

**Becker County Planning Commission  
October 19, 2010**

**Present:** Dan Schlauderaff, John Lien, Jeff Moritz, John McGovern, Jim Bruflo dt, Jim Kovala, Harry Johnston, Don Skarie, Mary Seaberg, Commissioner Larry Knutson, Zoning Administrator Patricia Swenson, and Zoning Staff Debi Moltzan.

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

**Minute approval:** Kovala made a motion to approve the minutes from the September 2010 meeting with one correction in the 6<sup>th</sup> paragraph of the 6<sup>th</sup> order of business. Seaberg second. All in favor. Motion carried.

Bruflo dt explained the protocol for the meeting and stated that the Planning Commission is a recommending board, which would forward their recommendation to the County Board of Commissioners, which would make a final decision on the application on Tuesday, October 26, 2010.

**FIRST ORDER OF BUSINESS: Stoeffel and Sandra Reitsma.** Request a conditional use permit to construct a 182 ft wind turbine with a 15 ft by 15 ft by 15 ft triangular base for the property described as: Govt Lot 3; PT S1/2 NW1/4 & PT N1/2 SW1/4: Comm NW COR S1/2 NW1/4 TH S 858', TH E Parallel TO N LN 759' TO POB; TH N 858' TO N LN S1/2, TH E 1890.04' TO NE Cor S1/2 NW1/4, S 1312.22' TO SE Cor S1/2, Cont S 1317.43 TO SE Cor N1/2...190<sup>th</sup> Ave, Section 16, TWP 139, Range 42, Audubon Township. PID Number 02.0111.003. The property is located on 190<sup>th</sup> Ave.

This application was table d by the applicant at the the September 2010 meeting. Evan Downey, RENEWABLE ENERGY SD, explained the application to the Board. Downey stated that FAA approval was not needed due to the height of the turbine and the distance from an airport. The project meets the requirements of the ordinance and would be about 1300 ft from the nearest residence.

Kovala stated that he asked the Zoning Office to contact RENEWABLE ENERGY SD to find a location that the Board could visit and received no response. Downey stated that the nearest turbine of that size would be in Hutchinson. The turbines that are located in Hutchinson cannot be heard when 250 ft to 300 ft from the turbine. The smaller turbines do not cause flickers. As far as size comparison, the large turbines have blade lengths of 120 ft and the one proposed has a blade length of 20 ft.

Bruflo dt referred to the pictures submitted by RENEWABLE ENERGY SD and questioned how tall the turbine in the picture was. Downey stated that the turbine in the pictures was 182 ft tall and the number on the picture indicated the distance the picture was taken from the turbine. Seaberg questioned if the turbine would interfere with a crop sprayer plane. Downey stated that the turbine is very visible and it would depend on the path the pilot was trying to take.

Speaking in opposition to the application was Cindy and Shawn Gray, who were concerned about the noise, appearance, interference with wildlife and wanted an expert to testify and explain the turbines. The Gray's have done extensive research on the internet and have found several articles regarding lawsuits in other states due to the noise. The Gray's further stated that RENEWABLE ENERGY SD did not contact them to explain anything to them or show them where the proposed location of the turbine would be.

The Board, the Gray's and Downey reviewed an aerial map and determined that the Gray's would be about a mile from the proposed location of the turbine. Lien questioned if the studies were of 1 turbine, a turbine farm and what size of turbine. The Gray's stated that they did not know. The Gray's further stated that they did not know what the impact would be on the surrounding area.

Jerry Lunde, as an Audubon Township Official, stated that as long as the turbine met Federal, State and County regulations, the township had no problem with the turbine request. Jerry Lunde, as a personal citizen, stated that he had no problem with the turbine proposal. Lunde stated that he is probably the closest neighbor to the project.

Knutson asked Lunde if he was concerned about the noise. Lunde stated that he has stopped at some of the wind farms in North Dakota and could not hear the turbines. Lunde stated that he has more trouble with the train noise, the turbine noise did not concern him.

Downey stated that the internet has many bad articles on turbines, but most of them are directed to the large industrial wind farms.

Written correspondence was received from Jerry Lunde, Audubon TWP and personal citizen. At this time, testimony was closed and further discussion was held.

Knutson and Moritz stated that they both had visited the turbines in Moohead and could not hear the turbines. They had also talked to three people who lived close to the turbines, which did not have problems with the noise. These turbines are larger than the one proposed.

Lien stated that this would be a conditional use permit and if there is a noise problem, the issue could be revisited. McGovern stated that, when cell towers were being introduced to the area, people felt that the towers would interfere with the birds and wildlife. This problem never developed and more and more towers have been requested. Johnston stated that he was trying to find a reason to vote against the turbine, but it meets the criteria of the ordinance and he can not find a reason to deny the request.

**Motion:** Lien made a motion to approve a conditional use permit to construct a 182 ft wind turbine with a 15 ft by 15 ft by 15 ft triangular base based on the fact that it meets the criteria of the Ordinance. McGovern second. All in favor. Motion carried.

**SECOND ORDER OF BUSINESS: Chris Pederson.** Request approval of a certificate of survey to subdivide 22.5 acres into 3 tracts (74200 sq ft, 43600 sq ft, 43900 sq ft) with a remainder tract of app. 18.8 acres. Also, request a change of zone from agricultural to residential for the three newly created tracts with the remainder tract to remain zoned as agricultural for the property described as: Govt Lots 8,9,10 & PT Govt Lot 7 E OF LN: Comm NW COR Lot 76 Trade Winds BCH, NE 2.63', W 370.06', SW 113.68' TO POB; NE 256.27' TO Leaf LK & Term. (Tracts A-1, A-2, A-3), Section 06, TWP 138, Range 42, Lake Eunice Township. PID Number 17.0070.000. The property is located on Leaf Lake at 17607 Co Hwy 6.

Pederson and Scott Walz, surveyor, explained the application to the Board. There are currently three parcels involved and they would like to subdivide them to make three single family lots and the remanent tract would remain with the two islands. There are four people involved with this project and each one would have their own lot. The lots meet the criteria of the Zoning Ordinance.

Jeff Stevenson stated that he was not sure where the land was located , but wanted to be notified if a bridge was going to be built.

Brufloft stated that a bridge would be a DNR issue and he could contact the DNR.

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

Seaberg and Lien agreed that the request meets the criteria of the ordinance.

**Motion:** Kovala made a motion to approve a certificate of survey for three (3) tracts (74200 sq ft, 43600 sq ft, 43900 sq ft) with a remnant tract of app. 18.8 acres and approve a change of zone from agricultural to residential for the three (3) tracts of land with the remenant tract remaining agricultural based on the fact that the request meets the criteria of the Zoning Ordinance. Johnston second. All in favor. Motion carried.

**THIRD ORDER OF BUSINESS: James and Tammy Christensen.** Request a conditional use permit to operate a year round bed and breakfast out of an existing 5000 square foot home for the property described as: PT Lot 1 Blk1: Comm Sly COR Lot 1, NE 200' To POB; Nely AL RD 476.44', N 6.55', W 577.41' To Pickerel LK, Swly AL LK 162.54', SE 363.68' TO POB. Tract B., Section 15, TWP 139, Range 40, Erie Township. :PID Number 10.0693.100. The property is located on Pickeral Lake at 32900 Carlson Drive.

The Christensen's explained the application to the Board. They would like to open their house to guests 4 to 5 nights a month. They realize their property is in a special quiet area of the lake and want to keep that setting.

Skarie asked if they plan to dock boats. Christensen's stated that they do not want a resort and they do not want guests all the time.

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.

Kovala stated that no one would be able to see the traffic going in or out of this property. Christensen stated that they had three neighbors stop in to see what they were doing and were in favor of their request.

Lien felt that this was an excellent location for this type of operation and that the Christensen's were conscientious of the slope by building a stairway.

**Motion:** Lien made a motion to approve a conditional use permit for a year round bed and breakfast based on the fact that the use would not be detrimental to the surrounding area. Mortiz second. All in favor. Motion carried.

**FOURTH ORDER OF BUSINESS: Mark Bryan.** Request a conditional use permit to replace a failing retaining wall located in the shore impact zone for the property described as: Lot 3 Haugen Beach, Section 30, TWP 138, Range 42, Lake Eunice Township. PID Number 17.0724.000. The property is located on Big Cormorant Lake at 16992 Haugen Beach Road.

Belinda Nickolason, Country Fields Landscaping, explained the application to the Board. There is an existing railroad tie wall that is failing and needs to be replaced.

Brufloft told Nickolason that the Board does not like to see retaining walls within the shore impact zone, especially when the neighboring properties are natural and if this wall was allowed, the neighbors are going to want retaining walls. Nickolason stated that she did not see how the hill could be secured to prevent erosion without some type of product to hold the hill and wants to make it look more natural. Bryan bought the property this way and wants to fix the problem before it gets worse.

The Board further reviewed the plan with Nickolason. Discussion was held regarding the location and type of wall, water containment, water retention, a berm along the lake and relocation/removal of the storage shed.

Jeff Moritz stated that the Cormorant Lakes Watershed District met and had concerns with the project. CLWD would like to see the storage shed removed, run off from the house into French Drains and a berm along the shoreline. Moritz also stated that a permit would be required from CLWD. There was no written correspondence either for or against the application. At this time, testimony was closed and further discussion held.

Johnston stated that he would like to see something different than a retaining wall, but the hill needs to be protected and felt that the storage shed should be allowed to remain. Moritz felt that a berm should be installed to benefit the lake.

**Motion:** Johnston made a motion to approve a conditional use permit to allow a retaining wall in the shore impact zone based on the fact that the wall was existing and failing and it meets the criteria of the ordinance with the stipulation that French drains be installed to retain run off. Seaberg second.

Further discussion was held regarding the type of water retention that should be required.

Johnston amended his motion to state ‘approve a conditional use permit to allow a retaining wall in the shore impact zone based on the fact that the wall was existing and failing and it meets the criteria of the ordinance with the stipulation that French drains and a berm along the lake shore be installed to retain run off. Seaberg second. All in favor. Motion carried.

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

The next informational meeting is scheduled for Wednesday, November 10, 2010 at 8:00 am in the Third Floor Meeting Room of the Original Courthouse.

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

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Jim Bruflo, Chairman

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Jeff Moritz, Secretary

ATTEST

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Patricia L. Swenson,  
Zoning Administrator