

**Becker County Planning Commission**  
**April 15, 2008**

Present: Members Ray Thorkildson, John McGovern, John Lien, Harry Johnston, Jim Bruflodt, Mary Seaberg, Phil Majerus, Commissioner Larry Knutson, Zoning Administrator Patricia Swenson, and Zoning Staff Debi Moltzan.

Chairman Bruflodt called the meeting to order at 7:00 p.m. Debi Moltzan took minutes.

McGovern made a motion to approve the minutes from the March 18, 2008 meeting. Lien second. All in favor. Motion carried.

Bruflodt explained the protocol for the meeting and explained that the Planning Commission's recommendation would be forwarded to the County Board on April 22, 2008 for final action.

**FIRST ORDER OF BUSINESS: Ronald Lass.** Request a conditional use permit to replace an existing retaining wall with a new timber retaining wall and native plantings and to construct a safe walkway using existing cuts to the hillside to provide access to the lake on the property described as: Lots 11 and 12 North Beach Annex, Section 9, Township 138, range 43, Cormorant Township. The property is located on Upper Cormorant Lake at 13100 Bishop Road. PID Number 06.0962.000

Ron Lass and Rich Lahren, Hebron Brick, explained the application to the Board. The existing wall structure is deteriorating and needs to be replaced. Due to the steepness of the slope, this proposal would be the best solution to the problem.

Bruflodt questioned what would be done for water retention. Lahren stated that the landings would be made of a pervious material and a berm or other type of water diversion would be done near the top of the retaining wall, to direct the water away from the wall. Bruflodt questioned what would happen to the mature trees. Lahren stated that the trees are needed to help hold and stabilize the soil. There would be minimal cutting near the roots to prevent damage to the trees. Native plants would be planted between the tiers.

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 and further discussion was held.

Johnston stated that his concerns included saving the trees, installing a berm, keeping the riprap, installing pervious landings and restoring vegetation between the tiers, all of which have been addressed. Lien stated that retaining walls are only allowed in extreme cases, of which this one does qualify. Knutson questioned what type of soil was in this area. Lahren stated that the soil consists of gravel and rock, which drains well.

**Motion:** Johnston made a motion to approve the replacement of the existing deteriorating retaining wall with a tiered system based on the fact that the wall is necessary to correct an erosion problem with the stipulations that the large trees are not disturbed; vegetation is restored between the tiers with the native plantings; pervious material is used for the stairway landings; the present rip rap not be disturbed unless it is to add additional rip rap; and a berm be installed near the top of the wall to divert water away from the wall and lake. McGovern second. All in favor. Motion carried.

**SECOND ORDER OF BUSINESS: Daniel and David Thompson.** Request approval of a certificate of survey for two tracts of land for the property described as: Lots 2, 3 and SW ¼ of that Qtr Sec 29, TWP 140, R 40 W less the west 21 feet of Qtr of the NW ¼; Section 29, TWP 140, Range 40; Holmesville Township. The property is located at 23505 Broadway Avenue and is on Rock Lake. PID Number 16.0192.000.

Swenson explained that this is an application change. The original application was to allow a second dwelling on the property. After discussion with the Planning Commission, the Thompson's amended their application to subdivide the property. Swenson further explained that MN Statute 117.184 stated that the Planning Commission cannot stipulate that the existing structure be removed as a condition of approval without compensation.

The new application was explained by Scott Walz, surveyor. The survey presented is not a complete survey, it is a preliminary proposal done from aerial photos. When the application has been approved, a complete survey will be done meeting the specifications of the Zoning Ordinance and Subdivision Ordinance. The proposed lot will be 13 acres.

McGovern questioned if there was any correspondence from the Township. Swenson stated that there was no correspondence from 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 and further discussion was held.

**Motion:** Lien made a motion to approve a certificate of survey for two tracts of land, with each tract meeting the requirements of the Zoning Ordinance and Subdivision based on the fact that the proposal is compatible with the surrounding area. Seaberg second. All in favor. Motion carried.

**THIRD ORDER OF BUSINESS: Lynn and Susan Huso.** Request a conditional use permit for a 39 acre gravel pit for the property described as: S ½ of SW ¼, 80 acres; N ½ of NW ¼, 80 acres; Sections 25 and 36, TWP 139, Range 42; Audubon Township. PID Number 02.0176.000 & 02.0261.000. The property is located at 17052 – 220<sup>th</sup> Avenue.

Huso explained the application to the Board. They would like to open a gravel pit, 39 acres in size, in the southeast corner of the property. This area cannot be seen from the road. Huso stated that the only controversy that he can see would be some issues with the

road, which he is willing to work out with the Township. Huso suggested that a designated truck route be established to eliminate traffic concerns.

McGovern questioned if Huso would mine the gravel himself. Huso stated that they plan on mining the gravel themselves, unless they get a better offer. Brufloft stated that the business plan states that there would be screening and crushing. Huso stated that there would be little crushing because there is little clay in the soil. Brufloft questioned how many phases of operation there would be. Huso stated that he plans on opening five to six acres at a time. Once this area has been mined, it would be reclaimed when the next acreage is opened. McGovern questioned where the water table is located. Huso stated that the boring sites showed gravel down to 35 feet and the water table at 50 feet. Seaberg questioned what route the trucks would be taking. Huso stated that his suggestion was to take 220 Ave to 175 Street to County Road 15.

Speaking in opposition of the application was Doug Fagerlie, who was concerned about safety on the road, the condition of the road, noise, and property values.

Speaking in favor of the application was Audubon Township. Jerry Lunde represented the Town Board. The Township has no concern about the mining operation, but does have concerns with 220 Avenue. Work will have to be done to accommodate the trucks and traffic and will be working with Huso and the County Engineer to update the road.

A letter of opposition was received from Doug Fagerlie and Gloria Kiehl.

At this time, testimony was closed and further discussion was held. Lien stated that the plan is a good plan but there are issues and concerns with the road. Knutson stated that he agreed, but the road is public and concerns need to be resolved. Brufloft stated that it is not often that the Township gets involved to help resolve an issue like this. Rick Ellsworth, Audubon Township, stated that Brad Wentz has been contacted for ideas. Ellsworth stated that he asked Wentz to submit a letter for the hearing, but Wentz told him that he usually does not send letters for public hearings when the road in question is a township road. Brufloft asked Fagerlie if the Township's involvement would suffice his concerns. Fagerlie stated that it helps, but that depends on the number of trucks would be using the road. Swenson stated that it is not possible to police the number of trucks during the operation, but a route could be stipulated.

Liz Volker questioned if the operation would begin before the road was improved, or if the road would be improved first. Knutson stated that he has the same concern.

**Motion:** Lien made a motion to approve a conditional use permit to allow a 39 acre gravel pit based on the fact that the use would not be detrimental to the surrounding area with the stipulations that the business plan submitted with the application be followed; a designated truck route be established for the trucks hauling material, which the route be 220 Avenue to 175 Street to County Road 15; and the roads (220 Ave and 175 Street) be improved to specifications determined by Audubon Township and Becker County

Highway Engineer before any mining begins. Johnston second. All in favor. Motion carried.

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

Swenson stated that there are some upcoming training events to be considered, more information would be sent to each Board Member.

The next informational meeting is scheduled for Thursday, May 15, 2008 at 8:00 am at the Planning and Zoning Office.

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

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Jim Bruflo, Chairman

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Jeff Moritz, Secretary

ATTEST

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Patricia Swenson, Administrator