

Becker County Planning Commission
August 21, 2012

Members Present: Chairman Jim Bruflodt, Harry Johnston, John Lien, Commissioner Larry Knutson, Mary Seaberg, David Blomseth, Ray Thorkildson, Jim Kovala, Mary Seaworth, John McGovern, Jeff Moritz, Zoning Administrator Patty Swenson and Zoning Technician Julene Hodgson.

Chairman Bruflodt called the meeting to order. Zoning Technician Julene Hodgson recorded the minutes.

McGovern made a motion to approve the minutes from July 17, 2012. Thorkildson second. All in favor. Motion carried.

Chairman Bruflodt 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 on August 28, 2012.

FIRST ORDER OF BUSINESS:

~~**APPLICANT:** Gerald Behlmer P.O. Box 106 Detroit Lakes, MN 56501 **Project Location:** 21777 Sandy Beach Rd **LEGAL LAND DESCRIPTION:** 100001000 Erie Township Cotton Lake PT GOVT LOT : COMM N QTR W 582.33 TO POB...
APPLICATION AND DESCRIPTION OF PROJECT: Request a Conditional Use Permit for a Pet Crematorium and retail sales associated with the business in a Residential/Agricultural zone.~~

Applicant withdrew request 08/16/12.

SECOND ORDER OF BUSINESS:

APPLICANTS: Scott Bombenger, Robert Sheeley, Duane & Susan Wirth, Orville Erickson, Ann Dolence, Ivan & Shirley Haakenson, and Patricia Potts. **Project Location:** Height of Land Frontage Road **LEGAL LAND DESCRIPTIONS:** 150084000, 150074000, 150083000, 150070001, 150077000, 150079000, 150072000 & 150073000. Height of Land Township Height of Land Lake PT LOT 2 Section 10, TWP 139, Range 39 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Change of Zone from Commercial to Residential.

Scott Bombenger explained the application to the Board. He wanted an addition onto his existing cabin and upon property review, he was told the property was zoned Commercial. Bombenger wants to rezone the property to Residential to allow residential use. He stated there are several other smaller properties along the same shoreland that are also zoned Commercial. The County contacted the owners and submitted the proposal as a "blanket" request for the ones that responded/wanted the change to Residential.

No one spoke in favor or in opposition to the application. There was no written correspondence either for or against the application. At this time, testimony was closed and discussion was held.

Knutson noted that in 1971, due to a comprehensive plan, several properties were zoned commercial along the Hwy 34 corridor. These are small lots that are used for residential purposes.

There was no further discussion by the Commission.

Motion: Kovala made a motion to approve a change of zone from Commercial to Residential as submitted due to the request would not be detrimental to the area. Seaworth second. All in favor. Motion carried.

THIRD ORDER OF BUSINESS:

APPLICANT: Katie Jager 31899 County Hwy 26 Rochert, MN 56578 **Project Location:** 31899 County Hwy 26 **LEGAL LAND DESCRIPTION:** 160054000 Holmesville Township THAT PART OF NE1/4 OF SE1/4 LYING N OF HWY Section 09, TWP 140, Range 40 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Change of Zone from Commercial to Residential.

Travis Jager explained the application to the Board. They wish to change the zone from Commercial to Residential due to the property is being used for residential purposes. Knutson asked why he wasn't asking for the property to be rezoned to agricultural instead of residential due to his paperwork saying the property is 2.5 acres. Swenson stated that when the road right of way area is taken out, the property description states the property is 2 acres more or less, therefore the request for residential.

No one spoke in favor or in opposition to the application. There was no written correspondence either for or against the application. At this time, testimony was closed and discussion was held.

Kovala stated he visited the property and the use is definitely not Commercial, the site is all cleaned up and has a residence on it.

There was no further discussion by the Commission.

Motion: Johnston made a motion to approve a change of zone from Commercial to Residential as submitted due to the request would not be detrimental to the area. Kovala second. All in favor. Motion carried.

FORTH ORDER OF BUSINESS:

APPLICANT: Vicki Bedford for Busker Family Ltd Partnership 20114 Co Rd 131 Detroit Lakes, MN 56501 **Project Location:** Maple Ridge Road **LEGAL LAND DESCRIPTION:** 170035000 Lake Eunice Township Little Cormorant Lake Th Pt of Govt Lot 2...64.26' 77.84' NW 243.64' SW 197.09' NE 234.93 40,000 sq ft Section 04, TWP 138, Range 42. **APPLICATION AND DESCRIPTION OF PROJECT:** Request an approval of a Certificate of Survey consisting of one Tract A (40,000 sq ft) and a change of Zone from Agricultural to Residential for the entire property consisting of 17.89 acres.

Scott Walz explained the application to the Board on behalf of the Busker family. They request a change of zone for the entire property. The one lot that is being proposed, meets the criteria of the Ordinance for a standard sized parcel. There will be no lake access nor conveyed lake access for any lots created. There is no intent for a campground. Walz stated this is a residential area and

there are many small parcels, any new lots created will be larger than a lot of the existing ones in the area. The property is suitable for back lots for the riparian parcel owners. Due to the non-lake access Walz felt this will not over populate the lake.

No one spoke in favor or in opposition to the application. There was written correspondence read by Swenson from Ron Dow, Elaine Burtell, David Meyer and David and Beverly Melgaard. They noted concern regarding how many lots are proposed, impact on Little Cormorant Lake, impact on existing roads, not allowing lake access for the nonriparian properties, not allowing a campground what the use will be for what types of structures will be allowed. At this time, testimony was closed and discussion was held.

Blomseth stated the survey meets the requirement of the Ordinance and the remainder property may later have smaller lots for use around the edge and then larger parcels in the middle. Brufloft noted 16 lots abut up to the property so smaller lots could be utilized and attached to the lakeshore properties. Knutson stated a lot of the written concerns would be met/addressed under the residential zoned standards that are in place in the Ordinance.

There was no further discussion by the Commission.

Motion: Lien made a motion to approve a Certificate of Survey consisting of one Tract A (40,000 sq ft) and a change of Zone from Agricultural to Residential for the entire property consisting of 17.89 acres due to the request meets the criteria of the Ordinance. Blomseth second. All in favor. Motion carried.

FIFTH ORDER OF BUSINESS:

Vernon & Michelle Scholz 34548 Co Hwy 46 Park Rapids, MN 56470 **Project Location:** Co Hwy 46 1/2 mile N of Co Hwy 44 **LEGAL LAND DESCRIPTION:** 340033000 Two Inlets Township LOTS 1 & 2 & SE1/4 OF NE1/4 Section 06, TWP 141, Range 36 **APPLICATION AND DESCRIPTION OF PROJECT:** Request an amendment to the existing gravel pit Conditional Use Permit #360136 for the placement of portable equipment to include screeners, crushers, bituminous hotmix plant, loaders, dozer, track hoe and trucks to process aggregate materials.

Jeff Hatlewick; Mark Sand and Gravel spoke on behalf of Vernon and Michelle Scholz and explained the application to the Board. There is an existing Conditional Use Permit on the property to mine aggregate. They have projects to resurface three roads in that area and would crush the aggregate on this site and make it into the asphalt for that purpose. The site down the road doesn't have the best material for the hot mix plant and this pit is better suitable for this need. All permits necessary are in place to run the hot mix plant and the equipment has been recently inspected. This is portable, temporary equipment that would be set up and then taken off the premises when the project is completed. The first part of the project is the crushing and there will be no trucks going in or out during this time. Then they will move the plant in, make the asphalt for the projects, then remove the equipment to go onto other new projects in a different area. The owners wish to retain the original Conditional Use permit to keep using the aggregate from the pit in the future. Knutson asked again if this use is just for those projects they have been retained for to which Hatlewick stated yes, in and out projects with the projected paving to be done by late October. Hatlewick wanted it noted that the request is only for this season and then they will return the area back to the original state. Kovala asked Hatlewick if they would accept a stipulation stating this is a temporary amendment to the original conditional use that would

become null and void after November 1st of this year, to which Hatlewick stated that would be acceptable.

No one spoke in favor of the application. Terry Kalil spoke on behalf of COLA representative John Postovit and read the letter submitted by John. He noted concerns regarding effect on public waters, and he recommended review to assure the project will meet the Commercial and Industrial Performance standards listed in the Ordinance. Kalil stated she had concerns regarding the public waters, traffic, residential properties close by and she would like to request more review. Cliff Lafreniere stated his concern of a more permanent project. He stated if more permanent it could de-value nearby properties, but the short period proposed seems reasonable.. There was written correspondence read by Swenson from Chris and John Dumont, Carolyn Matheny, Dan Simms; Boot Lake Association Chair and Robert Frost. Concerns regarding traffic, noise, dust, odor, duration of permit, and to assure all proper licenses and permits are in place. At this time, testimony was closed and discussion was held.

Moritz noted the date of November 1st may be too soon of a cut-off depending on the weather, maybe November 15th would be more suitable to allow enough time to complete the projects. Lien stated most of the concerns are regarding the hot mix plant but the request is not for anything permanent. There is already a Conditional Use Permit in place for the gravel pit, so this temporary request would not risk the original conditional use. Kovala noted as long as there is an amendment/stipulation attached noting any approval is for a temporary hot mix plant, he felt this would wash most concerns. Johston noted a lot of lake property owners are not around during this time/season. Knutson noted after he spoke to Carolyn Matheny who wrote one of the letters, most of her concerns were resolved after she understood the request. Brufloft stated the temporary use and large benefit would outway the minimal discomfort. Seaberg noted she did not have a problem with the request due to the conditional use is already there and the request would be just a temporary addition.

There was no further discussion by the Commission.

Motion: Blomseth made the motion to approve an amendment to the existing gravel pit Conditional Use Permit #360136 for the placement of temporary portable equipment to include screeners, crushers, bituminous hotmix plant, loaders, dozer, track hoe and trucks to process aggregate materials due to the request meets the criteria of the Ordinance. This temporary amendment is allowed with the stipulation of a November 15th 2012 deadline, once this date is past, this amendment will become null and void. Kovala second. All in favor. Motion carried to approve temporary amendment.

SIXTH ORDER OF BUSINESS:

APPLICANT: Palmer and Joyce Storlie 4323 Woodbury Dr SE Bemidji, MN 56601 **Project Location:** On Co Hwy 44 **LEGAL LAND DESCRIPTION:** 340017003 Two Inlets Township PT SW1/4 & PT W1/2 W1/2 SE1/4: COMM SW COR SEC 4, E 1574.71' TO POB... Section 04, TWP 141, Range 36 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Conditional Use Permit to reopen a gravel pit area. The request is to include the placement of portable equipment to include screeners, crushers, bituminous hotmix plant, loaders, dozer, track hoe and trucks to process aggregate materials.

Jeff Hatlewick; Mark Sand and Gravel spoke on behalf of Palmer and Joyce Storlie and explained the application to the Board. They chose this area due to it is wide and open and will be a perfect area to fit the hot mix plant. This was a gravel pit in the past but there is not a current Conditional

Use Permit for this property. There are small pockets of existing aggregate material that would be used. This would be a similar request to the previous request and would be for temporary purposes only for local road projects. Once the project is complete, the equipment will be moved off the property. There will be no further mining after the hot mix plant will be moved out. The temporary request would cover crushing also and the owner has not desire to add a permanent Conditional Use permit for mining as this time. If the use for the property will be something different in the future, the owner will make a new request/application at that time. Kovala asked if that is the request, for temporary mining of this pit and the temporary hot mix plant to which Hatlewick answered yes. Brufloodt asked if they will bring two hot mix plants in at the same time to which Hatlewick answered no, they only have one hot mix plant. They may be crushing at both sites at the same time, but the one hot mix plant would be moved from one pit to the other pit.

No one spoke in favor or in opposition to the application. There was no written correspondence either for or against the application. At this time, testimony was closed and discussion was held.

Blomseth stated that this is a temporary request and it would become null and void after the use is done if worded that way.

There was no further discussion by the Commission.

Motion: Seaworth made a motion to approve a temporary Conditional Use Permit for mining and the placement of temporary portable equipment to include screeners, crushers, bituminous hotmix plant, loaders, dozer, track hoe and trucks to process aggregate materials due to the request meets the criteria of the Ordinance. This temporary Conditional Use permit is allowed with the stipulation of a November 15th 2012 deadline, once this date is past, this Permit will become null and void. Lien second. All in favor. Motion carried to approve with stipulation.

SEVENTH ORDER OF BUSINESS:

APPLICANT: Itasca-Mantrap Co-op Elec Assn & Great River Energy P.O. Box 192 Park Rapids, MN 56470 Project Location: NE Corner of Hwys 37 & 26 LEGAL LAND DESCRIPTION: 280009000 Shell Lake Township SW Cor of NW ¼ Section 02, TWP 140, Range 38 APPLICATION AND DESCRIPTION OF PROJECT: Request a Conditional Use Permit to construct a 34.5kV/69kV substation and transmission line.

Marsha Parlow; Great River Energy explained the application to the Board. The proposal is for a substation in the corner of Co Hwy 37 and Co Hwy 26 with 6 miles of transmission line to hook up to an existing station. The line would be operating at 34.5/69KkV.

No one spoke in favor or in opposition to the application. There was no written correspondence either for or against the application. At this time, testimony was closed and discussion was held.

Kovala stated this area is open and the project/request meets the criteria of the Ordinance.

There was no further discussion by the Commission.

Motion: Kovala made a motion to approve a Conditional Use Permit to construct a 34.5kV/69kV substation and transmission line due to the request would not be detrimental to the area. Moritz second. All in favor. Motion carried.

EIGHTH ORDER OF BUSINESS:

FINAL PLAT OF LAKE MAUD STORAGE CONDOS.

Swenson explained the paperwork is all in order according to the criteria of the Ordinance. There would be 6 units total.

No one spoke in favor or in opposition to the application. There was no written correspondence either for or against the application. At this time, testimony was closed and discussion was held.

There was no further discussion by the Commission.

Motion: Seaworth made a motion to approve the final plat of Lake Maud Storage Condos as submitted due to it meets the criteria of the Ordinance. Blomseth second. All in favor. Motion carried.

NINTH ORDER OF BUSINESS: Informational Meeting. The next informational meeting is scheduled for Thursday, September 13th, 2012 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. Kovala made a motion to adjourn. Seaberg second. All in favor. Motion carried. Meeting adjourned.

Jim Brufloft, Vice Chairman

Jeff Moritz, Secretary

ATTEST _____

Patricia Swenson, Zoning Administrator