

**Becker County Planning Commission  
March 13, 2017**

**Members Present:** Vice Chairman John Lien, Harry Johnston, County Commissioner Larry Knutson, Mary Seaberg, Jeff Moritz, Jim Kovala, Dave Blomseth, Mary Seaworth, Bob Merritt, Planning and Zoning Supervisor Dylan Ramstad Skoyles and Planning and Zoning Technician Kyle Vareberg.

Vice Chairman John Lien called the Planning Commission meeting to order at 7:00 pm. Planning and Zoning Technician Kyle Vareberg recorded minutes. Intros were given.

Vice Chairman John Lien 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 April 13<sup>th</sup>, 2017.

Vice Chairman John Lien made a motion to table the minutes for February 14th, 2017. Harry Johnston seconded. The motion passed.

**Old Business: None**

**New Business:**

1. **FIRST ORDER OF BUSINESS: APPLICANTS: Jon Nettleton** 13895 County Hwy 4 Lake Park, MN **Project Location:** 13895 County Hwy 4 Lake Park, MN **LEGAL LAND DESCRIPTION:** Section 21 Township 138 Range 043 PT LOT 4; BEG 714.64' N & 197.46' W OF SE COR SE1/4, TH W 1170.98' TO FENCE, N 637.97' AL FNC, E 650.74' AL FNC & SE AL RD 798.74' TO BEG; & PT LOT 3 LYING E OF CSAH #4 & S OF TWP TRACT LESS 1.02 AC & PLAT **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Conditional Use permit to sell flowers, vegetables and puppies.

Dylan Ramstad Skoyles presented the application.

Jon Nettleton introduced himself and proposed his request for a Conditional Use Permit for a greenhouse and the sale of puppies.

Jim Kovala questioned the hours of operation of 8 AM to 8 PM.

Nettleton stated the greenhouse operation would be short lived from spring to fall and the evening hours of operation would be for sale of the puppies which would be made by appointment.

Kovala asked if more dogs would be used in the future.

Susie Johnson, the owner of the business, said at this point it is just six pugs for breeding. However, in the future her and Nettleton would like to get one more set of breeding dogs.

47 John Lien asked about the scope of the operation and how big it would possibly be in  
48 terms of the total number of dogs.

49  
50 Ms. Johnson stated she was attempting to get a licence from the State of Minnesota to  
51 breed dogs. She said the State requires a minimum of 10 adult dogs and they do not  
52 currently meet the requirement.

53  
54 Mary Seaberg asked about further information on the licence.

55  
56 Ms. Johnson said if they were to get the licence they would have a maximum of ten adult  
57 dogs and the State would be inspecting the operation.

58  
59 Nettleton said the dogs would stay in the house and not in a kennel.

60  
61 Lien stated that absent Commission member Jim Kaiser gave a good report on his  
62 findings.

63  
64 Dylan received one written correspondance to the Conditional Use Permit from Debra  
65 Swenson, it read as follows:

66  
67 *March 7, 2017:*

68 *To: Planning Commission of Detroit Lakes*

69 *Re: Jon Nettleton Application Conditional Use Permit to sell flowers, vegetables and*  
70 *puppies*

71 *Dear Commission:*

72 *I have some concerns regarding the application especially since the letter does not state*  
73 *how large a business this will be or the experience of the owner in the breeding of*  
74 *animals. The main concerns are highway safety, backyard breeding concerns (especially*  
75 *in relation to profit over welfare) and nuisance dog barking (which already exists in the*  
76 *area).*

77 *County Highway 4 is known for heavy and fast traffic during three seasons of the year.*  
78 *Several individuals jog and walk in front of this proposed business. There is no turning*  
79 *lane, no reduced speed limit, and no adequate parking at the proposed business.*

80 *A thorough evaluation of this project is requested.*

81 *Sincerely,*

82 *Debra Swenson*

83 *Halvorson Beach Road*

84 Larry Knutson stated without a kennel the number of dogs would be limited in size.  
85 However, he found no other concerns.

86  
87 John Lien questioned if the board should put a limit on the number of adult dogs to be  
88 used for breeding.

89  
90 Jim Kovala said he was under the impression the Conditional Use Permit was asking for  
91 one set of breeding pugs. He expressed his concern that with multiple litters of puppies  
92 the total number could rise up to 30 dogs and he believes that's too many.

93  
94 Mary Seaberg referanced the State License and inspections.

95  
96 Ms. Johnson stated it is a thorough inspection by the State that ranges from welfare of the  
97 dogs to their breed documentation.

98  
99 Seaberg asked if there were any more buildings on the property.

100  
101 Nettleton said they have a 16' x 24' building for the dogs. Ms. Johnson refered to it as a  
102 miniature house for the dogs. Nettleton said litters stay for eight weeks, all sales are made  
103 by appointment, and they are particular about their customers. Ms. Johnson mentioned  
104 the pugs litter is approximately three to four puppies and they would have limited litters  
105 at a time.

106  
107 Kovala asked how many dogs they currently have.

108  
109 Ms. Johnson said six pugs.

110  
111 Knutson asked if they could provide a future total number of dogs.

112  
113 Nettleton said it would be hard to come up with a total number because the litters vary in  
114 size. He said the puppies take up very little space and are quiet. They are not let outside  
115 until they are six weeks old, then they are placed in a play pen.

116  
117 John Lien brought up the neighbors concerns.

118  
119 Nettleton said they have a fence and limited number of neighbors.

120  
121 Seaberg asked where the neighbors live.

122  
123 Nettleton stated one eighth of a mile to a quater mile away and on the opposite side of the  
124 road.

125  
126 Jeff Moritz asked how they plan to ensure the litter's will sell.

127  
128 Ms. Johnson said at eight weeks the puppies will have a home no matter what.

129

130 John Lien explained that at any time due to non-compliance the Conditional Use Permit  
131 can be revoked.

132  
133 Nettleton acknowledged.

134  
135 Moritz asked at what age does a dog become an adult.

136  
137 Ms. Johnson said the State defines an adult dog at one year of age.

138  
139 Bob Merritt asked about waste management.

140  
141 Nettleton said the waste is distributed in the woods, they have 13.5 acres.

142  
143 Merritt mentioned there would be a significant amount of waste and as production  
144 increased, so would waste.

145  
146 Nettleton acknowledged and stated it would be handled.

147  
148 Lien asked if waste is a part of the certification from the State.

149  
150 Ms. Johnson said yes.

151  
152 Merritt acknowledged they clean the area where the dogs are kept but questioned how it's  
153 handle afterwards.

154  
155 Susie said the waste goes into the dirt and becomes compost.

156  
157 Merritt mentioned there could be lots of nitrate involved.

158  
159 Ms. Johnson said they are little dogs and don't produce much waste.

160  
161 Jeff Moritz asked if the area they clean up has any slope, and if so, where does it slope to.

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163 Nettleton said its fairly flat with minimal slope. He also said Susie cleans the area  
164 regularly.

165  
166 Moritz asked where the waste goes.

167  
168 Nettleton said they spread it out in the woods.

169  
170 Harry Johnston asked approximately how many dogs there would be. Lien seconded.

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172 Nettleton said a maximum of ten adult dogs.

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174 Moritz stated ten adult dogs seems appropriate for the property as long as the puppies are  
175 sold.

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There was no further discussion by the Commission.

**MOTION: Jeff Moritz made a motion to approve the request for a Conditional Use Permit to sell flowers, vegetables and puppies. Moritz adopted the following findings and limited the total number of adult dogs to ten:**

Jon Nettelton has submitted a Conditional Use Application to sell flowers, vegetables and puppies. Chapter eight section eleven part F of the zoning ordinance outlines six findings and criteria for approving a conditional use. The Planning Commission has reviewed the application and makes the following recommendations:

- 1. **Affect 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 indicated that they will not be kenneling nor doing any dog care except for their own dogs. They also want to sell flowers and vegetables a few months of the year. The Commission feels that this will result in limited amounts of traffic for a few months of the year. The property is large with few neighbors in the immediate vicinity. These conclusions lead the Commission to believe that this use will not harm any of the neighboring properties.

- 2. **Affect 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.

The proposed use should not affect any area development in the future.

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

Yes, the property is easily accessible.

- 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.

The property has adequate parking.

- 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.

212 The sale of flowers and vegetables will not be a nuisance unless there are a  
213 large amount of customers which can be mitigated by limiting the hours  
214 and having adequate parking. There are not residences in the immediate  
215 vicinity which should also mitigate any noise from the puppies and  
216 customers. There is also a large amount of trees to provide a noise buffer.

217 6. **Additional criteria for shoreland areas.** In Shoreland areas, it shall be found  
218 that adequate measures have been or will be taken to assure that:

219 a. **Pollution.** Soil erosion or other possible pollution of public waters will be  
220 prevented, both during and after construction;

221 Property is not on public water.

222 b. **View from public waters.** That the visibility of structures and other  
223 facilities as viewed from public waters will be limited;

224 Property is not on public water and is heavily wooded.

225 c. **Adequate utilities.** That the site has an adequate water supply and on-site  
226 sewage treatment;

227 Yes.

228 d. **Watercraft.** That the types, uses, and number of watercrafts that the  
229 project will generate can be safely accommodated.

230 Not on a public water.

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234 **Harry Johnston seconded the motion. Bob Merritt abstained. Motion carried.**

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237 2. **SECOND ORDER OF BUINESS: APPLICANT: Singrid Lindsay 35046**  
238 **Hwy 34 Ogema, MN 56569 Project Location: Cherry Lake Rd LEGAL LAND**  
239 **DESCRIPTION: Section 27 Township 142 Range 040 SW1/4; & NW1/4 SE1/4**  
240 **EX 28.64 AC; PT NE1/4 SE1/4 S OF RD & 467' W OF SE COR AKA 6.09 AC;**  
241 **& S1/2 SE1/4 EX NE1/4 SE1/4 SE1/4 APPLICATION AND DESCRIPTION**  
242 **OF PROJECT: Singrid Lindsay 35046 Hwy 34 Ogema, MN 56569 Project**  
243 **Location: Cherry Lake Rd LEGAL LAND DESCRIPTION: Section 27**  
244 **Township 142 Range 040 SW1/4; & NW1/4 SE1/4 EX 28.64 AC; PT NE1/4**  
245 **SE1/4 S OF RD & 467' W OF SE COR AKA 6.09 AC; & S1/2 SE1/4 EX NE1/4**  
246 **SE1/4 SE1/4 APPLICATION AND DESCRIPTION OF PROJECT: Request**  
247 **a Conditional Use permit to build a wireless facility to include a 309 foot lattice**  
248 **tower, 10X14 foot equipment platform, and a 43X53 foot chain link fence.**

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Dylan Ramstad Skoyles introduced the request for a Conditional Use Permit to build a wireless facility to include a 309 foot lattice tower, 10X14 foot equipment platform, and a 43x53 foot chain link fence.

Rick Adams a representative of Verizon introduced the proposal for a 300 foot tower. Adams stated only one area on the property met the requirements for the tower. Adams said the property is very remote and a very good site for a tower. The closest residence to the west is a son of the property owner. The tower is about 300 feet from the road, the fall zone is 150 feet, and the tower will be equipped with a light. A F.A.A. report deemed the tower not hazardous.

John Lien confirmed the site is remote and didn't know if anyone would ever be able to see the tower.

Adams said the area is underserved in terms of service.

Mary Seaberg commended Adams for how much info was provided.

Dave Blomseth found no issues with the site.

No letters were received in favor or against the request

There was no further discussion by the Commission.

**MOTION: Dave Blomseth made a motion to approve the request for a Conditional Use permit to build a wireless facility to include a 309 foot lattice tower, 10X14 foot equipment platform, a 43X53 foot chain link fence and to adopt the following findings:**

Sigrid Lindsay has submitted a Conditional Use Application to build a wireless facility. Chapter eight section eleven part F of the zoning ordinance outlines six findings and criteria for approving a conditional use. The Planning Commission has reviewed the application and makes the following recommendations:

1. **Affect 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 construction of the tower will not increase traffic in the area nor will it change the fundamental use of the property. This construction should not change any of the current activities and uses of the properties in the area.

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

294                   Nothing should change due to the construction of the tower.

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

297                   Yes, the property is easily accessible.

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

300                   Parking is not an issue with this application as it is construction of a tower  
301 and parking is not needed for this use.

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

306                   The construction of a tower should not create a nuisance as none of the  
307 potential nuisances listed nor can the Commission think of any others that  
308 will be created by its construction.

309 6. **Additional criteria for shoreland areas.** In shoreland areas, it shall be found that  
310 adequate measures have been or will be taken to assure that:

311                   a. **Pollution.** Soil erosion or other possible pollution of public waters will be  
312 prevented, both during and after construction;

313                   Yes, this is not applicable to the application.

314                   b. **View from public waters.** That the visibility of structures and other  
315 facilities as viewed from public waters will be limited;

316                   The view should be limited as the construction is not on the public  
317 water and is located in a forested area.

318                   c. **Adequate utilities.** That the site is adequate for water supply and on-site  
319 sewage treatment; and

320                   Yes, this is not applicable to the application.

321 d. **Watercraft.** That the types, uses, and number of watercrafts that the  
322 project will generate can be safely accommodated.

323 Yes, this is not applicable to the application.  
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326 **Mary Seaberg seconded the motion. All voted in favor. Motion carried.**  
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328 **3. THIRD ORDER OF BUSINESS: APPLICANT: Mattson Bros INC** 1635 E.  
329 Pento Lake Road Backus, MN 56435 **Project Location:** 12309 CO HWY 14 LAKE  
330 **PARK LEGAL LAND DESCRIPTION:** Section 05 Township 140 Range 043  
331 **FRAC NW1/4 APPLICATION AND DESCRIPTION OF PROJECT:** Request a  
332 Conditional Use Permit to build a wireless facility, to include a 259 foot self-  
333 supported lattice tower a 10X14 foot equipment platform and a 42X66 foot chain link  
334 fence.  
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336 Dylan Ramstad Skoyles introduced the request for a Conditional Use Permit for a slightly  
337 smaller tower.  
338

339 Rick Adams a representative from Verizon introduced the 250 foot tower. The tower will  
340 provide coverage to the Hitterdal, MN area. Location of the tower will be on remote  
341 farm property. The placement was chosen due to how the property is farmed and it does  
342 meet the setbacks. A fall zone letter was produced to say the fall zone is 125 feet.  
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344 No letters were received in favor or against the request.  
345

346 There was no further discussion by the Commission.  
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348 **MOTION: Bob Merritt made a motion to approve the request for a Conditional Use**  
349 **Permit to build a wireless facility, to include a 259 foot self-supported lattice tower a**  
350 **10X14 foot equipment platform and a 42X66 foot chain link fence. Merritt adopted**  
351 **the following findings of:**

352 Mattson Bros Inc. has submitted a Conditional Use Application to build a wireless  
353 facility. Chapter eight section eleven part F of the zoning ordinance outlines six findings  
354 and criteria for approving a conditional use. The Planning Commission has reviewed the  
355 application and makes the following recommendations:

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

361 The construction of the tower will not increase traffic in the area nor will it  
362 change the fundamental use of the property. This construction should not  
363 change any of the current activities and uses of the properties in the area.

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

367 Nothing should change due to the construction of the tower.

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

370 Yes, the property is easily accessible.

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

373 Parking is not an issue with this application as it is construction of a tower  
374 and parking is not needed for this use.

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

379 The construction of a tower should not create a nuisance as none of the  
380 potential nuisances listed nor can the Commission think of any others that  
381 will be created by its construction.

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383 **Mary Seaberg seconded the motion. All voted in favor. Motion carried.**

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385 **Informational Meeting:** The next informational meeting is scheduled for Wednesday,  
386 April 5<sup>th</sup>, 2017 at 8:00 am in the Third Floor Meeting Room of the Original Courthouse.

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388 Since there was no further business to come before the Board, Mary Seaberg motioned to  
389 adjourn. Harry Johnston seconded. Motion carried. The meeting adjourned.

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392 Jim Bruflo, Chairman John Lien, Vice Chairman

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394 ATTEST \_\_\_\_\_  
395 Dylan Ramstad Skoyles