

## **Becker County Planning Commission October 13<sup>th</sup>, 2020**

**Members Present:** Chairman Jim Brufoldt, County Commissioner Larry Knutson, Jeff Moritz, Mary Seaberg, Dave Blomseth, Harvey Aho, Ray Thorkildson, Chuck Collins, John Skarie, and Zoning Director Kyle Vareberg. **Members Absent:** Brian Bestge, Bob Merritt

Chairman Jim Brufoldt called the Planning Commission meeting to order at 6:00 pm. Introductions were given. Becker County Zoning Office Support Specialist Nicole Hultin recorded the minutes.

Mary Seaberg made a motion to approve the minutes from the September 8<sup>th</sup>, 2020 meeting. Jeff Moritz second. Roll call. All members in favor. Motion carried.

Chairman Jim Brufoldt explained the protocol for the meeting and stated that the recommendations of the Planning Commission would be forwarded to the County Board of Commissioners for final action.

## New Business:

- 1. APPLICANT:** Lance W Mohl & Lisa K Mohl 3301 Sedona CT SE  
Minot, ND 58701 **Project Location:** 10017 Ida Oaks Rd Pelican Rapids,  
MN 56572 **LEGAL LAND DESCRIPTION:** Tax ID number:  
06.0833.201 Section 34 Township 138 Range 043; Ida Oaks Block 001  
Lot 1. **APPLICATION AND DESCRIPTION OF PROJECT:** Request  
a Conditional Use Permit to build a retaining wall.

Lisa Mohl presented the application via virtual option with Teams Meeting.

Bruflodt asked why they need a retaining wall.

Mohl stated they wanted to develop the beach area. They want something to hold back the sand pile and utilize a beach area. She added that the plan is to add riprap to each side of the retaining wall.

Brufoldt asked if there would be anything wrong with ripraping approximately eight (8) to ten (10) feet depth along the center of the sand, take the crown off of the sand, make it a little bit more gradual, and put a berm across there. Brufoldt suggested that would help with erosion.

Mohl stated that they are open to suggestions.

46 Bruflodt stated that retaining walls are typically a last resort option and asked if she could  
47 reduce run off and protect the lake without doing a retaining wall.

48  
49 Moritz thinks its appropriate that she ripraps alongside her proposed area. He stated he  
50 does not think a retaining wall is appropriate in this location, but that he supports riprap.  
51

52 Collins is concerned with erosion above where the proposed retaining wall would go and  
53 questioned the possibility of a berm above that area.  
54

55 Skarie stated that he agrees with Collins and Moritz.  
56

57 Testimony Closed.  
58

59 Seaberg stated that it's always best to go the most natural way possible and feels that a  
60 50' retaining wall is excessive.  
61

62 Moritz commented that he observed they have water problems from the start of the drive  
63 all the way around the house. The water travels down the hill, and you can see the erosion  
64 on the shore. Moritz asked if she had consulted with anyone to control the runoff.  
65

66 Mohl stated that up by the road they have trench dug, and they are trying to determine the  
67 best options for that area as well.  
68

69 Thorkildson stated that he is not in favor of the application as presented. He said he feels  
70 they should consider riprap and vegetation.  
71

72 Moritz stated he is not in favor as presented but thinks they could come up with a better  
73 plan. Moritz asked if she would want to table and come up with a storm water  
74 management plan.  
75

76 Mohl agreed that she is in favor of tabling.  
77  
78  
79

80           **2. APPLICANT: Lars Odegaard & Sarah Odegaard** 13228 Ideal Beach  
81           Ln Lake Park, MN 56554 **Project Location:** 12800 Kohler Ln Audubon,  
82           MN 56511 **LEGAL LAND DESCRIPTION:** Tax ID number:  
83           17.0609.000 Section 19 Township 138 Range 042; Blue Water Bay Lot  
84           016 Block 002 **APPLICATION AND DESCRIPTION OF PROJECT:**  
85           Request a Conditional Use Permit to build a retaining wall.  
86  
87

88 Matt Hoen of 4mations Landscape and Design, Inc. presented the application on behalf of  
89 Lars & Sarah Odegaard.  
90

91 Hoen stated that he feels putting the wall at the forty (40) foot mark is at the natural  
92 separation between the grass and sand that is established there now.  
93

94 Moritz added details regarding the plan discussed with Cormorant Watershed. Moritz  
95 stated that the first plan was not favorable, but they met with an engineer and Hoen, and  
96 chose to make part of the project native plants. In place of large single stones, they will  
97 do a perforated drain tile and fill with pea rock. Instead of a retaining wall, they want to  
98 create a process to take runoff from the lawn into the ground and then into a retention  
99 area approximately four hundred (400) square feet.

100  
101 Moritz stated that the Cormorant Watershed has not had an opportunity to vote on this  
102 yet.  
103

104 Bruford asked what Moritz's feelings were regarding this revised plan.  
105

106 Moritz stated that he does not have a problem with this revised plan.  
107

108 Collins said he likes the retention pond and drain tile, and that he thinks the engineering  
109 plan is okay.  
110

111 Moritz asked Hoen if they had given any thought to vegetation on the sand side of the  
112 wall.  
113

114 Hoen said Odegaard would be open to options if it became necessary.  
115

116 Knutson asked Moritz if the pea rock is exposed all the time.  
117

118 Moritz said it will be encapsulated around the pipe with a permeable membrane and  
119 covered in grass and will act like a drain field.  
120  
121

122 **MOTION:** Collins motioned to accept application as submitted; Moritz  
123 second. Seaberg asked if accepting the application was based on the revisions  
124 made to the plan. Both Collins and Moritz said yes and maintained their  
125 motions based on revisions made. Roll Call. All in favor. Motion carried.  
126  
127  
128

129 **Old Business:**  
130

- 131     1. **APPLICANT:** Jimmy Kaiser 11737 Co Hwy 5 Lake Park, MN 56554  
132         **Project Location:** TBD Bullert Rd Ogema, MN 56569 **LEGAL LAND**  
133         **DESCRIPTION:** Tax ID number: **32.0077.000** Section 06 Township 141  
134         Range 040; Lots 3 & 4. Tax ID number: **04.0001.001** Section 01  
135         Township 141 Range 041; 01-141-041 GOVT LOT 2, PT GOVT LOTS 1  
136         & 3, PT SE1/4 NE1/4 & PT NW1/4 SE1/4: COMM S QTR COR SEC 1

137                   TH W 662.19', N 1299.33', E 660.33', N 943.74' TO RD & POB; ELY  
138                   667.44', NELY 671.24', NE 1754.10' AL RD, NELY 192.52', NE 481.04'  
139                   TO E LN SEC 1, N TO BIRCH LK, NWLY, SLY, ELY, NLY TO N SEC  
140                   LN, W 184.89', TH SLY, SWLY, WLY, NWLY TO W LN GOVT LOT  
141                   3, S 644.35' TO NW COR NW1/4 SE1/4, CONT S 366.75' TO POB.  
142                   **APPLICATION AND DESCRIPTION OF PROJECT:** Request a  
143                   Preliminary Plat for twenty-five (25) lots known as Birch Lake Heights.  
144  
145

146                   Vareberg stated that this application was first submitted March 20<sup>th</sup>, 2006, then May 1<sup>st</sup>,  
147                   2006. A letter was issued by the Becker County Planning and Zoning office from Patty  
148                   Swanson to Jimmy Kaiser that the subdivision ordinance as of March 20<sup>th</sup>, 2006 would be  
149                   applied to this application. Vareberg said that Mr. Kaiser's attorney contacted the Becker  
150                   County Planning and Zoning office last fall, and it was reiterated to the attorney in a  
151                   document that was reviewed by the County Attorney's office and deemed adequate. The  
152                   ordinance being applied is from April of 2005.

153  
154                   Josh Pepper from Meadowland Surveying presented the application.  
155

156                   Pepper stated that the regulations in 2006 were the minimum DNR regulations, and that  
157                   every lot exceeds those minimum requirements. Pepper noted that Kaiser was asked to do  
158                   and EAW in 2006 and was also required to do a wetland delineation; both of which were  
159                   completed.

160  
161                   Joe Kaiser, neighbor, spoke and asked about the road coming into the property and asked  
162                   when it will be open to the public.

163  
164                   Jimmy Kaiser stated that once they have the final plat and the County signs off on it, it  
165                   gets recorded and it becomes a public road.

166  
167                   Joe Kaiser asked how long.

168  
169                   Vareberg state that a plat approval is good for two (2) years.

170  
171                   Joe Kaiser asked how long until they become legal lake lots.

172  
173                   Pepper stated once the final plat is finished and the County Board signs it, it could be two  
174                   (2) to three (3) months, but noted that they have two (2) years to finish the final plat.

175  
176                   Seaberg asked Pepper if they submit it to the township after they receive the Final Plat.

177  
178                   Pepper stated that once they have the Final Plat it goes to the County, and once it gets  
179                   recorded then it becomes a public road. Pepper stated that it will be up to the township to  
180                   decide if it is a township road.

181

182 Vareberg read into record a letter received regarding this plan from Katherine Warren,  
183 White Earth Land Manager.

184

185 Bruflodt thinks that Kaiser had done a good job doing this the right way.

186

187 Vareberg stated the per the County findings that were adopted by the County  
188 Commissioners in September, they received comments on an archeological survey, and  
189 those findings need to be considered by this board. Vareberg stated there was  
190 documentation submitted to them from White Earth Tribal office; the documentation  
191 shows how many times it has been requested, and how many times the County has  
192 conducted it. It has been requested nine (9) times and completed four (4). By the County  
193 resolution those findings need to be considered at this hearing.

194

195 Vareberg went through the standards for plat requirements.

196

197 Vareberg mentioned that in 2006 Kaiser requested a change of zone. By today's  
198 standards when you submit a plat in shoreland, a zoning district is not relevant; lot size is  
199 based off the lake's classification. Since this needs to be considered based on the  
200 ordinance in place as of March 20<sup>th</sup>, 2006, if the preliminary plat is approved, Vareberg  
201 recommends that with the final plat approval there be a stipulation of a change of zone  
202 from agricultural to residential.

203

204 **MOTION: Thorkildson motioned to approve the preliminary plat as**  
205 **submitted based on the fact it meets subdivision requirements as of March**  
206 **20<sup>th</sup>, 2006 with the stipulation that a change of zone from agricultural to**  
207 **residential is required with the Final Plat approval. Roll Call. All in favor.**  
208 **Motion carried.**

209

210

## 211 Other Business:

212

### 213 I) Tentative Date for Next Informational Meeting:

214 **November 4<sup>th</sup>, 2020; 8:00 am; 1<sup>st</sup> Floor commissioner's Room in the Becker County**  
215 **Courthouse, Detroit Lakes, MN.**

216

217 **Since there was no further business to come before the Board, Thorkildson made a**  
218 **motion to adjourn. Collins second. All in favor. Motion carried. The meeting**  
219 **adjourned.**

220

221

---

222 **Jim Bruflodt, Chairman**

223

224 **ATTEST**

225

226

227

---

**Jeff Moritz, Secretary**

---

Kyle Vareberg, Zoning Administrator