

**Becker County Planning Commission**  
**August 17, 2004**

**Present: Members:** Waldo Johnson, Ray Thorkildson, Jeff Moritz, John McGovern, Julia Miller, Ken Christianson, Larry Knutson, James Kovala, Don Skarie and Commissioner Dave Seaberg.

**Zoning Staff:** Patricia Johnson, Administrator and Debi Moltzan.

Chairman Kovala called the meeting to order at 7:00 p.m. Minutes were recorded by Debi Moltzan.

Kovala explained that the Planning Commission is a recommending board and that the County Board of Commissioners would act the recommendations of the Planning Commission on Tuesday, August 24, 2004.

McGovern made a motion to approve the minutes from the July 20, 2004 meeting. W. Johnson second. All in favor. Motion carried. Minutes approved.

**FIRST ORDER OF BUSINESS: Seaberg/Seeley.**

P. Johnson explained that this was an application for a change of zone and preliminary plat consisting of 13 lots on Little Toad Lake. The Planning Commission denied this application in July. At the County Board meeting, the applicant requested that the application be tabled. The applicant has furnished more information, which included: conservation easement, defined parking area for the easement and contours.

Scott Seeley further explained that the Planning Commission denied it last month for the lack of the above information. Seeley stated that they have met with the Township and the Township has no objection to maintaining the new road once the conditions have been met.

Moritz questioned the size of the parking area. Seeley stated that the three stall parking area is 30 ft by 40 ft and the five stall parking area is 20 ft by 50 ft. McGovern questioned a turn around by the lakeshore. Seeley stated that this is not a launching area, just a docking area. All boats would have to be launched at the public access.

Christianson questioned why the easement is not larger, preferably an entire lot. Seeley explained that each lot owner owns lakeshore, but to protect the lakeshore, there will be two centralized docking areas. This is not a situation where no one owns lakeshore and the lot would be an access lot. Kovala questioned who would take care of the access easement. Seeley stated that the owner's with that easement would take care of that particular easement.

No one spoke in favor of the application. Speaking in opposition to the application were:

Bill Purdy – nothing has changed with this revision, too many watercraft on the lake now.  
Bruce Speer – concerned about the lake frontage, wants a moratorium.

Jeff Andvick – concerned about the easement serving the properties south of this development.

There was no written correspondence either for or against the application. At this time, testimony was closed.

Seaberg abstained from discussion due to a conflict. Discussion was held regarding the conservation easement. P. Johnson explained that the property owners retain ownership of the land but give up the right to use it. Discussion was held regarding the existing easement, road improvement.

Knutson felt that nothing had been changed from last month's presentation. Skarie felt the access should be larger. Miller felt the access should be larger. McGovern was concerned about the wetlands. Moritz felt that the road easement with the neighbors should be worked out. Christianson was concerned about the docking issue. Thorkildson was concerned about the road easement issue.

**Motion:** Thorkildson made a motion to deny the change of zone and preliminary plat based on the fact the land was not suitable for development. McGovern second. All in favor except Seaberg, who abstained from voting. Application denied.

## **SECOND ORDER OF BUSINESS: Kip Moore.**

P. Johnson explained that the Planning Commission denied this application last month and the applicant tabled it at the County Board meeting. The applicant has revised the certificate of survey.

Moore explained that to address the concerns of the Watershed and protect the pond, there would be two lots; Tract B and Tract C would be combined into one lot.

No one spoke in favor of the application. Paula Stromstad spoke against the application. Written correspondence was received in opposition from the Cormorant Lakes Watershed. At this time, testimony was closed.

Moritz stated that the Watershed wrote that letter under the assumption that there were still three lots. Since there are only two lots, the Watershed does not have any objection to the application.

Knutson questioned if a structure could be placed on the bay side of Tract B. P. Johnson stated that there could be unless specifically stated otherwise.

**Motion:** W. Johnson made a motion to approve the change of zone and certificate of survey to allow two tracts of land with the stipulation that the buildable area is on the North end of Tract B and no structures could be placed on the South end (between bay and road) of Tract B. Moritz second. All in favor. Motion carried.

**THIRD ORDER OF BUSINESS: Thomas Cummings.** Requests approval of a Change of Zone from Agricultural to Residential and approval of a preliminary plat consisting of 5 lots for the property described as: Pt of Govt Lots 3 & 5; Section 1, TWP 140, Range 41; Richwood Township. PID Number 24.0002.002.

Cummings explained the application to the Board. There would be five residential lots with no lake access. Each lot meets the criteria of the Ordinance.

Knutson questioned if the other subdivision next to this is already residential. Cummings stated it was.

No one spoke in favor of the application. Robin Turnwall questioned if this would be multiple family residences. Cummings stated no, single family. Sandy Nelson questioned the location of the development. There was no written correspondence either for or against the application. At this time testimony was closed.

Discussion was held regarding the topography and adjacent development.

**Motion:** Moritz made a motion to approve the change of zone from agricultural to residential and approve the preliminary plat consisting of five lots based on the fact that the land is suitable for development and it does meet the criteria of the Zoning Ordinance and Subdivision Ordinance. Christianson second. All in favor. Motion carried.

**FOURTH ORDER OF BUSINESS: Charles Jenson.** Requests approval of a Certificate of Survey consisting of two parcels for the property described as Lot 5, Mantrap Estates, Section 13, TWP 142, Range 36, Savannah Township. PID No. 27.0203.000.

Jenson explained the application to the Board. This lot was subdivided some time ago and left this large so it could be subdivided in the future. The future time is now. Each lot meets the criteria of the Ordinance.

No one spoke in favor of the application. No one spoke against the application. Written correspondence was received from Brad Grant, Soil & Water Conservation, concerning the wetlands. At this time, testimony was closed.

Discussion was held regarding the lot size and wetlands.

**Motion:** Christianson made a motion to approve the certificate of survey to allow Lot 5 to be subdivided into two lots based on the fact that the lots meet the criteria of the Zoning Ordinance and Subdivision Ordinance. Seaberg second. All in favor. Motion carried.

**FIFTH ORDER OF BUSINESS: Ben Anderson.** Requests a change of zone from agricultural to residential for Tract A and approval of a certificate of survey for the

property described as: Pt SW ¼ SE ¼; Section 34, TWP 138, Range 40; Burlington Township. PID No. 03.0371.000, 03.0371.001, 03.0371.002.

Lynn Hummel, Attorney for the Anderson's, explained the application to the Board. This would be a rearrangement and re-subdivision of the property between two brothers. Tract B would be attached to the agricultural to the south, which is in Otter Tail County.

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.

Discussion was held regarding the surrounding area and lot size.

**Motion:** Skarie made a motion to approve the change of zone for Tract A from agricultural to residential and approve the certificate of survey for two tracts of land based on the fact that it does meet the criteria of the Zoning Ordinance and Subdivision Ordinance. W. Johnson second. All in favor.

**SIXTH ORDER OF BUSINESS: Final Plat of Wabaunaquat, Haastad developer.**

P. Johnson explained that a change of zone from agricultural to residential and the preliminary plat consisting of 5 lots with Lot 3 being a common access lot for the development was approved in August 2003. The property is located on White Earth Lake, Maple Grove Township. Everything is in order for the final approval.

**Motion:** Thorkildson made a motion to approve the final plat of Wabaunaquat based on the fact that the final plat does meet the criteria of the Zoning Ordinance and Subdivision Ordinance. Seaberg second. All in favor except Miller, who abstained from voting.

**SEVENTH ORDER OF BUSINESS: Zoning & Subdivision Advisory Committee Moratorium.**

P. Johnson explained that a committee has been formed to amend the Zoning Ordinance and Subdivision Ordinance. The past six months, the committee has been working on technical changes and the first draft will soon be ready to go to the Planning Commission. The next phase will be addressing PUD's and lakeshore development. The advisory committee would like a moratorium on PUD type development until the County has time to review and change regulations to allow good development on what lakeshore is left. This would not affect the traditional lot/block development or anyone that is already in process with an application.

Planning Commission Member Harry Johnston, in his absence from the meeting, wrote a letter in support of the moratorium.

Moritz stated that the revisions would address the issued that the Board is struggling with and the moratorium would give everyone time to look at things. Thorkildson questioned

what happened if the revisions could not be done in one year. P. Johnson stated that if the revisions could not be accomplished in one year, the moratorium could be extended and if the revisions are done earlier, the moratorium could be lifted earlier.

Christianson asked Seaberg what he thought of the idea. Seaberg felt that it would be better if all the surrounding counties could work together toward a solution and not have individual battles.

Ray Stordahl, Advisory Committee Member, stated that the group is not against development, but wants good orderly development.

Further discussion was held.

**Motion:** Thorkildson made a motion to recommend to the County Board that a one-year moratorium be placed on Planned Unit Developments, Plats involving the use of out-lots for access to lakeshore, Common Interest Communities, and Resort Conversions within the shoreland district for a period of one year; the moratorium would not apply to existing developments or those which have been submitted for review and approval or the development of traditional lot/block lakeshore lot subdivisions. Miller second. All in favor. Motion carried.

**EIGHTH ORDER OF BUSINESS: Informational Meeting.**

The next informational meeting is tentatively scheduled for Thursday, September 16, 2004 at 8:30 a.m. at the Planning & Zoning Office.

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

\_\_\_\_\_  
James Kovala, Chairman

ATTEST

\_\_\_\_\_  
Jeff Moritz, Secretary

\_\_\_\_\_  
Patricia Johnson, Administrator