

**Special Meeting Minutes**  
**New Prague Planning Commission**  
**Wednesday, April 22, 2020**

\*Conducted Via GoToMeeting due to the COVID-19 Pandemic which prevented attendance at the regular meeting location.

**1. Call Meeting to Order**

The meeting was called to order at 6:30 p.m. by Chair Bob Gilman with the following members present on the virtual meeting conference call: Mike Uttenhove, Dan Meyer and Paul Tupy. Absent was Shawn Ryan.

City Staff Present: Ken Ondich – Planning / Community Development Director

**2. Approval March 25, 2020 Regular Meeting Minutes**

It was moved by Tupy, seconded by Uttenhove, to approve the March 25, 2020 regular meeting minutes as submitted. Motion carried (4-0).

**3. Old Business**

A. None.

**4. New Business**

**A. Review of Zoning Ordinance Amendment – Garage Sales  
City of New Prague, applicant**

Planning Director Ondich presented the staff report. He stated that City staff has been dealing with some complaints in residential areas about homes that have numerous garage sales per year with the complaints relating to traffic and noise concerns from frequent garage sales. He stated that at least a couple of garage sales visited by staff in 2019 found that the garage sales had many items that were new or unused that were most likely purchased for the purpose of resale, rather than being legitimate resale of used goods. He stated that in light of the concerns, staff spoke with the City Attorney's office and they suggested that a zoning ordinance amendment could be considered to provide a definition and criteria for garage sales under the heading of home occupations in the zoning ordinance. He stated that the amendments would add language to Section 714 of the Zoning Ordinance for "Home Occupations" to define garage sales as being the sale of second hand goods, limits the events to 72 consecutive hours, items being sold were not obtained for the purchase of resale or consignment and that a total of 3 sales are allowed per calendar year. He stated that at the March 25, 2020 Planning Commission meeting that the consensus was to hold a public hearing at tonight's meeting on the proposed changes.

The public hearing was opened at 6:38PM.

No public comments were received.

The public hearing was closed at 6:39PM.

Commissioner Meyer stated that he believed a limit of three garage sales per year was reasonable as it would allow a sale in spring, summer and fall or three during the summer months.

Commissioner Tupy stated that he was also agreeable to allowing three sales per year versus two.

A motion was made by Meyer, seconded by Tupy, to recommend that the City Council consider adoption of the proposed zoning ordinance amendments as contained in the staff report.

Motion carried (4-0).

**B. Concept Review of Zoning Ordinance Amendment – Wetland Setbacks  
City of New Prague., applicant**

Planning Director Ondich presented the staff report. He stated that the City has seen a recent influx of variance applications for wetland setbacks to structures with three being issued in the last year along and with six total since 2002. He stated that during the recent variance reviews the City Council asked staff to draft amendments to allow homes to be located up to but not encroaching into wetland buffers/easements that were previously established. He stated that wetlands with established buffers or easements have the necessary protections in place and do not need the more general 50' setback to structures from wetland edges. He stated that in 2002 the MPCA required the city to adopt a wetland buffer requirement as part of a Comprehensive Stormwater Management Plan with a 40' buffer and additional 10' to structures. He stated that the buffer and setback requirements are currently part of Section 734 of the Zoning Ordinance titled Land and Water Preservation since 2008 but that it kept the general buffer regardless of what the wetland assessment determined to be the required buffer. He stated that it does not make sense to keep the 40' buffer in these cases as the protection that is required does not match the 40' buffer in many cases. He stated that staff does recommend keeping the general 40' buffer and additional 10' to structures in cases of wetlands in unplatted areas or where an easement/buffer wasn't previously established. He stated that the amendment would allow structures to be located up to already established wetland buffer/easements rather than the blanket 50' structure setback that exists in the ordinance today.

The Planning Commission had general discussion about the proposed amendments, noting that they felt the changes were reasonable and provide clarity to the ordinance.

A motion was made by Tupy, seconded by Uttenhove, to schedule a public hearing for the May Planning Commission Meeting. Motion carried (4-0).

## 5. Miscellaneous

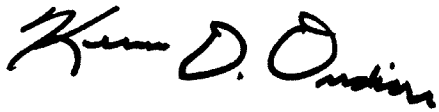
The following miscellaneous items were reviewed as information only:

- A. Monthly Business Update – Planning Director Ondich provided the Monthly Business update to the Planning Commission that had been provided to the EDA earlier in the month.

## 6. Adjournment

A motion was made by Tupy, seconded by Meyer, to adjourn the meeting at 6:57PM. Motion carried (4-0).

Respectfully submitted,

A handwritten signature in black ink that reads "Kenneth D. Ondich". The signature is written in a cursive, flowing style.

Kenneth D. Ondich  
Planning / Community Development Director