

**Town of Duluth
Planning Commission
Meeting Minutes
April 28, 2022**

The meeting was called to order at 6:30 pm by Acting Chair Blane Tetreault.

In attendance: Dave Edblom, Pam West, Blane Tetreault, Justin Osadjan, Dave Meyer and Tony Mancuso.

Absent: Angela Wilson.

Also attending: Sue Lawson, Planning Director; Liz Strohmayer, Planning Assistant; and Tim Strom, Town Board liaison to Planning.

The agenda was approved as presented.

Tony Mancuso was introduced as the newest member of the Planning Commission.

The minutes were approved with the following change: From “It is clear that the applicants and the property meet the requirements for a high-frequency short-term rental.” to “It is clear that the property meets the dimensional standards for a high-frequency short-term rental.”

Planning Commission Workshop: Working Together and Review of Procedures

Working Together

Everyone was invited to share something about themselves and talk about what the land they live on means to them. This combination of experience and feelings gained from living life informs how we interact with others and how they interact with us.

Points from the Workshop:

- Consider that folks value their land in many different ways.
- Be aware of your own values and/or biases when you interact with community members when they come before the Commission. Be open and approachable, welcoming and kind. We live in a close community and will likely see folks outside of Planning meetings. Make sure they know they’re heard. Be patient and help people by sharing information to help them understand what’s being discussed. They can’t know everything that’s in the Ordinance, for example.
- When working with folks who are coming in for a hearing, it is helpful to try to understand them and where they are coming from. There are three important things to consider when listening to someone. 1) What do they think or believe is real? 2) Where does their knowledge come from? 3) What can we do to educate? For example, what is their view of the world and how do they see their community? How someone applying for a short-term rental sees it might be different from

how the neighbors of the proposed rental see it. Where is the applicant's sense of neighborhood coming from?

- Conflict is not necessarily positive or negative. Conflict affects us mentally and physically. Respond early to keep conflict from escalating.
- It is important to connect with people, and empathize in a neutral way.
- Tools for maintaining control of a meeting: Table the discussion; thank the individual for what they've said and say we have to move on; call a point of order; call for a break. All Commission members can and are expected to help provide for orderly and civil meetings.
- When someone says "You're not listening to me," it is often because they feel if you had been listening, you would see it their way. You can say that "Yes, I am listening" and summarize what they have said back to them.
- There is nothing wrong with having a legitimate debate amongst Commission members and still not reaching a consensus. Arguments made on both sides show that the applicant was given a fair shake. The Commission gathered the facts, applied the law and came to a reasonable decision. It is not a problem to disagree.

Review of Procedures

Sue said that the role of the chair is usually decided by the group. The chair can focus on running the meeting and not make motions or contribute to the discussion. How much of their attention should be focused on running the meeting well? Is that as important as participating and making motions? The Commission agreed that the chair may play an active role on the Commission, contributing to discussions and making motions. It is important to have a well-run meeting, but the Commission felt that the chair needed to be an active participant in matters, especially because of the size of the group.

Sue said that Commission meetings do not follow formal Robert's Rules of Order. Robert's Rules of Order are very complicated and committing to them opens up vulnerabilities in the event they are not followed exactly. Instead, the Commission follows a modified version that is informal.

Sue asked if the Commission prefers to talk about a matter before making a motion on it. Everyone agreed that discussion prior to a motion was generally good. The chair can call for a motion.

Tim noted that there are times that having a motion and a second before discussion can save time. If a motion isn't seconded, for example, there's no discussion.

Sue asked how the Commission felt about asking questions during a hearing. Would the Commission prefer a set point in the hearing schedule for questions from the Commission or do they prefer to ask questions as they come up? Asking questions is a chance to better understand what the applicant wants and where they are coming from. Questions can help round out the story. It was agreed that a formal question period for the Commission was fine, but they also wanted to be able to ask questions at any time during the process.

Liz asked about allowing applicants to speak again following public testimony. Blane said that it can create an opportunity for conflict between the applicant and the public. Tony said that if something comes up in the public testimony that is important, or someone says something that may not even be true, it doesn't seem right to not allow a response from the applicant. Liz said that it could be left off the set procedure, but allowed as needed.

Blane pointed out that if something comes up in public testimony, the Commission, since they can ask questions at any point, can ask questions related to the point, maybe preventing a back and forth interaction between the applicant and commentor.

Tim said that the chair could step in, saying that the comments are appreciated but that now the Commission will discuss the matter. The chair can also state that during the discussion, the Commission may ask further questions. The point being that it's the Commission's discussion now. The important thing is that people get a fair opportunity to speak and that facts are developed.

Sue said that it's important that people who come to a meeting feel that they were heard and understood.

The Commission agreed to leave the hearing procedure as Sue presented it. A copy of the procedure will be provided for each hearing. It is important to note that this is generally how things might proceed and that it may vary from time to time or meeting to meeting.

Sue said that for variances, the Commission should consider the intention of the dimensional requirements. When adding conditions to an approved variance or conditional use, the conditions need to be practical and relative to the scope of the request and in relationship to the magnitude of the requirement.

Blane asked if the public has the right to record our meetings. It was believed that they do.

Talking about Commission matters outside of meetings was discussed by the group. Less than a quorum can get together and it is not considered a meeting. But that shouldn't be used as an invitation to discuss Commission matters. There can be serial conversations that become very similar to a quorum. People are often suspicious of small-town Commissions and boards such as ours. They might feel like everyone knows each other and discussions have taken place that influence the outcome before the hearing. It is important to make every effort to avoid this or any appearance of it. Although it is legal for two Commission members to talk between themselves, it is not a good idea. If you have thoughts or questions you want to bounce off someone regarding something that is coming before the Commission, call someone who is a non-voting member such as the Planning Director, the Assistant, the Secretary, or the Board Liaison.

Sue said that when visiting a site prior to a hearing, the owners may want to discuss their application. It is okay to listen to them and, impartially as possible, gather information.

Director's Report

It was reported that the sign without a permit on Highway 61 is currently down.

Sue said that there was no appeal filed by the Sorenson's regarding their denied application for a high-frequency short-term rental. They have gotten a low-frequency STR permit.

Old Business

None.

Concerns from the Audience

None.

The meeting adjourned at 9:38.