

**New York Mills Zoning Committee  
Regular Meeting  
April 23, 2013  
1:00 p.m.**

**CALL TO ORDER AND DETERMINATION OF A QUORUM**

The regular meeting of the New York Mills Zoning Committee was called to order at 1:05 p.m. in the City Hall Council Chambers, New York Mills, Minnesota, all members of the Committee having been notified of the meeting. A quorum was present.

**Members Present:** Chairperson Dianna Wallgren, Jason Schik, Greg Imsande, Tim Johnson

**Members Absent:** Mike Parta, Ken Peltier, Jann Lee

**Staff Present:** Zoning Administrator Dave Delaney, Administrative Assistant Cheri Kopveiler, City Clerk Darla Berry

**Call to Order:** The regular April meeting of the New York Mills Zoning Committee was called to order at 1:05 pm by Chairperson Dianna Wallgren. **A quorum was present.**

**Approval of Minutes:** **A motion was made by J. Schik to approve the minutes of the February 8, 2013 meeting, seconded by G. Imsande and carried without a dissenting vote.**

**Old Business:** A. Outdoor Wood Furnaces—

Chairperson D. Wallgren referred to an information sheet in the packets called “Outdoor Wood Furnace Best Burn Practices” submitted by Greg Imsande, which gives suggested heights and distances for placement of outdoor wood furnaces from residences, for insurance purposes. It suggests that furnaces be located no less than 100 feet from any residence not served by the furnace, and if it is located within 100’ to 300’ from any residence not served by the furnace, the chimney stack must be at least 2’ higher than the peak of that residence. Discussion ensued. Paragraphs on pages 34 and 63 will be amended. A sentence will be added which says “A factory-built or masonry chimney with a spark arrester screen is also required.” shall be added to paragraph 4. Also, the sentence regarding residences within 500’ shall be removed and replaced with the following: “Furnaces shall be located no less than 100 feet from any residence not served by the furnace. If located within 100 feet to 300 feet to any residence not served by the furnace, it is recommended that the stack be at least 2 feet higher than the peak of that residence. If located within 100 feet from the residence being served by the furnace, the chimney stack shall be at least 2 feet higher than the peak of that residence. The outdoor external solid fuel-fired heating device shall not be located less than feet from any combustible structure.

B Regulations on Apartments in Commercial Districts—

The Zoning Committee discussed apartments located in commercial districts. In the Commercial section, page 44, Section A, subdivision 4 which lists apartments as a permitted use in commercial districts, the sentence shall be amended, deleting the phrase “provided they are located above the first floor level, or below ground level.” The Zoning Committee asked Administrative Assistant Kopveiler to check with City Attorney Happel whether there is a legal difference between apartments and dwellings. If someone who owns a business in a commercial district wants to build living quarters adjacent to a business, is there criteria which separates apartments from a permanent dwelling?

C. Wording Regarding Churches in Residential Areas—

Administrative Assistant Kopveiler gave three scenarios of inquiries the City has received, one of which related to churches in residential areas. Although a church may be located in a Residential B (multi-family) zone, the ordinance states that only one principal structure should be located on any lot. If a church wanted to build a parsonage on the property, she asked if this would be in noncompliance with both a church and a home. Another related scenario was, if a developer built multiple apartment buildings on a parcel, even though it is zoned multi-family, would this be allowed. And finally, if a business owner wanted to build or place a separate home on the same parcel as their business would this be allowed? Discussion ensued. Members agreed the church may be best served by making a separate parcel for the area on which a home would be built. The apartment building, which is a planned project in the Country View Addition, will need a public hearing to rezone the parcel to RBC which would allow more than one principal structure per lot. The lots in Country View have been purchased by Roach Development and construction of a 16 unit apartment complex is planned. They inquired about whether they would need to rezone the lot or ask for the property to be designated as a Planned Unit Development.

**New Business:**

A. Upcoming Zoning Workshops—

Chairperson D. Wallgren noted that a Land Use Planning Workshop is coming up, put on by Government Training Services in Little Falls. The workshop is entitled “Your Role as a Planning Commission Member” and will be held on May 2, 2013 from 1-5 p.m. She encouraged zoning committee members to attend. Also, she noted the online zoning training put on by the League of Minnesota Cities, which was discussed at the last meeting.

**Zoning Administrator’s Report:**

Zoning Administrator David Delaney reported that the Casey’s gas station is up running. Many residents have had an issue with the curb which was placed between the pumps and the street and have been driving over the curb. They have placed cones on the curb to draw attention to it. Casey’s project manager stated that the curb was put into place to assist in drainage as well as to create a traffic flow pattern and help avoid drive-offs.

Other New Business—

Chairperson D. Wallgren welcomed Tim Johnson to the Zoning Committee. Tim is replacing Julie Gerber on the Zoning Committee.

**Next Meeting Date:**

The next meeting of the Zoning Committee will be held on Tuesday, May 21, 2013 at 1:00 p.m.

**Adjournment:**           **The meeting was adjourned by Chairperson Dianna Wallgren at 1:45 pm.**

Respectfully Submitted by,

Cheri Kopveiler  
Administrative Assistant/Zoning