt the agenda as presented, seconded by Commissioner Naves. Motion carried (4-0)**

3. APPROVE MINUTES, MARCH 16, 2023, PLANNING COMMISSION MEETING: Chair Hendrickson asked if there were any additions or corrections to the March 16, 2023, Planning Commission meeting minutes.

**Commissioner Hendrickson moved to approve the March 16, 2023, Planning Commission minutes seconded by Commissioner Wu. Motion carried. (4-0)**

4. PUBLIC HEARING: A. MAJOR SITE AND BUILDING PLAN REVIEW, 410 Salem Church Road, applicants are Butch Sprenger of Destiny Homes and the owners Tim and Kristel Barber: Chair Hendrickson opened the meeting for the purpose of a public hearing on the application for a Major Site and Building Plan Review for the property located at 410 Salem Church Road. He reviewed the procedures for conducting a public hearing and asked the Planner to present her report.

Planner Johnson referred to her report dated May 18, 2023, as well as the presentation packet that was distributed this evening. The property is zoned and located in a Single-Family Residential and a small portion of the property is located in the Shoreland Overlay District but is not affected by this project. The site is 2.44 acres.

The Planner stated they are proposing a 1,700 square foot addition to their home. This would consist of a new garage, office space and mudroom. All setbacks are met, the impervious surface is 18% which meets requirements and the building coverage is 5% which also meets requirements. There will be no change to the existing driveway access from Salem Church Road. There will be a new bituminous driveway added to the garage. The addition will match the existing home which is approximately 1,740 square feet. There are four (4) existing trees planned for removal and the owners will replace all of those four (4) trees.

The proposed improvements meet the R-1 and Shoreland Overlay District requirements. Staff recommends approval with the 10 conditions listed in the Findings of Fact.

Chair Hendrickson asked if there were any further comments from the applicant or property owner and there was no response. He asked if there were any further comments from the public at this time.

The applicant Tim Barber addressed the question raised at the site visit and confirmed that there will be a drain installed in the garage.

Chair Hendrickson asked if the Commissioners had any questions or comments. Commission Wu asked about the safety of the turn around and asked if the City Engineer or City Planner had any concerns with this. The City Planner said they do not have any concerns with this.

Chair Hendrickson asked if there were any further questions or comments and, hearing none, closed the public hearing.

**Chair Naves moved to approve the Major Site and Building Review for property located at 410 Salem Church, Tim and Kristal Barber property owners, based on the Findings of Fact dated May 18, 2023, and subject to the ten (10) conditions listed in the Planner's report dated May 18, 2023.**

**Seconded by Commissioner Beckett and Motion carried. (4-0)**

5. PUBLIC HEARING: A. MAJOR SITE PLAN REVIEW, 205 Salem Church Road, applicants are Mark and Katherine Sullivan: Chair Hendrickson opened the meeting for the purpose of a public hearing on the application for a Major Site Plan Review for the property located at 205 Salem Church Road.

Planner Johnson referred to her report dated May 18, 2023, as well as the presentation packet that was distributed this evening. The existing land use for the property is Single-Family Residential and the existing zoning is R-1 Single Family. The site is 4.9 acres. They are requesting major site plan approval for landscaping improvements on the property.

Background information on this site:

- In October of 2022, staff was contacted about tree removal and grading work. Staff contacted the owners of the property to make them aware that the tree removal and grading work in progress required city approval
- Applicants halted work on the property and began work on plans that met ordinance requirements for the City
- Owners were fined \$250 for doing work without necessary permits, have paid standard application fee and escrow for Major Site Plan applications and are responsible for all consultant time on the project
- City Forester examined the site and provided recommendations

The Planner stated they are installing a rain garden on the north side of the site. The landscaping includes trees and lawn areas, new surfacing around the pool, a possible bituminous driveway and sports pad on the north side of the house.

Originally the City Forester estimated that 60 to 105 trees were removed. However, after further examination 30 of the removed trees were from the septic field where removal is permitted by the Zoning Ordinance. The City Forester noted that the removed trees included a significant number of invasive trees

that require no permit for removal. It is estimated that there were 30 trees illegally removed. The applicants intend to remove an additional 5 trees. They have planned to plant 88 new tree plantings which exceed the estimate of illegally removed trees.

The City Planner did want to point out that during construction, grading activities occurred over the north property line and tree removal in the area was significant. Had the City Staff known about the project, staff would have recommended saving trees in this area for screening purposes. Staff has added a condition that 10 spruce trees be planted in this area and that the applicant has already submitted this in the plan. The proper NPDES permit was submitted for previously completed and planned work and the wetland delineation was completed with no impact with previous or proposed activities to the wetland on site.

Staff recommends approval with the 12 conditions listed in the Findings of Fact.

Chair Hendrickson asked if there were any further comments from the applicant or property owner and there was no response. He asked if there were any further comments from the public at this time.

Chair Hendrickson asked if the Commissioners had any questions or comments. Commissioner Wu questioned the erosion control and the fencing by the steep hill. The City Planner said that the City Engineer will conduct an inspection before any work begins on site and will make sure all erosion controls will be in place.

Fran Lamey, 55 Windy Hill Road asked about the wetland that was mentioned. The City Planner noted that whenever there is work around a wetland, the City will ask for a wetland delineation from the applicant.

Chair Hendrickson asked if there were any further questions or comments and, hearing none, closed the public hearing.

**Chair Hendrickson moved to approve the Major Site Plan Review for property located at 205 Salem Church Road, Mark and Katherine Sullivan property owners, based on the Findings of Fact dated May 18, 2023, and subject to the twelve (12) conditions listed in the Planner's report dated May 18, 2023.**

**Seconded by Commissioner Naves and Motion carried. (4-0)**

6. PUBLIC HEARING: A. MAJOR SITE AND BUILDING PLAN REVIEW, 11 Salem Lane, Applicant is Kerry Hage of Hage Homes and the owners are Adele and Cody Langeness. Chair Hendrickson opened the public hearing on the application for a Major Site and Building Plan Review for the property located at 11 Salem Lane.

Planner Johnson referred to her report dated May 18, 2023, as well as the presentation packet that was distributed this evening. The existing land use for the property is Single-Family Residential and the existing zoning is R-1 Single Family. The property does have a corner in the Shoreland Overlay District but is not affected by the work that is being done. The site is 4.9 acres. They are requesting major site and building plan approval for a construction of a new home.

Proposed:

- 7,695 square foot home

- Existing home on site was demolished early 2023 to prepare for the new home and did receive proper approvals prior to demolition
- The new home includes attached garage and screen porch
- Exceeds setback requirements
- Impervious surface is 4% which meets requirements
- Access will be from Salem Lane, private road (adjacent to Windy Hill but no access)
- Single story walkout with natural stone, wood siding, stucco, metal roofing with a Pickleball court in the backyard and stone patio in rear of house

#### Landscaping and Tree Removal/Preservation

- 102 trees to be removed which includes 20 ash. The ash trees are allowed to be removed and replacement is not required.
- 82 new trees required for mitigation
- 89 new trees to be planted
- Trees on site protected during construction by fencing

The conditions for approval include a lighting plan indicating foot candle levels prior to the issuance of permits. The site plan also shows monuments with a security gate which would require a Conditional Use Permit.

Staff is recommending approval subject to the 14 conditions listed in the Findings of Fact.

Chair Hendrickson asked if there were any further comments from the applicant or property owner and there was no response. He asked if there were any further comments from the public at this time.

Fran Lamey asked during the construction what street will be used for construction vehicles. The City Planner indicated they will use Salem Lane. Chair Hendrickson noted that maybe Windy Hill road would be used for vehicle parking for the workers, but mostly it will not be used for that.

Chair Hendrickson asked if the Commissioners had any questions or comments. Commissioner Naves asked about the steel edging on landscaping. The applicant said that it is straight and up and down edging and that you really don't see it at all.

The builder asked about the setback for the monuments. The City Planner and Chair Hendrickson went over the process and setback requirements. The City Planner noted it was the same situation as a previous gate construction the landscape contractor did at another location in Sunfish Lake.

Chair Hendrickson asked if there were any further questions or comments and, hearing none, closed the public hearing.

**Chair Hendrickson moved to approve the Major Site and Building Plan Review for property located at 11 Salem Church Lane, Adele and Cody Langeness property owners, based on the Findings of Fact dated May 18, 2023, and subject to the fourteen (14) conditions listed in the Planner's report dated May 18, 2023.**

**Seconded by Commissioner Beckett. Motion carried (4-0)**

7. ADJOURN:

**Chair Hendrickson moved to adjourn the meeting at 7:37 p.m., seconded by Commissioner Naves. Motion carried. (4-0)**

Respectfully submitted,

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Christy Wilcox, City Clerk