

**Becker County Planning Commission
February 8th, 2022**

Members Present: Chairman Dave Blomseth County Commissioner Larry Knutson, Ray Thorkildson, Tommy Ailie, Kohl Skalin, Jeff Moritz, Craig Hall, Chuck Collins, Harvey Aho, Brian Bestge, and Zoning Director Kyle Vareberg. **Members Absent:** Mary Seaberg.

Chairman Dave Blomseth called the Planning Commission meeting to order at 6:00 pm. Introductions were given. Becker County Zoning Technician Jeff Rusness recorded the minutes.

Moritz made a motion to approve the minutes from the January 4th, 2022, meeting. Skalin second. All members in favor. Motion carried.

Chairman Dave Blomseth 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.

Old Business:

1. APPLICANT: Tobias J & Sarah C Miller 15961 Co Hwy 39 #2 Frazee, MN 56544 **Project Location:** 15961 Co Hwy 39 Frazee, MN 56544 **LEGAL LAND DESCRIPTION:** Tax ID number 33.0235.000 Section 29 Township 139 Range 038; 29-139-38 W 1/2 NE1/4 SW1/4 & W1/2 SW1/4 LESS N 615'; W 330' SE1/4 SW1/4. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Conditional Use Permit for mining operations.

2. APPLICANT: Jared & Jolene Aho 19534 Co Hwy 39 Frazee, MN 56544 **Project Location:** TBD 427th Ave Frazee, MN 56544 **LEGAL LAND DESCRIPTION:** Tax ID number 33.0235.004 Section 29 Township 139 Range 038; 29-139-38 N 615' W1/2 NE1/4 SW1/4; N 615' W1/2 SW1/4. Tax ID number 33.0235.003 Section 29 Township 139 Range 038; SW1/4 NE1/4, NW1/4 SE1/4, E1/2 NE1/4 SW1/4 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Conditional Use Permit for mining operations.

Kyle Vareberg introduced the applications, and they were considered concurrently by the Commission.

Jeremy Howard explained the application seeking a conditional use permit to mine gravel on Tobias and Sarah Millers property. Howard stated they would like to proceed as he has detailed on the plan. Howard spoke about constructing a road on the Miller's property and proceeding to the township road. Howard explained the difficulties of an easement to the back side of the Miller property. Howard stated that the road would be long and extensive to build and not a good access for trucks where it would connect to the Township Road.

48 Mary Kramvik spoke against the application:
49
50 Kramvik stated her concerns of the gravel pit and where the gravel pit is located.
51 Kramvik said they will be living in the middle of the gravel pit. Kramvik stated her
52 concerns of property value, dust, safety, and health of the people living in the area.
53 Kramvik said she wants the commission to know that the individuals benefiting from this
54 project will not be directly impacted in a negative way from this project, they are just
55 benefiting monetarily. Kramvik ask the commission to deny this permit due to the
56 misleading statements and the effect that it will have in the area. Kramvik said if the
57 permit is granted, they will be contacting and notifying proper authorities as issues arise.
58 She stated lawsuits are not out of the question if injuries or health issues arise with her
59 family. She said if the permit is granted there should be an alternate route through the
60 Aho property and business hours should be 8:00 A.M. to 4:30 P.M. Monday through
61 Friday and limited to two years.
62
63 Blomseth asked if Kramvik lives there all year.
64
65 Kramvik stated they do not but are planning to.
66
67 Kramvik letters, attachments and photographs are on record in the applicant's files in the
68 Planning and Zoning Office of Becker County.
69
70 Don Wurst from Toad Lake Township shared his concerns. His main concern was 170th
71 Street and how it will hold up to truck traffic. He stated Howard expressed concerns with
72 the shoulder giving away on 170th Street at the Township meeting. Wurst asked the board
73 how they would feel if someone moved a gravel pit in where they lived.
74
75 A letter of opposition from Toad Lake Township is on record in the applicant's files in
76 the Planning and Zoning Office of Becker County.
77
78
79 Knutson asked Wurst if that was his home place.
80
81 Wurst said yes, that is my original home place, and I am very familiar with it.
82
83 Knutson asked Wurst about the alternative route that they talked about at their Township
84 meeting other than the Aho route.
85
86 Wurst said they could have an alternate route across Aho property to make a straight shot
87 from Hwy 39 across a field and could buy an easement across another Amish property.
88
89 Hall asked Wurst if it would be going east.
90
91 Wurst said yes.
92
93 Knutson ask about the site line off 170th Street.

94
95 Wurst explained a scenario where he believes someone would have to back up if they met
96 a truck on the road.
97
98 Aho asked Wurst if he discussed the alternative route with Mr. Howard.
99
100 Wurst said yes, he believes they have because it was discussed at the Township meeting.
101
102 Vareberg asked, if the Aho property was not mined, how would Tobias Miller get the
103 gravel off his property.
104
105 Wurst replied, good question and said they would have to work that out on their part.
106 Wurst also stated if they use 170th street they will have to put some pretty strict
107 restrictions on it.
108
109 Anthony Trulen spoke against the application, He stated that he recently purchased a
110 property off County Hwy 39 and 170th Street. Trulen said he found out about the
111 application after he closed on his property. He believes the proposed mine should be in
112 industrial zoned areas, he stated his concerns about the noise, dust, respirable silica, truck
113 traffic, wildlife, and road deterioration. Trulen stated his concern about the business
114 hours stated on the permit. Trulen explained that he works in the aggregate business and
115 stated there was no storm water run-off plan and other details on the application.
116
117 Trulen's letter of opposition is on record in the applicant's files in the Planning and
118 Zoning Office of Becker County.
119
120
121 Skalin asked Trulen what parcel he bought so he could see it on the map.
122
123 Trulen stated it was Ron Lehman's property.
124
125 Marsha Watland commented on the application, Watland works for Becker County Soil
126 and Water. Watland stated she contacted Kyle Vareberg and Jeremy Howard to complete
127 the original application because it was incomplete. Watland stated she works with
128 seventy-five gravel pits in the County. Watland stated she does not see a problem with
129 this gravel pit. She did say traffic can be a concern around gravel pits but does not see it
130 on this one but if it does become a concern, they should call them on it.
131
132 Collins asked if the delineation line was for the wetland.
133
134 Watland explained the lines represented on the map were soil types.
135
136 Bestge asked Watland what her official position is on the project.
137
138 Watland said she would be comfortable with the gravel pit going forward with the
139 management plan that has been set.

140
141 Knutson commented that Watland got out of her zone, because she did not mention
142 anything about the residents, and she has nothing to do with township roads and the road
143 by the gravel pit on county road six is heavily built because of the traffic over there.
144
145 A letter received from the DNR employee Erik Thorson is on record in the applicant's
146 files in the Planning and Zoning Office of Becker County.
147
148 Closed Testimony.
149
150 Skalin asked about the drainage or creek between the two adjacent properties.
151
152 Wurst explained where they cross the creek.
153
154 Knutson asked Wurst if you go straight east across do you still have to cross the creek.
155
156 Wurst said yes you still must cross the creek but there is an existing road across the creek
157 that Aho uses with heavy combines.
158
159 Thorkildson stated that there is no way he could approve this application at this time.
160 Thorkildson stated he cannot consider approving it until he can get out there and see,
161 after the snow is gone. He said he has some real concerns on the application, so it is a no
162 for him.
163
164 Aho asked what things need to be discussed because that is why we are here.
165
166 Skalin agreed with Aho. Skalin also stated he has an issue with the time of business
167 hours, he feels 6:00 A.M. to 6:00 P.M. seems a little long.
168
169 Skalin asked Howard if it will take ten years to empty the pit.
170
171 Howard said he did not think so, but he would like access to piles if they were left there.
172
173 Knutson explained some of the details of the township meeting like the business hours,
174 time to start and end, and the season, gathering enough for the season. Knutson feels the
175 hall route is something that must be looked at and he knows the County Board will be
176 discussing it. He said it could be annual, renewed every year or every two years.
177
178 The board spoke amongst themselves about restrictions.
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180 Blomseth asked Howard if he had a crusher.
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182 Howard said he has a portable crusher.
183
184 Hall asked if they will be leaving equipment there all season and crushing all season.
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186 Howard explained they will crush in the spring, screen in the summer and haul when they
187 have jobs east of this site and trucks are coming back by it empty. He said they will also
188 haul on wet days and then hauling would pick up in the fall.

189
190 Wurst commented that the permit should not be granted until it is viewed by the board in
191 the spring.

192
193 Blomseth explained the protocol to Wurst for application timelines.

194
195 Vareberg gave dates and timelines if the applicant tabled the application.

196
197 Bestge questioned if the permit was complete and whether the Commission should hold
198 off on the application.

199
200 Vareberg stated that the permit is complete and with road projects in the area the
201 applicant could contract with the State or County and the gravel would be mined without
202 any stipulations.

203
204 Vareberg also commented about the accusations made against the Planning and Zoning
205 Department about holding hearings in the winter. He stated the last one approved in the
206 winter was for Howards Driveway Service and there was opposition. He said this is not
207 the first gravel pit to be approved that is close to homes and uses township roads.

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209
210 Knutson stated some gravel pits have been denied also.

211
212 Bestge asked Howard if he has looked for any other location.

213
214 Howard said that this one was found last fall and there is another location, but no testing
215 has been done.

216
217 The board spoke amongst themselves. Discussing possible restrictions.

218
219 **MOTION: Thorkildson motion to deny the application based on the fact**
220 **there is to much snow to tour the site. Collins second. Rollcall. In favor:**
221 **Thorkildson, Collins, and Bestge. Opposed: Aho, Ailie, Blomseth, Moritz,**
222 **Skalin and Hall. Motion failed, 3-6.**

223
224 **MOTION: Skalin motioned to approve the application with the following**
225 **stipulations: Crushing and screening hours with be 8:00 A.M. to 5:00 P.M**
226 **Monday through Friday. An agreement be in place prior to mining between**
227 **the applicant and Township for maintaining the road and repairing any**
228 **damage to the road. Dust control for the Township Road and the private**
229 **access road on the applicant's property and the total mine area be limited to**
230 **18.5 acres within the proposed boundaries. Also, to include the following**
231 **findings:**

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1. Effect on surrounding property. That the conditional use will not harm the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

The applicant has proposed measures to ensure the surrounding properties “use and enjoyment of property” is not encroached on. The measures used to mitigate any potential harm are to include but not limited to berms made of topsoil and piles of screenings are to be used to help lower noise from the pit, limited hours of crushing and stipulated hours of operation. No evidence has been provided to this Commission to prove any fact for the potential to impair property values in the immediate vicinity.

2. Effect on orderly, consistent development. That establishing the conditional use will not impede the normal, orderly development and improvement of surrounding vacant property for uses predominant in the area.

No evidence has been received to suggest gravel mining has affected the normal, orderly development or improvement of surrounding vacant properties. Statements found in the Becker County Comprehensive Plan state under Natural Resource Issue Area Policies, number four, letter G, “Maintain prime agricultural lands, targeted forest areas and aggregate resource areas by limiting residential or commercial development.” The Comprehensive Plan also states” Becker County is net exporter of aggregate, primarily to other nearby counties for road maintenance and construction projects. The aggregate resource is becoming more important, as aggregate reserves are depleted or covered in areas experiencing heavy development pressure. With fairly large aggregate reserves, Becker County can be reasonably protected from a shortage of aggregate for its own needs and can look to the aggregate as an economic resource with increasing value.” These statements indicate the Conditional Use Permit is consistent with the Becker County Comprehensive Plan.

3. Adequate facilities. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

The property will be accessed by an existing Township Road. From the existing driveway on the Miller property, a new access road will be created to the North to access the mine site. Drainage will be confined to the mining area and no other necessary facilities will be necessary.

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4. Adequate parking. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Parking is expected to be minimal, however this is more than adequate area for any necessary parking on-site.

5. Not a nuisance. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so none of these will constitute a nuisance, and to control lighted signs and other lights so that no disturbance to neighboring properties will result.

1. Offensive odor - No significant odors are expected to be generated outside of heavy equipment exhaust emissions, which are expected to be very minimal.
2. Fumes - The project is not expected to generate any significant fumes besides normal heavy equipment exhaust, which are expected to be very minimal.
3. Dust – Dust will be monitored, and water will be applied as needed on an ongoing basis.
4. Noise - The noise generated by the operation will be screened by keeping the equipment in the mining cut and utilizing berms and stockpile material, our crusher and screen plant are mobile units designed to operate in urban areas and produce relatively low noise.
5. Vibration – No vibration is expected to be generated from the request.
6. Control Lighted Signs and Other Lights- No artificial lighting will be used outside of lighting on equipment which will be minimal.

6. Additional criteria for shoreland areas. In Shoreland areas, it shall be found that adequate measures have been or will be taken to assure that:
 - a. Pollution. Soil erosion or other possible pollution of public waters will be prevented, both during and after construction

Erosion will be confined to the area of the proposed pit. Topsoil from the area will be used as a flat top berm along a section of the natural environment lake located on the property. There will be no storage of tanks or chemicals on the site. All equipment will be monitored frequently to ensure it is operating properly and all

318 processing equipment will be located over 150' from the ordinary high-water
319 mark of the adjacent Natural Environment Lake. Once mining ceases on the site,
320 topsoil will be placed back and re-seeded.

321
322 b. View from public waters. That the visibility of structures and other
323 facilities as viewed from public waters will be limited;

324
325 All processing equipment will be located within the mine cut to limit
326 the view from the adjacent public water. Berms and stockpiles will
327 also help screen the project.

328
329 c. Adequate utilities. That the site is adequate for water supply and on-
330 site sewage treatment; and

331
332 Sewer and water are not applicable for the project.

333
334 Watercraft. That the types, uses, and number of watercrafts that the project will
335 generate can be safely accommodated.

336
337 Watercrafts are not applicable to this proposed use.

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341 **Hall second. Rollcall. Those in favor: Aho, Ailie, Blomseth, Moritz, Skalin,**
342 **and Hall. Opposed: Bestge, Collins and Thorkildson. Motion Carried.**

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345 **New Business:**

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348 **1. APPLICANT: Josh & Kayla Swangler** 21246 Co Hwy 29 Rochert, MN
349 56578 **Project Location:** 18178 Co Hwy 29 Detroit Lakes, MN 56501
350 **LEGAL LAND DESCRIPTION:** Tax ID number: 10.0379.000 Section 23
351 Township 139 Range 040; 23-139-40 PT SE1/4 SE1/4: COMM SE COR SEC
352 23, N 1215.56', W 38.72' TO POB; W 225.28', S 91.24', E 18.27', S 39.18', E
353 60.25', SLY 169.06', ELY AL HWY 125.45', N AL HWY 269.30' TO POB.
354 **TRACT C. APPLICATION AND DESCRIPTION OF PROJECT:**
355 Request a Preliminary Plat for an eleven (11) unit Multi-Unit Storage
356 Structure Development to be known as PRIORITY STORAGE OF THE
357 LAKES.

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359
360 Kyle Vareberg introduced the application and explained this application falls
361 within Erie Township's subdivision control. He stated the Planning Commission's
362 recommendation will go to them for consideration and not the County Board.
363

364 Adam Geiger, from Meadowland Surveying, explained the Multi-Unit Storage
365 project will take place in two phases. The south five units will be completed
366 first and then the six unit will be completed to the north.

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368

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Closed testimony

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371

372 **MOTION: Collins motioned to approve the application; Bestge second. Roll**
373 **Call; All in favor. Motion carried.**

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2. **APPLICANT: Fred G S Lasonde III & Anna Lasonde** 28304 125th St
378 Detroit Lakes, MN 56501 **Project Location:** 28304 125th St Detroit Lakes,
379 MN 56501 **LEGAL LAND DESCRIPTION:** Tax ID number: 19.0482.000
380 Section 24 Township 138 Range 041; 24-138-41 PT W1/2 SE1/4 NW1/4:
381 COMM W QTR COR SEC 24, E 1324.14' TO POB; N 365.5', E 595.89', S
382 365.51', W 596.06' TO POB. **APPLICATION AND DESCRIPTION OF**
383 **PROJECT:** Request a Conditional Use Permit to operate an automotive shop
384 for repair and restoration.

385

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Kyle Vareberg introduced the application.

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388

Fred Lasonde explained the application requesting a conditional use permit to
389 operate an automotive repair shop. Fred explained the size of the shop and
390 how many cars that can be worked on and how much parking he will have on
391 the property.

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Aho asked if it would be kept clean and orderly and not have junk laying
394 around

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Fred explained there may be some but generally it will be clean and said he
397 will abide by any restrictions that are necessary.

398

399

Knutson asked if there have been any issues with complaints.

400

401

Lasonde said there was one two years ago in or around December.

402

403

Knutson stated that this is a conditional use permit and if the conditions are
404 not followed it can be removed.

405

406

Lasonde agreed.

407

408

Moritz asked how many vehicles will be on the property.

409

410 Lassonde said he is open to any restrictions but guessed about ten or fifteen
411 vehicles.
412
413 Bestge asked if that was in addition of his personal vehicles.
414
415 Lassonde said yes and that he has 3-4 parked by his house. He again stated he
416 is open to any restrictions that would need to be followed.
417
418 Moritz asked how the vehicles are scheduled to be repaired.
419
420 Lassonde said he usually has a few scheduled to be repaired and then one or
421 two major projects.
422
423 Bestge asked if he has a plan to remove salvage vehicles that are at a point
424 that they can serve no purpose.
425
426 Lassonde said he takes them to a scrap yard.
427
428 Skalin asked where all the cars are that are sitting around are going to be
429 stored.
430
431 Lassonde explained that he had a pad on the north side of his shop kind of out
432 sight or in his barn.
433
434 Ailie stated his concern for the vehicles in front of the shop closest to the road
435 and said that is probably why the complaint was received.
436
437 Lassonde stated that the shop was not there at the time of the complaint, and it
438 probably looked kind of bad.
439
440 Knutson asked Lassonde how many personal vehicles he has.
441
442 Lassonde said about ten and that some are in buildings.
443
444 Knutson explained that the ordinance only allows three unlicensed vehicles on
445 a property.
446
447 Lassonde replied that only one or two are not licensed.
448
449 Bestge asked Lassonde if he would consider a fenced in area.
450
451 Lassonde said he would be open to that, but the only tricky thing would be
452 coming from the west to the east with being on a hill, somethings would be
453 visible from that direction.
454
455

456 Dave Knopf spoke to the application:

457

458 Knopf stated that he is a neighbor to Lassonde and

459 also mentioned the business has been running for a couple years.

460 Knopf stated he was on the Lakeview Township Board, and they have been

461 trying to clean the Township up the last thirty-five years and keep it clean. He

462 recommends the board put stipulations on this type of business, he is not

463 against business but wants to keep the Township clean.

464

465 Kyle Vareberg read a letter from Lakeview Township for the record, the letter

466 is in the applicants file in the Planning and Zoning Office of Becker County.

467

468 Closed Testimony

469

470 Hall stated it is a reasonable request but should have stipulations

471

472 Skalin recommended a biannual cleanup.

473

474 Moritz recommended 10 vehicles or 15 vehicles with a fence.

475

476 Ailie recommended 10 vehicles being worked on with a fence.

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479 **MOTION: Skalin motioned to approve the request with the following**

480 **stipulations: 10 vehicles allowed, or 15 vehicles allowed if fencing is**

481 **constructed fully screening the vehicles from the road, these numbers do not**

482 **include the applicant's personal vehicles. The site must be cleaned up**

483 **biannually in the spring and fall to rid of junk parts. Aho second. Roll Call;**

484 **All in favor. Motion carried.**

485

486

487 **3. Zoning Ordinance Amendments:**

488

489 **1) Chapter 8, Section 4, Letter E, numbers 2 & 3; Section 5, Letter H,**

490 **number 2, Letter e, numbers 1 & 2; Easements: To Reduce the width**

491 **from sixty-six (66) feet to thirty-three (33) feet for all private**

492 **easements regardless of the number of tracts it serves.**

493

494 Kyle Vareberg explained the amendment to the board.

495

496 Hall asked if it was county wide.

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498 Vareberg stated that yes it would be county wide.

499

500 The board spoke amongst themselves

501

502 The board asked what effect it would have on future roads like Township

503 roads or is this private easement access.

499 Vareberg stated that it would be only private easement access. Kyle
500 explained that the county is struggling to subdivide larger properties
501 because of this restriction.

502 Skalin stated that utilities companies want to save money coming across
503 your property. He said they will ask the property owner for the easement.

504 Bob Hedlund spoke in favor of the amendment. Bob stated he feels that
505 the 66ft easement is limiting to his property.

506 Vareberg Read a letter of opposition from the City of Detroit lakes.

507 Knutson stated the last paragraph in the letter was incorrect.

508 Closed Testimony.

509

510 **MOTION: Aho motioned to approve the amendment. Collins second. Roll**
511 **Call; All in favor. Motion carried.**

512

513

514 2) Chapter 3, Section 7, number 7; Chapter 5, Table 5-4.5; Chapter 6,
515 Section 10, Letter D, numbers 1-3; Chapter 8, Section 3, Letters D &
516 E; Section 6, Letter H, Number 3, Letter d; Section 9, Letter H,
517 number 5; Section 11, Letter F, number 6; Impervious Surface
518 Coverage: To increase the allowed percentage outside of the
519 shoreland.

520 Vareberg explained the amendment to the board.

521 Closed Testimony.

522 **MOTION: Skalin motioned to approve the amendment. Bestge second. Roll**
523 **Call; All in favor. Motion carried.**

524

525 3) Chapter 2, Section 2, Letter C; Section 3, Letter G; Board Conduct:
526 To establish policy for attendance.

527 Vareberg explained the amendment to the board.

528 Closed Testimony

529 **MOTION: Moritz motioned to approve the amendment with removal of the**
530 **last sentence. Aho second. Roll Call; All in favor. Motion carried.**

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532

533 4) Chapter 5, Section 2, Table 5-2 & Letter E; Wetland Setbacks: To
534 eliminate the setback for all wetlands on riparian lots and to

