CITY OF HERMANTOWN

BOARD OF APPEALS & ADJUSTMENTS

September 12, 2022 Meeting Summary

5:00 PM

# 1. ROLL CALL

Members Present: Joe Peterson; James Nelson; Michael Boese; and Councilor Brian LeBlanc

Members Absent: Cyndy Reno and Gerald Wallace

Others Present: Eric Johnson, Community Development Director; and James Savre, 3649 Ugstad Rd.

**2. APPROVAL OF AGENDA**

Motion made by Michael Boese to approve the September 12, 2023 agenda as presented. Seconded by James Nelson. Motion carried.

# 3. APPROVAL OF MINUTES

# Motion made by Brian LeBlanc to approve the June 13, 2023 minutes as presented. Seconded by James Nelson. Motion carried.

# 4. PUBLIC DISCUSSION

None.

**5. PUBLIC HEARING**

5.A An application by James Savre for a 33-foot variance to the 50’ front yard structure setback associated with a R-3, Residential zoned property for the purpose of installing two solar arrays/panels. The property is located at 3649 Ugstad Road.

Eric Johnson, Community Development Director presented that applicant, James Savre, owns a 10-acre parcel at 3649 Ugstad Road as well as an additional 10 acres directly to the north. The applicant is looking to install solar panels in the front portion of his property in an area that is generally free to trees and has favorable exposure.

The proposed project is two sets of panels, installed perpendicular to Ugstad Road with a distance of 25 feet between each panel section with each section being approximately 30 feet in length. The City views the solar panels as structures which requires a 50 setback from the right of way line associated with Ugstad Road.

The applicant states that the contractor (Energy Plus) informed him that a rooftop installation is not feasible as the existing home faces southwest and is shaded by existing trees. Alternative locations within the property are either too hilly, have wetlands, a large number of trees or are too far from the house and electric meter to be practical. Thus, the application for the solar panels to be located in the front yard.

The applicant further states that a location south of the existing driveway, 50 feet from the property line would require the removal of two large shade trees and potentially encroaching on the existing mound system. This location would also receive shade from the trees located on the neighbor’s property to the south.

North of the driveway, 50 feet from the property line, involves removing numerous trees and leveling of the ground surface. In addition, it appears that the existing home would cast shade of the panels in this location.

Discussion ensued regarding ability to reconfigure the solar array and place it in different portions of the property.

Motion made by Michael Boese to approve the application by James Savre for a 25-foot variance to the 50’ front yard structure setback associated with a R-3, Residential zoned property for the purpose of installing two solar arrays/panels. Seconded by

Joseph Peterson. Motion carried 3 to 0.

5B. An application by PPT, LLC for a 5-foot variance to the 35’ front yard structure setback associated with a C, Commercial zoned property for the purpose of constructing a 930 square foot building addition. The property is located at 4490 Sugar Maple Drive.

Eric advised the board that the applicant, PPT, LLC, owns the property located at 4490 Sugar Maple Drive. The applicant has been in discussion with his tenant, Valentini’s on a possible building expansion for their restaurant. The proposed expansion consists of a dedicated entry and waiting area, a meeting room and additional storage. The existing building meets Sugar Maple Drive at an angle with the proposed building expansion requiring a 5’ variance from the 35’ front yard building setback and the area of building within the variance area being approximately 6’ x 14’ (45 square feet).

Motion made by Michael Boese to approve the application by PPT, LLC for a 5-foot variance to the 35’ front yard structure setback associated with a C, Commercial zoned property for the purpose of constructing a 930 square foot building addition. Seconded by James Nelson. Motion carried 3 to 0.

**6. CONTINUING BUSINESS**

**7. NEW BUSINESS**

Eric Johnson, Community Development Director gave an update on draft AUAR document and where comments could be submitted.

**8. COMMUNICATIONS**

None.

**9. COMMISSION MEMBER REPORTS**

Joe Peterson – None

Cyndy Reno – Absent

Michael Boese – None

Gerald Wallace – Absent

James Nelson – None

Brian LeBlanc – None

**ADJOURN**

Motion made by James Nelson to adjourn the meeting. Seconded by Michael Boese. Meeting adjourned at 6:30 pm.

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| Officiated by: |  | Transcribed by: |
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| Joe Peterson, Chairman |  | Mary Melde, Administrative Assistant |