

Becker County Planning Commission
August 10th, 2022

Members Present: Chairman Dave Blomseth, Tom Disse, Craig Hall, Kohl Skalin, Mary Seaberg, Tommy Ailie, County Commissioner Larry Knutson, Harvey Aho and Zoning Director Kyle Vareberg. **Members Absent:** Jeff Moritz

Chairman Dave Blomseth 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.

Harvey Aho made a motion to approve the minutes from the July 12th, 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: Erica L & Eric Zurn** 18633 Co Hwy 14 Callaway, MN 56521 **Project Location:** TBD 350th St Ogema, MN 56569 **LEGAL LAND DESCRIPTION:** Tax ID number: **30.0142.000** Section 33 Township 142 Range 042; NW1/4 OF NW1/4 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Conditional Use Permit to operate a feedlot. Application was tabled from the July 12th, 2022, hearing.

Dr. Laura Bruner with the Swine Vet Center presented the application. She stated that the proposal is for a three (3) barn sites consisting of two thousand (2000) adult swine as well as another one thousand (1000) growing animals for the purpose of weening pigs.

Jacob Syverson with the White Earth Land and Zoning spoke. He shared his concerns about the location and risk of runoff into the river. He asked what the benefits are if this gets built, who will run it, and will it have an impact to property values.

Aho commented that manure storage is under the building until it is time to apply it to the fields.

Skalin said it would be no different than applying commercial fertilizer.

Testimony Closed.

Skalin asked if a representative could answer Syverson's questions.

47 Jim Blair with the Swine Vet Center spoke and stated that the facility will be completely
48 closed and will contain manure. He said that before manure would be applied, there
49 would be soil samples done first to determine the amount of manure needed for
50 application. He stated that initially they would employ eight (8) people directly as well as
51 a few indirect people such as for transporting. He noted that this operation will be run by
52 the Swine Vet Center, and they would like to hire local people. He also mentioned they
53 chose this area because there aren't a lot of pigs here.

54

55 Skalin asked what the daily traffic would be.

56

57 Blair said eight cars daily and every two weeks there would be two (2) trucks to transport
58 pigs and a couple of feed trucks each week. He stated that construction will create the
59 most traffic.

60

61 Dr. Bruner spoke on the property values and commented that the University of Minnesota
62 has done studies on housing values, and it showed that values went up in those areas or
63 remained unchanged; Whether that is regarding the barns is uncertain.

64

65 Craig asked about the letter from the township requesting Zurn's pay for any road repairs
66 outside of the normal wear.

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68 Dr. Bruner said they will be using those roads more than anybody else, so they want the
69 roads to be good, and if there was any damage caused by them, they want to fix it.

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71 Knutson commented that these permits for operation are issued by the Minnesota
72 Pollution Control Agency, and they are well regulated.

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74 Mitchell Ballard with Spring Creek Township spoke and read the following letter into
75 record:

FROM: SPRING CREEK TOWNBOARD-ZONING COMMITTEE
SENT: TUESDAY, AUG 9, 2022
TO: THE BECKER COUNTY ZONING COMMITTEE
SUBJECT: PROPOSED HOG FEEDLOT (SPRING CREEK TOWNSHIP)

TO THE BECKER COUNTY ZONING COMMITTEE:

THE BEST WAY TO HELP PROTECT OUR TOWNSHIP ROADS (TWO MILES) IS TO HAVE THE ZURN FAMILY, CALLAWAY MN AND THE SWINE VET CENTER, P.A. ST PETER MN. ENTER INTO A ROAD MAINTENANCE AGREEMENT WITH THE TOWNSHIP IN WHICH IT AGREES TO PAY THE ADDITIONAL MAINTENANCE AND ANY IMPROVEMENT COSTS THE TOWNSHIP INCURS TO MAINTAIN THE ROAD DURING CONSTRUCTION AND OPERATION OF THE FEEDLOT. THE TOWNSHIP WOULD CONTINUE TO BE RESPONSIBLE FOR THE COSTS OF ITS USUAL MAINTENANCE ACTIVITIES, BUT THE OWNERS WOULD BE RESPONSIBLE FOR THE ADDITIONAL COSTS INCURRED ON TOP OF THOSE NORMAL COSTS. WE WOULD WANT THE COUNTY ZONING TO INCLUDE A CONDITION ON THE CONDITIONAL USE PERMT REQUIRING THE OWNERS TO ENTER INTO A ROAD AGREEMENT WITH THE TOWNSHIP.

THE TOWNSHIP SHOULD ALSO EXPECT THE OWNERS TO REIMBURSE THE TOWNSHIP FOR ITS LEGAL FEES TO DRAFT THE AGREEMENT. WE SUGGEST THE OWNERS TO PROVIDE \$3000.00 COST WITH THE PROMISE THE TOWNSHIP WILL REIMBURSE ANY REMAINDER AFTER THE LEGAL COSTS ARE PAID.

THANKS, SPRING CREEK TOWN BOARD

- 76
- 77 Ballard shared his concerns that while they say they want to be good neighbors, they have
- 78 yet to sign into an agreement with them for road repairs, and he's worried if there's no
- 79 agreement, that it won't happen.
- 80
- 81 Seaberg asked if they do this kind of agreement for other construction jobs.

82 Ballard said this is the first time. He stated they've had issues with beet farmers, but the
83 farmers have always been willing to pay for repairs. He said they just want this as a
84 safety net to know it will be taken care of.

85
86 Skalin said the construction season for this project will be dense, but after that the road
87 should be able to handle the normal day to day driving.

88
89 Knutson said he doesn't see a problem with an agreement for the construction time either,
90 but also commented that this project should generate some tax base to the township.

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92 Seaberg asked if they can put the road maintenance as a stipulation.

93
94 Hall doesn't think there needs to be a full legal deal and that it should be done in good
95 faith and just stipulated in the Conditional Use Permit.

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97

98 **MOTION: Aho motioned to approve the application with the condition that**
99 **they must take care of the road during construction phase and if damaged,**
100 **pay any expenses to put it back to the way it was prior to construction; Hall**
101 **second. Aho amended his motion to include the following findings:**

102
103 **1. There has been no evidence received to support a negative impact on**
104 **property values relevant to this request. The adjacent parcels in the**
105 **immediate vicinity are not occupied by any residential use and the closest**
106 **residential building site is presumed to be vacant and over 2'000 feet**
107 **away from the proposal. No information or facts indicate any harm to the**
108 **use and enjoyment of the surrounding properties.**

109
110 **2. The surrounding property is predominantly used in an agricultural**
111 **manner which is consistent with this proposal. There is also an existing**
112 **feedlot within 1 mile of the proposal which has had no known negative**
113 **impact of the development within the township.**

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115 **3. All necessary facilities will be fulfilled to any county, state, or federal**
116 **requirements.**

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118 **4. With the limited amount of employees and traffic, the demand for**
119 **parking and loading space is very limited. However the site will be a**
120 **minimum of 20 acres will which provide more than enough space for**
121 **sufficient parking and or loading.**

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123 **5. The building will be constructed to minimize any smell up to at least**
124 **percent. No other nuisances are expected beyond a reasonable measure.**

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Hall second. Roll Call; All in favor. Motion carried.

New Business:

- 1. APPLICANT: Michael D Anderson** 213 Willow St E Detroit Lakes, MN 56501 **Project Location:** 14736 Co Hwy 4 Lake Park, MN 56554 **LEGAL LAND DESCRIPTION:** Tax ID number: **06.0376.002** Section 27 Township 138 Range 043; 27-138-43 PT GOVT LOT 1, 2: COMM E QTR COR SEC 27 N 669.9', W 937.2' TO POB; N 500.5', W 1289.61', S 488.13' TO CTR RD, E AL RD 108.55', S 118.73' TO IDA LK, E AL LK TO W LN TRACT DOC 672418', N 125.61' TO CTR RD, E AL RD 419.05' TO POB. TRACT A. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Preliminary Plat for five (5) riparian lots and one (1) non-riparian lot to be called IDA NORTH SHORE ADDITION.

Scott Walz with Meadowland Surveying presented the application. He stated that Highway Department has approved the approach permits for all six (6) lots, and that Soil and Water has been on site to review everything.

Skalin asked about a letter that was received with concerns about tree removal.

Walz said Soil and Water has been out there to review it as well as Kyle Vareberg, Zoning Administrator, and from what Walz understands is that everything was allowed to be removed. There may have been a couple that were more than two (2) inches in diameter, but other than that everything removed was either diseased or less than two (2) inches in diameter which is allowed according to the Becker County Zoning Ordinance.

Vareberg confirmed that statement to be accurate.

Knutson asked if Soil and Water had any comments.

Vareberg said no, that Anderson has worked with Soil and Water and the County Highway Department on this project.

Walz commented on the highway concerns some neighbor's had regarding crossing the highway. Walz commented there is no speed limit sign posted, but that this location is only a quarter of a mile from a stop sign and a "T" so people should be slowing down.

Jim Hirschert, neighbor, spoke on his concerns with the number of cars and their speeds on the road. He said there was a survey that shows six hundred (600) to seventeen hundred (1700) cars a day and is wondering if there is anyway to lower the speed limit. He said he's not really against the project, just more concerned with the speed.

Skalin said speed limit signs are a regulatory issue.

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Knutson said it can be looked at, but that the state sets the speed limit.

Testimony closed.

MOTION: Hall motioned to approve the application with the assurance that a warrant check be done by the County Highway Department; Seaberg second. Roll Call; All in favor. Motion carried.

2. **APPLICANT: Dan Stall & Jesse McCollum** 704 Shorewood Dr Detroit Lakes, MN 56501 **Project Location:** 14795 US Hwy 59 Detroit Lakes, MN 56501 **LEGAL LAND DESCRIPTION:** Tax ID Number: **19.0150.000** Section 09 Township 138 Range 041; N1/2 NW1/4 E OF HWY 59, LESS 3 AC S OF RVR, 1 AC FOR PVT RD **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Preliminary Plat for twelve (12) riparian lots and twelve (12) non-riparian lots to be called BRANCH CREEK.

Scott Walz with Meadowland Surveying presented the application and stated that if approved they will be working with Apex Engineering to do the full road design, grading plan, and stormwater management plan in accordance with the County, MPCA, and Pelican River Watershed. He commented that Lot seven (7) is an access lot for all the riparian usage.

Hall asked about the city's comments regarding lot widths of one-hundred and fifty (150) feet on Muskrat Lake.

Vareberg said there is no precedent to show that a neighboring shoreland requirement applies.

Pam Wimmer Benedict, neighbor, spoke on the history of the bike path and asked that path remain protected.

Phil Hansen with Lake View Township stated they would prefer hammerheads instead of culs-de-sac for the roads for easier plowing. They would like to also keep the areas around the roads free for pushing snow. They would prefer to accept a paved road. He mentioned snowmobiles use the bike path in the winter as well, so let it be noted noise may be an issue.

Walz gave the history on the bike trail and said the trail will be deeded over to the County.

Hall asked if the landowner has any issues paving.

218 Walz said it was just brought up tonight, so it will be discussed with the township.
219
220 Vareberg commented that final approval goes to the Township anyways, so they will
221 have the opportunity to discuss the Planning Commission's recommendation.
222
223 Larry, President of the Board of Directors of the Village of Riverview across the Pelican
224 River asked questions about the docks and what is allowed. He also wanted to know what
225 the role is of the Pelican River Watershed.
226
227 Vareberg said the Watershed has no authority over docking. He said they can comment
228 on placement, but their role in the planning process will be regarding storm water and
229 impervious surface coverage. He also stated that docking regulations are through the
230 DNR as well as what is allowed with or without approval.
231
232 Testimony Closed.
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234 Skalin thinks is reasonable since they are giving the trail to Becker County.
235
236 Ailie agrees.
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238 Hall said if they are willing to work with the township on the road design, he has no
239 issue.
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242 **MOTION: Aho motioned to approve the application as submitted;**
243 **Ailie second. Roll Call; All in favor. Motion carried.**
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248 **3. APPLICANT: Raymond & Kristine Johnston** 27185 Little Floyd Lake Rd
249 Detroit Lakes, MN 56501 **Project Location:** 22966 Co Hwy 21 Detroit
250 Lakes, MN 56501 **LAND DESCRIPTION:** Tax ID number: **24.0197.000**
251 Section 26 Township 140 Range 041; 26-140-41 PT SW1/4 SW1/4; PT
252 NE1/4 SW1/4: COMM SW COR SEC 26 E 782.20' TO POB; N 38.20', ELY
253 358.22', N 927.34', NELY 428.01', W 998.76', S 945.47', E 487.77', S 390.48'
254 TO POB. **APPLICATION AND DESCRIPTION OF PROJECT:** Request
255 a Conditional Use Permit for storage units and onsite
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257 Vareberg spoke and said the applicant tabled the application.
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260 **3. APPLICANT: Bradley D Olstad & Erin E Olstad** 25527 Englewood Dr
261 Detroit Lakes, MN 56501 **Project Location:** TBD E Cozy Cove Rd Detroit
262 Lakes, MN 56501 **LEGAL LAND DESCRIPTION:** Tax ID Number:
263 08.0066.001 Section 04 Township 139 Range 041; GOVT LOT 10 LESS W 3

264 AC, AND LESS 6.6 AC (TRACT B, 4.5 AC TRACT). APPLICATION AND
265 DESCRIPTION OF PROJECT: Request a Conditional Use Permit to operate
266 a painting business.
267
268
269 Erin and Brad Olstad presented the application and explained that Dave and Louise
270 Solum wish to purchase this building and a portion of land for his painting business. They
271 have a purchase agreement contingent upon getting a Conditional Use Permit.
272
273 Dave Solum shared that he currently lives in the neighborhood and has an existing
274 business in Moorhead but would like to move the business here as he does more work in
275 this area. He stated most work is done on job sites, and about fifteen (15) to twenty (20)
276 hours a week are spent in the shop for pre-finish work.
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278 Blomseth asked what he paints.
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280 Solum said residential homes, doors, and millwork. He stated that most work is
281 completed on site and in homes.
282
283 Skalin asked about his fumigation booth.
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285 Solum said he has a sixteen (16) by sixteen (16) fumigation booth with three (3) walls
286 and a wall of filters. The first layer takes the overspray, then there's another chamber
287 system that cleans the rest, and then it is just air that is emitted from the building. There is
288 no paint odor released outside.
289
290 Skalin asked what the noise level is.
291
292 Solum said if you are standing outside it would be comparable to the sound of a powerful
293 vacuum.
294
295 Hall asked if there would be any liquid chemicals disposed there.
296
297 Solum said they used water-based materials. They don't dump anything. They use
298 containers and dispose of in accordance with the county. He mentioned that the holding
299 tank will be for washing hands and maybe brushes.
300
301 Knutson asked if he has a holding tank.
302
303 Solum said there is not one on site, but he will be having one installed. He said he will
304 not be having a drain field.
305
306 Rich Lillis, neighbor, spoke and stated his concerns about how close the shop is to their
307 home and that he doesn't think a commercial business needs to be in the neighborhood.
308

309 Erin Olstad commented that lawnmowers are louder than any noise that would come
310 from the paint booth in the shop.

311
312 Skalin asked what the setback is to the Lillis property line.

313
314 Vareberg looked on the map and it appears to be approximately fifteen (15) feet.

315
316 Testimony Closed.

317
318 Ailie commented on being in an autobody shop, which would be similar, and stated that
319 the noise is not intrusive.

320
321 Knutson suggested considering operation hours for the paint booth.

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323 Blomseth asked Solum if he had any objections to that.

324 Solum said that was fine.

325
326 Skalin asked about the location of the exhaust placement, and it was determined that it
327 could face South or West away from Solum's property, but West would be best.

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330 **MOTION: Ailie motioned to approve the application with the stipulation**
331 **that the paint booth hours be between 8:00 am and 5:00 pm and that the**
332 **exhaust be located on the west side of the building; Hall second. Roll Call; All**
333 **in favor. Motion carried.**

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336 **Other Business:**

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338 **D) Tentative Date for Next Informational Meeting: September 7th, 2022; 8:00 am; 3rd**
339 **Floor Meeting Room in the Becker County Courthouse, Detroit Lakes, MN.**

340
341 **Since there was no further business to come before the Board, Aho made a motion**
342 **to adjourn. Skalin second. All in favor. Motion carried. The meeting adjourned at**
343 **7:17 pm.**

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346 _____
347 **David Blomseth, Chairman**

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347 **Jeff Moritz, Secretary**

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349 ATTEST

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351 _____
352 **Kyle Vareberg, Zoning Administrator**