

Becker County Planning Commission  
August 21, 2007

Present: Members Jim Brufloft, Ray Thorkildson, Don Skarie, Jeff Moritz, Mary Seaberg, John McGovern, Harry Johnston, Jim Kovala, John Lien, Zoning Administrator Patty Swenson and Zoning Staff Debi Moltzan.

Chairman Brufloft called the meeting to order at 8:00 p.m. Debi Moltzan took the minutes.

Seaberg made a motion to approve the minutes from the July 17, 2007 meeting. Moritz second. All in favor. Motion carried.

Brufloft explained the protocol for the meeting. Brufloft explained that the recommendations of the Planning Commission would be forwarded to the County Board of Commissioners for final action on Tuesday, August 28, 2007.

**FIRST ORDER OF BUSINESS: Alan and Michelle Copa.** Request a Conditional Use Permit to establish access to the lake by installing four sections of natural stone steps, three paver landing areas and boulder retaining walls for the property described as: Lot 10 Sugar Island and Lot 11 Except the Northerly 5 feet Sugar Island, Section 32, TWP 139, Range 42; Audubon Township. PID Numbers 02.0330.000 & 02.0331.000.

Jason Helm, Blockheads Inc, explained the application to the Board. An access would be made to the lake by installing four sections of natural stone steps, three paver landing areas and boulder walls. They do not want to take away from the natural beauty of the lot. Brufloft stated the natural vegetation on the slope has disappeared, not as a result of natural erosion, but by the hands of people. Alan Copa stated that they bought the property last fall. Thorkildson questioned if the shoreline was in the present condition when it was bought. Copa stated that they sprayed the poison ivy. Thorkildson stated that all the vegetation has been removed.

No one spoke in favor of the application. No one spoke against the application. Written correspondence was received from Sandra Fiebiger, in favor of the application; Jerry Lunde, Audubon Township, in favor of the application; and Don Gates, in favor of the application. At this time, testimony was closed and further discussion was held.

Brufloft felt that the vegetation should be re-established prior to any further work being done on the slope. Brufloft stated that a wooden stairway could be constructed and allowed by Ordinance. Copa stated that multiple landings would make access to the lake easier for his wife due to her disease. Moritz questioned how much sand would be brought in and the location of the sand, along with the size of the swales behind each wall. Helm stated that there would be a sand area on each side of the dock and the swale would be five to six inches in height.

Lien felt that this was an elaborate plan, but the Ordinance is very clear as to where and when retaining walls can be constructed. Lien stated that stairways with landings are allowed by Ordinance. Thorkildson stated that this type of work goes against the Ordinance and the DNR recommendations. Swenson stated that the Ordinance does allow the stairways and landings, but a conditional use permit is required for the retaining walls. Brufloft felt that there were alternatives that would do less damage to the slope. Lien stated that the Ordinance is also very clear about what type of vegetation can be removed and that the removal on this lot has exceeded the regulations and is a violation. Further discussion was held regarding the vegetation removal, erosion and restoring the slope.

Brufloft explained the 60-day rule in which the Board must act. With this rule, the Board would have to act on the application or the applicant would have to table it and come back with a different plan. Lien stated that other retaining walls have been denied and it appears that there is no need for a retaining wall on this project.

At this time, Copa asked to table the application.

**SECOND ORDER OF BUSINESS: Kathy & Troy Ferguson.** Request a change of zone from agricultural to residential and request approval of a Certificate of Survey for two tracts of land (approximately 2.3 acres each) for the property described as: Pt S ½ SE ¼ SE ¼; Section 17, TWP 140, Range 36; Osage Township. PID Number 21.0106.000.

Ferguson explained the application to the Board. Ferguson wants to purchase this property and subdivide it into two tracts for her two grown children. Ferguson stated that she is not a real estate agent or a developer. The lots created would meet the requirements of the Ordinance.

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. Lien stated that the lots are nice lots. Seaberg stated that there is very little aquatic vegetation in front of lots.

**Motion:** Lien made a motion to approve the change of zone from agricultural to residential and approve the certificate of survey for two tracts of land based on the fact that the request is compatible with the surrounding area. Johnston second. All in favor. Motion carried.

**THIRD ORDER OF BUSINESS:** Final plat Top Brass Estates.

Swenson explained that this was a conditional use permit for a multi unit residential development for 12 units on Little Toad Lake. The conditions placed on the conditional

use permit have been met with the exception of the dock, which has not been installed and will be addressed when it is installed. Everything is in order for final approval.

**Motion:** Johnston made a motion to approve the final plat of Top Brass Estates based on the fact that all the stipulations of the conditional use permit have been met. McGovern second. All in favor. Motion carried.

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

The next informational meeting is scheduled for Thursday, September 13, 2007 at 8:00 am at the Planning & Zoning Office.

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

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Jim Brufloft, Chairman

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Jeff Moritz, Secretary

ATTEST

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Patricia Swenson, Administrator