

Becker County Planning Commission
January 16, 2007

Present: Ray Thorkildson, Waldo Johnson, Jim Bruflodt, John Lien, Mary Seaberg, Jeff Moritz, Harry Johnston, Jim Kovala, Don Skarie, Commissioner Larry Knutson and Zoning Staff Member Debi Moltzan.

Chairman Bruflodt called the meeting to order. Debi Moltzan took the minutes.

Minutes: Kovala made a motion to approve the minutes with the following corrections:

4th page, 4th paragraph, 3rd sentence – the word “are” should be “area”

4th page, 5th paragraph, 4th sentence – the word “purposed” should be “purposes”

5th page, 1st paragraph, 1st sentence – the word “a” should be inserted before the word “MURD”

5th page, 1st paragraph, 1st sentence – the word “what” should be eliminated.

Seaberg second. All in favor. Motion carried.

Bruflodt explained the protocol for the meeting and explained that the recommendations of the Planning Commission would be forwarded to the County Board of Commissioners for final action on Tuesday, January 23, 2007.

FIRST ORDER OF BUSINESS: Michael Cossette. Requests a Change of Zone from Agricultural to Residential and approval of a preliminary plat consisting of 6 lots for the property described as: PID Number R 06.0002.000; Pt Govt Lot 6 & Pt Govt Lot 1, Section 1, TWP 138, Range 43; Cormorant Township. The project is located on North Leaf Lake Road on Leaf Lake.

This application was tabled by the Planning Commission at the December 2006 meeting for a new plan showing the walkway and docking area.

Lien made a motion to remove the application from the table. Moritz second. All in favor. Motion carried.

Glen Howe, surveyor, explained the application to the Board. The new plan shows the walkway and docking area, which was discussed at last month’s meeting. The site has been staked to show these areas.

Kovala questioned how the walkway and easement would be maintained. Howe explained that the maintenance of the areas will be attached to the deed of each lot and the maintenance would be spelled out in the easement.

Moritz questioned if there was a storm water management plan and he wanted to see the storm water directed to the north. Howe stated that the easement boundary on Lots 1, 2, & 3 would naturally help reduce the run off toward the easement.

No one spoke in favor of the application. No one spoke against the application. A letter was received from John Postovit, COLA, in favor of the application. At this time, testimony was closed.

Further discussion was held. Lien stated that the Board had tabled the issue due to concerns and it appears that the concerns have been addressed. Lien felt that the application could be approved with the conservation easement, walkway, docking and storm water being directed to the north.

Motion: Lien made a motion to approve the change of zone from agricultural to residential and the preliminary plat consisting of 6 lots based on the fact that the application is not a detriment to the surrounding area, with the stipulation that the plat include the conservation easement, walkway, docking as shown in the revised plan and all storm water be diverted to the north. Kovala second. All in favor. Motion carried.

SECOND ORDER OF BUSINESS: Kevin Karst. Requests approval of a Conditional Use Permit for a Home Based Phone Dispatching Business in an Agricultural Zone for the property described as: Pt Lot 2, Beg 392.26 ft W & 663.23 ft SE of E ¼ Sec Cor Th SE 120.50 ft SW 238 ft NW 127.70 ft Al Lk & NE 269.05 ft to Beg; Section 9, TWP 139, Range 38. PID Number 33.0101.000. The property is located on Big Toad Lake.

Stuart Kitzman, attorney, explained the application to the Board. Kitzman explained that the letter submitted with the application explains the operation. The business has little impact on pollution, noise or traffic. There is only one part time employee.

Speaking in favor of the application was George Zick, Toad Lake Township Supervisor. No one spoke against the application. Letters were received from Fred Tuominen, Big Toad Lake Improvement Association, in favor of the application with conditions; and Clark Lee, in favor of the application with conditions. At this time testimony was closed.

Discussion was held. Brufloft questioned if there would be a need to add a restroom to the garage; if there would be any additional employees added and if this was a daily business. Karst stated there was no need for a bathroom in the garage because the home was right there; one more employee may be added and this was a daily business. Kovala questioned if there would be signage and if any towers were planned. Karst stated that there are no plans for signage and that all work was done by phones and computers. Knutson questioned if additional employees were added, if more equipment would be added. Karst stated that there would be no additional equipment. Knutson explained that a conditional use permit is conditional and is only valid for the request granted; any changes would require a new conditional use permit.

Motion: Knutson made a motion to approve a conditional use permit for a home based phone-dispatching business, as outlined in the business plan submitted with the application, based on the fact that the use would not be detrimental to the surrounding area. Moritz second. All in favor. Motion carried.

THIRD ORDER OF BUSINESS: Paul Krueger. Requests a change of zone from agricultural to residential and approval of a certificate of survey consisting of three lots (39,300 sq ft, 37,500 sq ft and 36,000 sq ft) for the property described as: Pt Govt Lot 2; Comm Most ELY Cor Lot 6 Dacotah Bch 2nd Add Th SW 299.88 ft to SLY Cor Lot 11, Th SW 2257.27 ft SLY 85.73 ft to Ctr Rd, ELY 20.01 ft Al Rd to POB; Cont NELY Al Rd 288.74 ft; Th NLY 384.40 ft to Lk Melissa, WLY Al Lk 315.55 ft, Th SELY 364.12 ft to Ctr Rd & POB, Section 32, TWP 138, Range 41. PID Number 19.0625.003. The property is located on Lake Melissa.

Scott Walz, surveyor, explained the application to the Board. Walz explained that 80 ft of Lot A is located within 1000 feet of Mill Pond, which is a natural environment lake. There is a topographical divide (a hill and road) that separate this lot from Mill Pond. Walz stated that the Ordinance allows the limits of the shoreland to be reduced whenever the waters involved are bounded by natural topographic divides that extend landwards from the waters for lesser distance. Walz explained that the overlapping shoreland district was not an issue in the plat of Gilbert Beach but was an issue with the plat of Sandy Beach Estates.

Johnston questioned the width of Tract C. Walz stated that it had 100 feet of lake frontage and was 100 feet at the building setback line. Kovala questioned if the DNR had been contacted regarding the topographic divide. Walz stated that the DNR had been contacted and stated that there was a divide but was still concerned about the run off; an official comment had not been requested. Walz further stated that the OHW for Mill Pond and Melissa is the same and everything north of the road is considered part of Lake Melissa and everything south of the road is considered part of Mill Pond.

Speaking in favor of the application was Gail Hahn, Lake View Township Supervisor. No one spoke against the application. There was no written correspondence either for or against the application. At this time, testimony was closed.

Discussion was held. Lien stated that past practice with other developments was to meet the more restrictive standards. Knutson stated that Sandy Beach was situated high above Mill Pond, which would eventually drain into the lake; this subdivision would not drain toward Mill Pond. Lien was concerned with uniformity and fairness as long as there was no drainage toward Mill Pond.

Motion: Knutson made a motion to approve the change of zone from agricultural to residential based on the fact that the zone change is compatible with the surrounding area and approve the certificate of survey for three tracts of land with the stipulation that Tract C be 100 feet wide at the building setback line based on the fact that the lots are riparian to Lake Melissa and there is a topographical divide preventing run off into Mill Pond. Johnston second. All in favor except Thorkildson. Majority in favor. Motion carried.

FOURTH ORDER OF BUSINESS: Final Plat of Cormorant Meadows, Jason Benson, developer.

Moltzan explained that the preliminary plat was approved in September 2005 for 14 lots. The road has been constructed and certified. Everything is in order for final approval.

Motion: Lien made a motion to approve the final plat of Cormorant Meadows based on the fact that the final plat meets the criteria of the Zoning Ordinance and Subdivision Ordinance. Kovala second. All in favor. Motion carried.

FIFTH ORDER OF BUSINESS: Informational Meeting.

Moltzan explained that the Zoning Office has not received any new applications; therefore, there will not be a meeting in February.

SIXTH ORDER OF BUSINESS: Election of Officers.

Kovala made a motion to keep the 2006 officers in the same positions for 2007 (Brufloft – chairman; Moritz – secretary; and Kovala – vice chairman). Skarie second. All in favor. Motion carried.

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

Jim Brufloft, Chairman

ATTEST

Jeff Moritz, Secretary

Patricia Johnson, Administrator