

WINDEMERE TOWNSHIP, PINE COUNTY, MINNESOTA

60 Hartman Dr, Moose Lake, MN 55767

Planning Commission continued Public Hearing from February 23, 2026

Minutes for March 3, 2026

1. Call to Order at 9:01 am at Holy Angels Catholic Church, 60 Hartman Dr., Moose Lake, MN 55767 by Chair Vern Anderson II. Meeting opened with Pledge of Allegiance. Commission Members Present: Vern Anderson II, Amy Perrine, Corinne Youso, Dick Herzog, Phil White, Clerk/Treasurer Paul Horgen, WSB Zoning Administrator Kim Lindquist, WSB Grace Liljenquist, Town Law Center Attorney Jason Hill.
1. Chair Anderson II opened with a brief introduction; "Members of the planning commission, zoning administrators, legal counsel, the DNR, and members of the public. We are here today to conduct a properly noticed public hearing regarding the proposed Windemere Township Zoning Ordinance, Land Use and Zoning maps, and the Short-Term Rental ordinance amendments. As planning commission members, we understand that our open spaces, clean air, and natural resources are not merely amenities they are essential to the well-being of our Township, underpinning both our health and our local economy. We recognize the importance of implementing thoughtful zoning regulations to protect farmland, forests, and water quality, so that future generations will continue to benefit from vibrant landscapes and strong community bonds. Our goal is to carefully consider the long-term effects of development and to recommend policies that balance growth with environmental stewardship, while preserving the unique rural character that defines Windemere Township. This process allows the planning commission to make recommendations to the Town Board, which is the final arbiter and decisionmaker. Some aspects of this process have been inaccurately communicated, and we look forward to providing clarification. Thank you for your trust in this planning commission and for allowing us to serve the Township in this vital role.
2. Anderson II introduced WSB Planner Kim Lindquist. Planner Lindquist provided a brief review of the non-conforming land use, non-conforming lots, and non-conforming buildings. If a lot is a legal non-conforming lot and a property owner has an already built-on property they still have buildable rights if they meet the following criteria: 1) setbacks, 2) septic requirements, 3) hard surface requirements. This is required by the DNR, in the 2025 Shoreland Ordinance, in the 2015 Ordinance, and directed by the State. There is a misconception that everyone will have non-buildable lots which is not accurate. If a property is a lot of record and the lot meets those three standards in any shoreland district than a lot is still considered a buildable lot. Another misconception

about variances is they are discretionary, variances are not discretionary they are ruled by state statute, the town board, and the planning commission as well as any community in the state must make findings of fact based on state statute. This is not a discretionary action providing the property owner meets those findings. The 2025 Shoreland Ordinance has minor modifications and renumbered in the **memo dated February 19, 2026, to the DNR.**

- a. Water Accessory Structures are allowed between the principal dwelling, and the water is a 100 square foot in size. Decks and patios must be behind the building line of the principal dwelling.
  - b. Planning Commission Authority regarding conditional use permits and interim use permits. The planning commission has usurped the authority of the board and is the final authority for the board for conditional use permits or interim use permits already exists in the 2015 Ordinance and has not changed.
  - c. Concern about cost of applications fee and escrow fees. The town wants to acquire escrow fees so that they can pay for consultant review, mailing, publishing requirements from the escrow fee. Rather than the town pay from the general fund, the applicant pays their own way for these development expenses. This is common process in many municipalities.
3. Anderson requested Vice Chair Perrine read the Rules of Decorum.
  4. Public Comment
    - a. Ron Buetow
    - b. Jason Benzie
    - c. Lynn Folstad
    - d. Curtis Tiano
    - e. Chad Walsh
    - f. Jacob Stein
    - g. Jeff Gafkjen
    - h. Lorrie Branham
    - i. Noah Bly
    - j. Noah Cashman
    - k. Dave Ellens
    - l. Doug Craig
    - m. Chuck Young
    - n. Jason Triemert
    - o. Dan Benzie
    - p. Seth Nielson
  5. **Motion** by Anderson at 9:53 am to Close the Public Comment, seconded by White. Motion carried. Vote 5-0.
  6. Chair Anderson II requested Attorney Jason Hill comment on legal non-conforming lots. Hill discussed non-conforming lots, uses, and structures which comes from state statute,

variance procedures, and the Comp Plan Amendments. A non-conforming lot doesn't automatically make the structure non-conforming, nor does it automatically mean a property owner can't do anything. Variance language comes from state statute, and the burden is on the applicant to prove a practical difficulty. There are criteria that must be met and findings the board would prepare for a proposed deviation from the ordinance.

7. Additional questions were addressed to Planner Lindquist who reiterated the legal lot of record you have buildable status if you meet the criteria with setback, septic, and hard surface coverage. Setbacks on a Natural Environmental in both 2025 and 2015 ordinance was 150 feet, 25 feet side yard, 100 feet rear yard. The surface water use of Johnson Lake as written in the 2015 ordinance is not included in the 2026 ordinance. However, it will still be a stand-alone ordinance. Attorney Hill commented on the updating the Comprehensive Plan to match what is in the 2026 ordinance and what the Town is looking at for policy.
8. Discussion with commission members: Youso discussed non-conforming lots that don't meet the setbacks what is the process. Lindquist responded that the property owner would need to apply for a variance if they can't meet the setbacks.
9. **Motion** by Anderson II at 10:13 am to recess the meeting for 15 minutes due to a disruption from a citizen, seconded by White. Motion carried. Vote 5-0. Meeting resumed at 10:31 am.


Chair Anderson II read a letter from Pine County dated 11/6/1973 regarding gross mismanagement of the watershed both legal and non-legal has occurred over many years and much unwise development has compounded the problem. DNR Shoreland Management was adopted in 1989 and has not been updated in 37 years. The DNR allows municipalities to have stronger regulations to protect the resource. Windemere is one of the most unique townships in Pine County with 21 named lakes. One study from the MPCA shows that 25% of private septic systems in the shoreland area are failing and of that number 39% have eminent health threats that contaminate ground water.

- a. Youso discussed setbacks (page 63) on natural environmental lakes and recreational lots.
- b. **Motion** by Anderson II change the Recreational Development Shoreland setback back to the 2015 Ordinance with unsewered Lots at 100 feet, sewerer lots to 75 feet, tributary streams at 150 feet unsewered, and 75 feet on sewerer lots, seconded by Perrine. Motion carried. Vote 5-0. Natural Environmental lakes will remain with the 150 feet setback.
- c. **Motion** by Anderson II to change the side-yard setback in Shoreland to 15 feet in unsewered and 10 feet in sewerer, seconded by White. Motion carried. Vote 5-0.
- d. **Motion** by Perrine to reduce the 5 acres in the 2025 Shoreland Ordinance for subdivision to 3 acres. Motion dies due to lack of second. **Motion** by Anderson II to reduce the rear-yard setback to 20 feet, seconded by Youso. Motion carried.

Vote 5-0.

- e. **Motion** by Anderson II to reduce the Shoreland rear yard for principal structure and accessory building setback to 20 feet from 100 feet, seconded by Youso. Motion carried. Vote 5-0.
  - f. Additional comment by Anderson II addressed public concern about property values with the valuation from Pine County was about \$200 million in 2020 and about \$600 million in 2026. Windemere is not losing value it is gaining value. Public discussion about campers and requirements, sewer inspections around the lake, levy, lot widths and natural environmental classification.
  - g. **Motion** by Perrine to decrease the lot width in the shoreland on new development from 300 feet to 150 feet, seconded by Youso. Vote Youso Aye, Perrine Aye, White No, Herzog No, Anderson II No. Motion fails. Vote 3-2.
  - h. **Motion** by Perrine to reduce the Agriculture District from 20 acres to 10 acres, seconded by Youso. Vote: Youso Aye, Perrine Aye, White No, Herzog No, Anderson II No. Motion fails. Vote 3-2.
  - i. **Motion** by Anderson II to table the recommendation to the board for the 2026 Draft zoning Ordinance to allow for WSB to create a memo with the amendments discussed today for the 2026 Draft Zoning Ordinance, Zoning Map Amendments, and the Shoreland Overlay Map and hold a special meeting on March 16, 2026, at 9:30 am at Holy Angels Catholic Church, 60 Hartman Drive., Moose Lake, seconded by White. Motion carried. Vote 5-0.
10. Planner Lindquist discussed the changes to Short Term Rental Ordinance with adding natural environmental water basin 50007200, definition of bedroom space, accessory structures cannot be considered a short-term rental, and clarifications with numbers of individual lakes and STR advertisement must be consistent with the permit. **Motion** by Anderson II to recommend the Short-Term Rental Ordinance 2025-ORD007 be forwarded to the Town Board at their next meeting, seconded by White. Motion carried. Vote 5-0.
11. **Motion** by White to adjourn the meeting at 12:14 pm, seconded by White. Motion carried. Vote 5-0.

Respectfully Submitted,



Amy Perrine, Recorder

Approved:



Vern Anderson II, Chairperson

Date: 3-16-2026