

Becker County Planning Commission
October 21, 2003

Present: Members Jeff Moritz, John McGovern, Harry Johnston, Jim Bruflodt, Julia Miller, Ray Thorkildson, Ken Christianson, Waldo Johnson, Larry Knutson, Jim Kovala, and Commissioner Dave Seaberg.

Zoning Staff Patricia Johnson and Debi Moltzan.

Chairman Kovala called the meeting to order at 7:00 p.m. Debi Moltzan recorded minutes. Kovala stated that the recommendations of the Planning Commission are forwarded to the County Board of Commissioners for final decision. This meeting is held on Tuesday, October 28, 2003.

Bruflodt made a motion to approve the minutes from the September 16, 2003 meeting. Miller second. All in favor. Motion carried.

FIRST ORDER OF BUSINESS: Lester Lade. An application for a change of zone and approval of a certificate of survey for one parcel, 1.24 acres in size in the shoreland district has been filed for the property described as E ½ of SE ¼; & Pt Govt Lot 2 in SE ¼ of NE ¼ Less 3.58 Acres, Section 28, TWP 138, Range 42, Lake Eunice Township.

Wesley and Lester Lade explained the application to the Board. This is the last of the lakeshore property that they own on Maud Lake. This piece probably should have been split off from the rest of the farm when the last three lots were done. The lot meets the size requirements of the Ordinance.

Christianson questioned if the issue with Dickey has been resolved. Lade stated no, but they were working on it. Christianson questioned the status of the road. Lade stated that the road is being maintained by the Township.

No one spoke in favor of the application. No one spoke against the application. There was no written correspondence either for or against the application. At this time, testimony was closed.

Further discussion was held regarding the road, lot size and certificates of survey versus plats. Christianson stated that this is a good proposal, but three certificates of survey for the same tract of land over a five-year period was not good long range planning.

Motion: Christianson made a motion to approve the certificate of survey and the change of zone from agricultural to residential for a 1.24-acre tract of land based on the fact that the request is compatible with the area and meets the criteria of the Zoning Ordinance and Subdivision Ordinance. Moritz second. All in favor. Motion carried.

SECOND ORDER OF BUSINESS: Richard Walsh. An application for approval of a certificate of survey to allow two tracts of land, 2.5 acres in size in the shoreland district

has been filed for the property described as Part of Govt Lot 5, Section 22, TWP 139, Range 36, Green Valley Township.

Steve Walsh explained the application to the Board. These two lots would be at the end of Blueberry Estates on the South side of Blueberry Lake. The lots meet the size requirements of the Zoning Ordinance.

Christianson questioned Walsh's involvement. Walsh stated that he is part owner of the property. Christianson questioned the maintenance of the road. Walsh stated that the road is not maintained, but it should have been.

Christianson asked Lowell Skoog, Green Valley Township, about the TWP's status with the road. Skoog stated that the TWP has a binding road agreement and when the conditions have been met, the TWP will take over the road. Since the road has not been maintained, the road has lost gravel and needs more gravel before the road can be taken over. Kovala questioned the width of the road. Christianson stated that since the TWP does not have their own Ordinance, the TWP must follow the County Ordinance. Walsh stated that the North-South road has as much gravel as the East-West road and the TWP maintains the North-South road. W. Johnson stated that the road is wide enough, just lacks maintenance. Knudson stated that the lack of maintenance is what deteriorated the road. Kovala questioned why there was a stump in the middle of the cul-de-sac.

No one spoke in favor of the application. Speaking in opposition to the application was Lowell Skoog, Green Valley Township. If the road was graveled, shaped and the stump removed, the TWP would take over maintenance of the road. Written correspondences in opposition to the application were received from Doug & Karen Lien, Sue Anselment, Orvis & Bernice Lilleodden, Christine Thornbury, Lyle & Denise Schwartz, and Earl DeBates. At this time, testimony was closed.

Christianson stated that issues like this come up when the developer is responsible for road maintenance before a road authority takes over the road. Knudson questioned if the residents along the road have received a tax break. Skoog stated that they have not. Brufloft read the road agreement out loud. Brufloft questioned if the residents and developer have formally petitioned the TWP for maintenance. Skoog stated he did not know for sure. Christianson stated that with the amount of taxes taken in on these lots, the TWP could afford to gravel the road.

Further discussion was held regarding the road, 60 day rule, and if further lots should be allowed on this road.

Motion: At this time, Walsh asked for the application to be tabled until the road issue could be resolved.

THIRD ORDER OF BUSINESS: Charles Maves/ Merle Hough. An application for a conditional use permit to allow extractive use (gravel mining) in an agricultural district

has been filed for the property described as E ½ of SW ¼ Less 11.49 Ac & W ½ of SE ¼ Less 3.26 Ac, Section 10, TWP 138, Range 40, Burlington Township.

Merle Hough explained the application to the Board. He would like to excavate gravel from this location, keeping hauling distances to sites shorter. The gravel has been tested in this area and it was found to be good gravel. With the location, it would not affect any neighbors.

Brufloft questioned if they would enter the County Highway at the crest of the hill. Hough stated that they would, the driveway would be moved approximately 100 ft, making the entrance more visible from both ways.

No one spoke in favor of the application. Speaking in opposition was John Hodgson. Written correspondence was received from John Hodgson, in opposition; Brad Wentz, Becker County Highway Department stating an approach permit may be required; Denise Oakes, MPCA stating that a NPDES permit may be required. At this time testimony was closed.

Discussion was held regarding the mining, restoration, stipulations and time frames of the operation.

Motion: Seaberg made a motion to approve a conditional use permit to allow extractive use (gravel mining) in an agricultural zone according to the business plan submitted with the application. Knutson second.

Further discussion was held regarding time frames for restoration. Moritz stated that a stipulation should be placed on the permit stating that the previous phase should be restored within one year after completion. This would also make enforcement easier.

Seaberg withdrew his motion. Knutson withdrew his second.

Brufloft made a motion to approve a conditional use permit to allow extractive use (gravel mining) in an agricultural zone according to the business plan submitted with the application based on the fact that the application complies with the Zoning Ordinance and with the stipulation that the previous phase must be restored within one year after completion. Moritz second. All in favor. Motion carried

FOURTH ORDER OF BUSINESS: Lorraine Straswell. An application for a conditional use permit to allow a commercial activity consisting of a hair salon and parking in an agricultural zone has been filed for the property described as Pt SW ¼ SW ¼, Section 26, TWP 140, Range 41, Richwood Township.

Straswell explained the application to the Board. A small structure would be constructed in which she would work three days a week.

No one spoke in favor of the application. Trudy Kordosky spoke in opposition to the application. Written correspondence in opposition to the application was received from Jeff Leichter. At this time, testimony was closed.

Discussion was held regarding the driveway location, number of customers and signage. Straswell stated that in a good day, the maximum number of customers would be 15 and that she would be building her own approach and driveway into the property.

Motion: Seaberg made a motion to approve the conditional use permit to allow a commercial activity consisting of a hair salon and parking in an agricultural zone, according to the business plan submitted with the application, based on the fact that the use would not be detrimental to the surrounding area. W. Johnson second. All in favor. Motion carried.

FIFTH ORDER OF BUSINESS: Bernard Rick. An application for a conditional use permit to allow commercial storage in an agricultural zone has been filed for the property described as NW ¼ of SW ¼ Ex 3.96 Ac in NE Cor, Section 35, TWP 138, Range 43, Cormorant Township.

Steve Settambriano explained the application to the Board. An existing shed would be used for winter storage of boats, pontoons, etc.

Kovala questioned if there would be any outside storage. Settambriano stated that an occasional trailer might be parked outside. Miller questioned if the property would be gated. Settambriano stated that the driveway would be gated and the property fenced.

No one spoke in favor of the application. No one spoke against the application. There was no written correspondence either for or against the application. At this time, testimony was closed.

Further discussion was held regarding inside storage, outside storage, screening and other stipulations that could be imposed.

Motion: W. Johnson made a motion to approve a conditional use permit to allow commercial storage. Miller second.

Johnston questioned if a stipulation should be placed on the permit to allow inside storage only. Moritz stated that outdoor storage would require more stipulations and stipulations are needed for enforcement.

W. Johnson restated his motion to read commercial storage only with no boat repair. Miller withdrew her second. Thorkildson second the motion.

Further discussion was held.

W. Johnson withdrew the motion and made a new motion to allow commercial storage based on the fact that the use would not be detrimental to the area with the stipulation that all storage would be indoor storage and no repair work could be conducted on site. Thorkildson second. All in favor. Motion carried.

SIXTH ORDER OF BUSINESS: Final Plat of Common Community Interest of White Pine Resort.

P. Johnson stated that this CCI was for the conversion of a 10-unit resort, which was approved in April 2003.

Motion: Miller made a motion to approve the final plat of the common community interest of White Pine Resort based on the fact that it meets the criteria of the Ordinance. McGovern second. All in favor. Motion carried.

SEVENTH ORDER OF BUSINESS. Informational Meeting.

The tentative date for the next informational meeting has been scheduled for Thursday, November 13, 2003 at 8:30 a.m. at the Planning and Zoning Office.

Since there was no further business to come before the Board, Brufloft made a motion to adjourn the meeting. Seaberg second. All in favor. Motion carried. Meeting adjourned.

Jim Kovala, Chairman

ATTEST

Jeff Moritz, Secretary

Patricia Johnson, Administrator