

**Becker County Planning Commission**  
**March 8<sup>th</sup>, 2021**

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

Acting Chairman Dave Blomseth called the Planning Commission meeting to order at 6:05 pm. Introductions were given. Becker County Zoning Office Support Specialist Nicole Hultin recorded the minutes.

Nominations were opened for a new Planning Commission Chairman.

**MOTION: Aho nominated Dave Blomseth; Skalin second. All in favor. Motion carried.**

Mary Seaberg made a motion to approve the minutes from the October 13<sup>th</sup>, 2020 meeting. Jeff Moritz 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.

**New Business:**

- 1. APPLICANT: Hanson Properties of Shoreham** 1462 East Shore Dr Detroit Lakes, MN 56501 **Project Location:** 24110 Co Hwy 22 Detroit Lakes, MN 56501 **LEGAL LAND DESCRIPTION:** Tax ID number: 19.1869.000 Section 20 Township 138 Range 041; WESTS ADD – SHOREHAM BLOCK A LOT 1 EX NELY 235’. Tax ID number: 19.1870.000 Section 20 Township 138 Range 041; WESTS ADD – SHOREHAM BLOCK A A 95’ STRIP LYING 140’ W OF SLY LINE OF LOT 1. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Conditional Use Permit to construct and replace a fence six (6) feet high within fifty (50) feet of the Pelican River.

Jeff Boehm with Lighthouse Construction presented the application.

Boehm stated that a six-foot-high fence is desired for privacy for both the neighbors as well as the patrons.

There were no questions, and no one present to speak for or against this application.

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Testimony closed.

**MOTION: Seaberg motioned to accept the application as submitted; Skalin second. All in favor. Motion carried.**

**2. APPLICANT: Sandra Orthmeyer Vetter** 19818 Co Hwy 32 Rochert, MN 56578 **Project Location:** Co Hwy 32, Corner of 335<sup>th</sup> Rochert, MN 56578 **LEGAL LAND DESCRIPTION:** Tax ID number: 10.0271.000 Section 14 Township 139 Range 040 E 122 RDS OF N1/2 OF NW1/4 LESS 12.77 AC & E 2 RDS **APPLICATION AND DESCRIPTION OF PROJECT:** Request to amend an existing Conditional Use Permit, recorded document no. 658932, to increase crushing and Hauling operations.

Dale Renner presented the application.

Renner stated they would like to change operating hours to be as needed in order to keep up with demand of product.

Aho asked if that means every day.

Renner stated its more because of weather interfering with the few allowable days they currently have.

Knutson asked if they stockpile at all.

Renner said they do. They put up a pile of as much as they can for 2 days out of the month.

Knutson asked how big of an area for mining and how long this process will last.

Renner stated that it depends on how much product sells, but there is always a need for it. He also stated that they are permitted to mine 15 acres, and that they use up maybe an acre in a year.

Seaberg asked Renner if he could be more specific with the hours he's requesting.

Renner stated they would ideally crush a week or two in the spring and then not have to do that in the summer, but it is depends how much they sell.

There were no questions, and no one present to speak for or against this application.

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Testimony Closed.

Members discussed the open-endedness of the hours.

**MOTION: Seaberg motioned to amend the existing conditional use permit to allow crushing and hauling on an as needed basis between the hours of 7:30 am – 5:00pm, Monday through Friday; Aho second. Roll Call. All in favor. Motion carried.**

**3. APPLICANT: Richard & Dana Laine** 20781 Co Rd 117 Osage, MN 56570 **Project Location:** 20781 Co Rd 117 Osage, MN 56570 **LEGAL LAND DESCRIPTION: Tax ID number:** 33.0118.000 Section 10 Township 139 Range 038 LOT 1 & SW1/4 OF NW1/4 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Conditional Use Permit for a Commercial Planned Unit Development (PUD) to have 8 RV sites and a 12 slip dock system.

Thomas Winters, Attorney for Richard & Dana Laine presented the application.

Winters noted that the site was surveyed for fourteen (14) RV sites, but that Laine is asking to go smaller with eight (8) RV sites.

Winters stated that Mr. Laine has met with he DNR in regard to docking, and that the DNR has given Laine a couple locations they feel would be best for docking.

Winters stated that Mr. Laine is trying to make this project as safe as possible. Winters stated there is plenty of visibility in both directions of the road. He said that Mr. Laine will have a fence with one opening to permit crossing in only one place across the road. Mr. Laine will also have appropriate lighting.

Winters stated that the Hwy department would be willing to install pedestrian crossing signs at Laine’s cost.

Winters stated that there is a parking area on the east side of the property for parking and a garbage site. This site will not be visible from the lake.

Winters also stated that Mr. Laine intends to keep all RVs maintained in great condition, and that interviews would be conducted for each potential renter.

Thorkildsan expressed concern for pedestrians needing to cross the road in order to get lake access. Thorkildsan also asked how much lakeshore would be used for the docking system.

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140 Winters stated it would be whatever the DNR would allow and permit.

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142 Blomseth stated the DNR has approved docking on the lake, and that Laine's are open to  
143 changing the docking plan to accommodate all DNR requests.

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145 Winters commented regarding pedestrian safety and stated that there are many roads that  
146 are much more dangerous, but that this road does need clarification as to the speed limit,  
147 because there are conflicting signs posted. Winters reiterated that Laine is willing to pay  
148 for pedestrian signs.

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150 Skalin asked if one speed limit sign was regulatory and the other advisory. Winters  
151 confirmed. Skalin stated they should speak with the Hwy department to correct that to be  
152 either regulatory or both advisory.

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154 Testimony was opened to the Audience.

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156 Deb Nerud, neighbor and President of Toad Lake association, spoke in opposition to the  
157 application.

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159 Nerud stated that Bambi's resort has an area for patrons once they cross the road, but that  
160 Ly-Nee would not have a place for people to park once they crossed the road. Nerud, is  
161 concerned that this would result in cars and golf carts parked on the road. She feels there  
162 should be no parking signs along there.

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164 Nerud stated that nothing has changed regarding safety since the last time this application  
165 was presented.

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167 Roger Ball, neighbor, spoke in opposition to the application.

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169 Ball commented that had this proposal been in place when they were house hunting that  
170 they would have looked elsewhere to purchase a home. Ball is concerned about the effect  
171 an RV campground may have on property values and stated that he would rather see four  
172 new family homes be built as opposed to an 8 RV Campground.

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174 Clark Lee, neighbor, spoke online and asked that Vareberg would read his letter opposing  
175 the campground into the record after everyone else speaks.

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177 Rick Lien, neighbor, spoke in opposition to the application.

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179 Lien asked about the docking area.

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181 Blomseth clarified that docking will be whatever the DNR approves.

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183 Lien asked where the opening in the fence would be located.

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185 Blomseth stated the opening would coincide with where the DNR would allow dock  
186 placement.  
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188 Lien also expressed his concern for pedestrians in regards to road safety.  
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190 Yvonne Kangas, neighbor, spoke online in opposition to the application.  
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192 Kangas emphasized the safety issues in regard to the road. Kangas stated that road  
193 visibility may be good this time of year, but that in the summer, foliage on the trees  
194 blocks views of cars.  
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196 Kangas stated that she has almost been hit walking many times, and that there is no room  
197 on the lake side to both stand and be safe. Kangas said she is concerned it will be too  
198 noisy from golf carts and ATV's.  
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200 Lori Mitchell, neighbor, spoke online in opposition to the application.  
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202 Mitchell stated that she wanted to share her objection for the third time in regard to the  
203 proposed RV park. Mitchell is concerned about effects on the lake, and that if this  
204 application is approved, it will only open up the door for Mr. Laine to come back again to  
205 request more sites.  
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207 Terri Ball, neighbor, spoke in opposition to the application. Ball stated that if they had  
208 known about this proposal when they were house hunting that they wouldn't have moved  
209 to Toad Lake. Ball also stated her concern about potential effects on depreciation.  
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211 Vareberg read into record a letter opposing the application from Clark Lee.  
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213 Vareberg read into record a letter opposing the application from Barb and Bill Franke.  
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215 Vareberg read into record a letter opposing the application from Al and Julie Neske.  
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217 Vareberg read into record a letter opposing the application from Arlen and Yvonne  
218 Kangas.  
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220 Vareberg read into record a letter opposing the application from Michele and Terry  
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223 Vareberg read into record a letter opposing the application from Perry and Theresa  
224 Krieger  
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226 Vareberg read into record a letter from Rodger Hemphill – DNR Area Hydrologist.  
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228 Clark Lee, neighbor, spoke online in opposition to the application.  
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230 Lee stated that the DNR has not approved any dockage.

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Lee says he spoke with Sheriff Glander who told him there cannot be pedestrian crossings on that road like there is in town. Lee stated he was told there could be a sign that says, "Pedestrians may be Crossing", or a caution sign regarding pedestrians. Lee expressed his concern for the conflicting speed signs, and safety regarding pedestrians.

Winters addressed the safety concerns. Winters also stated that there is no evidence to show that the RV Campground would negatively effect surrounding property taxes.

Winters stated that while neighbors have safety concerns about the road, why should Mr. Laine be punished for the actions of other drivers.

Winters reiterated that Mr. Laine is open to any conditions the County would be willing to put into place in order to approve the campground.

Richard Laine spoke briefly to express his desire for this campground to be approved.

Thorkildson stated that he cannot support this application. He stated he is fine with the campground itself, but not with the lake access portion of the request.

**MOTION: Thorkildson made a motion to deny the application based on the following criteria:**

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 area is predominately residential in the immediate vicinity, adding a commercial business to the area will be detrimental for reasons described below such as traffic, noise, and dust. Noise and dust is inevitable with additional traffic on Co Rd 117 and the increase in seasonal campground residents and their guests.**
  
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.  
**Residential is predominant based on the use of the surrounding properties. The PUD location was re-zoned from Agricultural to Residential by Becker County on 12/28/2004. Placing a commercial business in the location now, would dispute the County decision from 2004. Mixing a commercial business with a residential neighborhood will create negative effects on orderly and consistent development due to the difference in normal levels of noise, odors, lighting, fumes and other elements. Districts are to remain separate and not mix.**

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

**The commission believes the added traffic and campground occupants will produce noise and dust beyond a reasonable level. The noise and dust will be produced by and not limited too: vehicles, golf carts, pets, and music.**

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
  - b. **View from public waters.** That the visibility of structures and other facilities as viewed from public waters will be limited;  
  
**Vegetation is scarce on the site and it is of the Commissions to believe the view from public waters would be abrupt and easily visible.**
  - c. **Adequate utilities.** That the site is adequate for water supply and on-site sewage treatment; and

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

**AND**

**Criteria for evaluation of commercial/transient MUD conditional use applications.** Before recommending the approval of the preliminary development plan and conditional use permit for a commercial/transient MUD, the Planning Commission shall find that all of the following criteria are satisfied:

322 **1. The MUD conforms to the regulations of the land use district in which it is**  
323 **proposed to be located;**  
324 The proposal is located in both residential and general agricultural land use districts. A  
325 residential district is to be used for low to medium density of seasonal and year-round  
326 residential uses. Commercial uses are to be prevented in these areas to prevent conflicts  
327 or problems for residential uses. Through testimony given the Planning Commission does  
328 not find the proposal conforms to the regulation of a residential land use district.  
329 Problems found by testimony include safety concerns of pedestrians and animals crossing  
330 County Highway 117 to access boat slips with very little land on the west side or lake  
331 side of the road. Other concerns include noise, garbage, traffic, and lake deterioration.

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333 **It was also noted there is not adequate parking for ATVS or golfcarts on the**  
334 **shoulder of the road on the lakeside of the park.**

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336 **Seaberg Second. Roll Call. In Favor: Thorkildson, Seaberg, Skalin, and Moritz. Not**  
337 **in favor: Aho, Ailie, and Chairman Blomseth. Motion carried.**

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339 **Other Business:**

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341 **D) Tentative Date for Next Informational Meeting:**  
342 **April 7<sup>th</sup>, 2021; 8:00 am; 3<sup>rd</sup> Floor Meeting Room in the Becker County Courthouse,**  
343 **Detroit Lakes, MN.**

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345 **Since there was no further business to come before the Board, Aho made a motion**  
346 **to adjourn. Thorkildson second. All in favor. Motion carried. The meeting**  
347 **adjourned.**

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351 **David Blomseth, Chairman**

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351 **Jeff Moritz, Secretary**

352 ATTEST

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355 **Kyle Vareberg, Zoning Administrator**