

Arna Township Planning Commission minutes Continuing on July 28, 2026

The Arna Township Planning Commission meeting was called to order by Zoning Administrator Bob Brewster at 1:00 PM as a continuation of the meeting on July 20, 2026. In addition to Bob, the members of the Board attending were Walt Hodgeman, Andy Allen, Bill Sieberlich and Secretary and Board member Cheryl Wickham. The time, date, and purpose of the meeting was posted 5 days ahead of the meeting.

The Pledge to the flag was recited. The minutes from the July 20, 2026 meeting were read by Cheryl. There was a correction saying the Board was in favor of approving the permit for Zaccardi at the July 20th meeting, although requisite details may need to be changed, based on the follow-up with MDH. A motion was made by Andy & a 2nd by Walt. All yay, motion carried.

Details of the Minnesota Department of Health statutes about Swaterhort Term Rentals was discussed by the Board. Bob reported that he had talked to Cliff at the Duluth MDH office, who said there is no statutory definition specifically describing Short Term Rentals. Although an STR is not literally either one, an STR is regulated as a Motel if rentals are on a daily basis, or as a Lodge if rentals are by the week. A Motel and Lodge are used because they are the closest match to each rental type. The incongruous part of MDH's interpretation of the statutes is that when the rental is by the week, if an STR has less than 5 beds, then they do not require any license at all, saying the STR is not a Lodge (even though they already knew that). Bob asked about the rules covering Lodges also requiring "a place where sleeping accommodations are furnished to the public as regular roomers" (which an STR would also never have, regardless of the number of beds), but that in Cliff's experience, he had never been asked that issue before, and would need an interpretation from his supervisor. The issue of a "hybrid STR" was discussed (one that offers BOTH daily and weekly rentals). In that situation, Cliff said that licensing is required.

When asked in the testimony phase of the public hearing about this on July 20th, Zaccardi declined to indicate his intention to offer rental periods one way or the other. An unsolicited email was received from him on July 21 after he called MDH about the township's conversation with them earlier that day, misquoting the conversation the township had with MDH. The township also received another email from the applicant on July 22, reiterating his desire for a permit that offered options, as well as asking when his permit would be finished, and available for signing.

After discussion with MDH, Bob consulted the township attorney about what the township options are. His advice was to change the format of the permit from the three documents the draft(s) proposed, and combine them all into one final document. Much discussion was also had concerning MDH licensing options, and his advice was that our permit cannot offer options regarding MDH licensing. Details concerning Section 3.4.6 of our ordinance about the

collection of extraordinary costs was reviewed, as was our recessing (not adjourning) the meeting on the evening of July 20.

Being filled in on these details by the zoning administrator, the Planning Commission then proceeded to make numerous major and minor edits to the July 20 draft Findings of Fact and Conditions of Operation, one major change concerning the MDH licensing issue, which is reflected in the wording of Finding #13 and Condition #7.

Another major change to the draft Findings was Finding #7 concerned the recovery of extraordinary costs under Section 3.4.6 and Section 8.2 a) of our ordinance. Issuing this permit has cost the Township more money than originally provided by the application fee, and the IUP application itself warned of the possibility of extra costs being assessed to the applicant, which was signed by the applicant. Much of the extra costs were incurred on or after the hearing date due to the necessary follow-up with MDH, more Planning Commission meeting time, and the need for extensive advice from the township attorney. A “trial balloon” of charging only half the extra attorney fees was offered, along with a suggestion that a letter be sent to the applicant explaining all the details of the extra charges. After a long discussion of this issue, a revised wording of Finding of Fact #7 was proposed as follows:

7. It was found that extraordinary expenses were incurred by the township in the processing of this application in the amount of \$738.75 in attorney fees. Other additional extraordinary expenses were also found. These fees are recoverable under Section 3.4.6 of Ordinance 2025-1. An accounting of the amount to be recovered shall be sent to the applicant along with supporting documentation thereof. The amount to be recovered is one-half (1/2) of the attorney fees, which is \$369.38.

A motion was made by Bob and a 2nd by Bill to approve, and the vote was 4 to 1, motion carried. Bob will send a letter to Zaccardi explaining the extra charges.

Bob continued reading the remaining IUP Findings and Conditions of Operations. Bob made a motion to accept all the changes and to approve the permit as edited. Walt 2nd the motion. The vote was 4 to 1 to approve, motion carried.

The meeting adjourned at 3:45 PM. The next regular Planning Commission meeting is scheduled for October 7, 2026.