Becker County Planning Commission
February 8th, 2022

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

Chairman Dave Blomseth called the Planning Commission meeting to order at 6:00 pm. Introductions were given. Becker County Zoning Technician Jeff Rusness recorded the minutes.

Moritz made a motion to approve the minutes from the January 4th, 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: Tobias J & Sarah C Miller 15961 Co Hwy 39 #2 Frazee, MN 56544 Project Location: 15961 Co Hwy 39 Frazee, MN 56544 LEGAL LAND DESCRIPTION: Tax ID number 33.0235.000 Section 29 Township 139 Range 038; 29-139-38 W 1/2 NE1/4 SW1/4 & W1/2 SW1/4 LESS N 615'; W 330' SE1/4 SW1/4. APPLICATION AND DESCRIPTION OF PROJECT: Request a Conditional Use Permit for mining operations.

2. APPLICANT: Jared & Jolene Aho 19534 Co Hwy 39 Frazee, MN 56544 Project Location: TBD 427th Ave Frazee, MN 56544 LEGAL LAND DESCRIPTION: Tax ID number 33.0235.004 Section 29 Township 139 Range 038; 29-139-38 N 615' W1/2 NE1/4 SW1/4; N 615' W1/2 SW1/4. Tax ID number 33.0235.003 Section 29 Township 139 Range 038; SW1/4 NE1/4, NW1/4 SE1/4, E1/2 NE1/4 SW1/4 APPLICATION AND DESCRIPTION OF PROJECT: Request a Conditional Use Permit for mining operations.

Kyle Vareberg introduced the applications, and they were considered concurrently by the Commission.

Jeremy Howard explained the application seeking a conditional use permit to mine gravel on Tobias and Sarah Millers property. Howard stated they would like to proceed as he has detailed on the plan. Howard spoke about constructing a road on the Miller’s property and proceeding to the township road. Howard explained the difficulties of an easement to the back side of the Miller property. Howard stated that the road would be long and extensive to build and not a good access for trucks where it would connect to the Township Road.
Mary Kramvik spoke against the application:

Kramvik stated her concerns of the gravel pit and where the gravel pit is located. Kramvik said they will be living in the middle of the gravel pit. Kramvik stated her concerns of property value, dust, safety, and health of the people living in the area. Kramvik said she wants the commission to know that the individuals benefiting from this project will not be directly impacted in a negative way from this project, they are just benefiting monetarily. Kramvik ask the commission to deny this permit due to the misleading statements and the effect that it will have in the area. Kramvik said if the permit is granted, they will be contacting and notifying proper authorities as issues arise. She stated lawsuits are not out of the question if injuries or health issues arise with her family. She said if the permit is granted there should be an alternate route through the Aho property and business hours should be 8:00 A.M. to 4:30 P.M. Monday through Friday and limited to two years.

Blomseth asked if Kramvik lives there all year.

Kramvik stated they do not but are planning to.

Kramvik letters, attachments and photographs are on record in the applicant’s files in the Planning and Zoning Office of Becker County.

Don Wurst from Toad Lake Township shared his concerns. His main concern was 170th Street and how it will hold up to truck traffic. He stated Howard expressed concerns with the shoulder giving away on 170th Street at the Township meeting. Wurst asked the board how they would feel if someone moved a gravel pit in where they lived.

A letter of opposition from Toad Lake Township is on record in the applicant’s files in the Planning and Zoning Office of Becker County.

Knutson asked Wurst if that was his home place.

Wurst said yes, that is my original home place, and I am very familiar with it.

Knutson asked Wurst about the alternative route that they talked about at their Township meeting other than the Aho route.

Wurst said they could have an alternate route across Aho property to make a straight shot from Hwy 39 across a field and could buy an easement across another Amish property.

Hall asked Wurst if it would be going east.

Wurst said yes.

Knutson ask about the site line off 170th Street.
Wurst explained a scenario where he believes someone would have to back up if they met a truck on the road.

Aho asked Wurst if he discussed the alternative route with Mr. Howard.

Wurst said yes, he believes they have because it was discussed at the Township meeting.

Vareberg asked, if the Aho property was not mined, how would Tobias Miller get the gravel off his property.

Wurst replied, good question and said they would have to work that out on their part. Wurst also stated if they use 170th street they will have to put some pretty strict restrictions on it.

Anthony Trulen spoke against the application, He stated that he recently purchased a property off County Hwy 39 and 170th Street. Trulen said he found out about the application after he closed on his property. He believes the proposed mine should be in industrial zoned areas, he stated his concerns about the noise, dust, respirable silica, truck traffic, wildlife, and road deterioration. Trulen stated his concern about the business hours stated on the permit. Trulen explained that he works in the aggregate business and stated there was no storm water run-off plan and other details on the application.

Trulen’s letter of opposition is on record in the applicant’s files in the Planning and Zoning Office of Becker County.

Skalin asked Trulen what parcel he bought so he could see it on the map.

Trulen stated it was Ron Lehman’s property.

Marsha Watland commented on the application, Watland works for Becker County Soil and Water. Watland stated she contacted Kyle Vareberg and Jeremy Howard to complete the original application because it was incomplete. Watland stated she works with seventy-five gravel pits in the County. Watland stated she does not see a problem with this gravel pit. She did say traffic can be a concern around gravel pits but does not see it on this one but if it does become a concern, they should call them on it.

Collins asked if the delineation line was for the wetland.

Watland explained the lines represented on the map were soil types.

Bestge asked Watland what her official position is on the project.

Watland said she would be comfortable with the gravel pit going forward with the management plan that has been set.
Knutson commented that Watland got out of her zone, because she did not mention anything about the residents, and she has nothing to do with township roads and the road by the gravel pit on county road six is heavily built because of the traffic over there.

A letter received from the DNR employee Erik Thorson is on record in the applicant’s files in the Planning and Zoning Office of Becker County.

Closed Testimony.

Skalin asked about the drainage or creek between the two adjacent properties.

Wurst explained where they cross the creek.

Knutson asked Wurst if you go straight east across do you still have to cross the creek.

Wurst said yes you still must cross the creek but there is an existing road across the creek that Aho uses with heavy combines.

Thorkildson stated that there is no way he could approve this application at this time.

Thorkildson stated he cannot consider approving it until he can get out there and see, after the snow is gone. He said he has some real concerns on the application, so it is a no for him.

Aho asked what things need to be discussed because that is why we are here.

Skalin agreed with Aho. Skalin also stated he has an issue with the time of business hours, he feels 6:00 A.M. to 6:00 P.M. seems a little long.

Skalin asked Howard if it will take ten years to empty the pit.

Howard said he did not think so, but he would like access to piles if they were left there.

Knutson explained some of the details of the township meeting like the business hours, time to start and end, and the season, gathering enough for the season. Knutson feels the hall route is something that must be looked at and he knows the County Board will be discussing it. He said it could be annual, renewed every year or every two years.

The board spoke amongst themselves about restrictions.

Blomseth asked Howard if he had a crusher.

Howard said he has a portable crusher.

Hall asked if they will be leaving equipment there all season and crushing all season.
Howard explained they will crush in the spring, screen in the summer and haul when they have jobs east of this site and trucks are coming back by it empty. He said they will also haul on wet days and then hauling would pick up in the fall.

Wurst commented that the permit should not be granted until it is viewed by the board in the spring.

Blomseth explained the protocol to Wurst for application timelines.

Vareberg gave dates and timelines if the applicant tabled the application.

Bestge questioned if the permit was complete and whether the Commission should hold off on the application.

Vareberg stated that the permit is complete and with road projects in the area the applicant could contract with the State or County and the gravel would be mined without any stipulations.

Vareberg also commented about the accusations made against the Planning and Zoning Department about holding hearings in the winter. He stated the last one approved in the winter was for Howards Driveway Service and there was opposition. He said this is not the first gravel pit to be approved that is close to homes and uses township roads.

Knutson stated some gravel pits have been denied also.

Bestge asked Howard if he has looked for any other location.

Howard said that this one was found last fall and there is another location, but no testing has been done.

The board spoke amongst themselves. Discussing possible restrictions.

**MOTION:** Thorkildson motion to deny the application based on the fact there is too much snow to tour the site. Collins second. Rollcall. In favor: Thorkildson, Collins, and Bestge. Opposed: Aho, Ailie, Blomseth, Moritz, Skalin and Hall. Motion failed, 3-6.

**MOTION:** Skalin motioned to approve the application with the following stipulations: Crushing and screening hours with be 8:00 A.M. to 5:00 P.M Monday through Friday. An agreement be in place prior to mining between the applicant and Township for maintaining the road and repairing any damage to the road. Dust control for the Township Road and the private access road on the applicant’s property and the total mine area be limited to 18.5 acres within the proposed boundaries. Also, to include the following findings:
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 applicant has proposed measures to ensure the surrounding properties “use and enjoyment of property” is not encroached on. The measures used to mitigate any potential harm are to include but not limited to berms made of topsoil and piles of screenings are to be used to help lower noise from the pit, limited hours of crushing and stipulated hours of operation. No evidence has been provided to this Commission to prove any fact for the potential to impair property values in the immediate vicinity.

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.

No evidence has been received to suggest gravel mining has affected the normal, orderly development or improvement of surrounding vacant properties. Statements found in the Becker County Comprehensive Plan state under Natural Resource Issue Area Policies, number four, letter G, “Maintain prime agricultural lands, targeted forest areas and aggregate resource areas by limiting residential or commercial development.” The Comprehensive Plan also states” Becker County is net exporter of aggregate, primarily to other nearby counties for road maintenance and construction projects. The aggregate resource is becoming more important, as aggregate reserves are depleted or covered in areas experiencing heavy development pressure. With fairly large aggregate reserves, Becker County can be reasonably protected from a shortage of aggregate for its own needs and can look to the aggregate as an economic resource with increasing value.” These statements indicate the Conditional Use Permit is consistent with the Becker County Comprehensive Plan.

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

The property will be accessed by an existing Township Road. From the existing driveway on the Miller property, a new access road will be created to the North to access the mine site. Drainage will be confined to the mining area and no other necessary facilities will be necessary.
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.

Parking is expected to be minimal, however this is more than adequate area for any necessary parking on-site.

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.

   1. Offensive odor - No significant odors are expected to be generated outside of heavy equipment exhaust emissions, which are expected to be very minimal.
   2. Fumes - The project is not expected to generate any significant fumes besides normal heavy equipment exhaust, which are expected to be very minimal.
   3. Dust – Dust will be monitored, and water will be applied as needed on an ongoing basis.
   4. Noise - The noise generated by the operation will be screened by keeping the equipment in the mining cut and utilizing berms and stockpile material, our crusher and screen plant are mobile units designed to operate in urban areas and produce relatively low noise.
   5. Vibration – No vibration is expected to be generated from the request.
   6. Control Lighted Signs and Other Lights- No artificial lighting will be used outside of lighting on equipment which will be minimal.

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.

Erosion will be confined to the area of the proposed pit. Topsoil from the area will be used as a flat top berm along a section of the natural environment lake located on the property. There will be no storage of tanks or chemicals on the site. All equipment will be monitored frequently to ensure it is operating properly and all
processing equipment will be located over 150' from the ordinary high-water
mark of the adjacent Natural Environment Lake. Once mining ceases on the site,
topsoil will be placed back and re-seeded.

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

All processing equipment will be located within the mine cut to limit
the view from the adjacent public water. Berms and stockpiles will
also help screen the project.

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

Sewer and water are not applicable for the project.

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

Watercrafts are not applicable to this proposed use.

Hall second. Rollcall. Those in favor: Aho, Ailie, Blomseth, Moritz, Skalin,
and Hall. Opposed: Bestge, Collins and Thorkildson. Motion Carried.

New Business:

1. APPLICANT: Josh & Kayla Swangler 21246 Co Hwy 29 Rochert, MN
56578 Project Location: 18178 Co Hwy 29 Detroit Lakes, MN 56501
LEGAL LAND DESCRIPTION: Tax ID number: 10.0379.000 Section 23
Township 139 Range 040; 23-139-40 PT SE1/4 SE1/4: COMM SE COR SEC
23, N 1215.56', W 38.72' TO POB; W 225.28', S 91.24', E 18.27', S 39.18', E
60.25', SLY 169.06', ELY AL HWY 125.45', N AL HWY 269.30' TO POB.
TRACT C. APPLICATION AND DESCRIPTION OF PROJECT:
Request a Preliminary Plat for an eleven (11) unit Multi-Unit Storage
Structure Development to be known as PRIORITY STORAGE OF THE
LAKES.

Kyle Vareberg introduced the application and explained this application falls
within Erie Township’s subdivision control. He stated the Planning Commission’s
recommendation will go to them for consideration and not the County Board.
Adam Geiger, from Meadowland Surveying, explained the Multi-Unit Storage project will take place in two phases. The south five units will be completed first and then the six unit will be completed to the north.

Closed testimony

MOTION: Collins motioned to approve the application; Bestge second. Roll Call; All in favor. Motion carried.

2. APPLICANT: Fred G S Lassonde III & Anna Lassonde 28304 125th St Detroit Lakes, MN 56501 Project Location: 28304 125th St Detroit Lakes, MN 56501 LEGAL LAND DESCRIPTION: Tax ID number: 19.0482.000 Section 24 Township 138 Range 041; 24-138-41 PT W1/2 SE1/4 NW1/4; COMM W QTR COR SEC 24, E 1324.14' TO POB; N 365.5', E 595.89', S 365.51', W 596.06' TO POB. APPLICATION AND DESCRIPTION OF PROJECT: Request a Conditional Use Permit to operate an automotive shop for repair and restoration.

Kyle Vareberg introduced the application.

Fred Lassonde explained the application requesting a conditional use permit to operate an automotive repair shop. Fred explained the size of the shop and how many cars that can be worked on and how much parking he will have on the property.

Aho asked if it would be kept clean and orderly and not have junk laying around

Fred explained there may be some but generally it will be clean and said he will abide by any restrictions that are necessary.

Knutson asked if there have been any issues with complaints.

Lassonde said there was one two years ago in or around December.

Knutson stated that this is a conditional use permit and if the conditions are not followed it can be removed.

Lassonde agreed.

Moritz asked how many vehicles will be on the property.
Lassonde said he is open to any restrictions but guessed about ten or fifteen vehicles.

Bestge asked if that was in addition of his personal vehicles.

Lassonde said yes and that he has 3-4 parked by his house. He again stated he is open to any restrictions that would need to be followed.

Moritz asked how the vehicles are scheduled to be repaired.

Lassonde said he usually has a few scheduled to be repaired and then one or two major projects.

Bestge asked if he has a plan to remove salvage vehicles that are at a point that they can serve no purpose.

Lassonde said he takes them to a scrap yard.

Skalin asked where all the cars are that are sitting around are going to be stored.

Lassonde explained that he had a pad on the north side of his shop kind of out sight or in his barn.

Ailie stated his concern for the vehicles in front of the shop closest to the road and said that is probably why the complaint was received.

Lassonde stated that the shop was not there at the time of the complaint, and it probably looked kind of bad.

Knutson asked Lassonde how many personal vehicles he has.

Lassonde said about ten and that some are in buildings.

Knutson explained that the ordinance only allows three unlicensed vehicles on a property.

Lassonde replied that only one or two are not licensed.

Bestge asked Lassonde if he would consider a fenced in area.

Lassonde said he would be open to that, but the only tricky thing would be coming from the west to the east with being on a hill, somethings would be visible from that direction.
Dave Knopf spoke to the application:

Knopf stated that he is a neighbor to Lassonde and also mentioned the business has been running for a couple years. Knopf stated he was on the Lakeview Township Board, and they have been trying to clean the Township up the last thirty-five years and keep it clean. He recommends the board put stipulations on this type of business, he is not against business but wants to keep the Township clean.

Kyle Vareberg read a letter from Lakeview Township for the record, the letter is in the applicants file in the Planning and Zoning Office of Becker County.

Closed Testimony

Hall stated it is a reasonable request but should have stipulations

Skalin recommended a biannual cleanup.

Moritz recommended 10 vehicles or 15 vehicles with a fence.

Ailie recommended 10 vehicles being worked on with a fence.

**MOTION:** Skalin motioned to approve the request with the following stipulations: 10 vehicles allowed, or 15 vehicles allowed if fencing is constructed fully screening the vehicles from the road, these numbers do not include the applicant’s personal vehicles. The site must be cleaned up biannually in the spring and fall to rid of junk parts. Aho second. Roll Call; All in favor. Motion carried.

3. Zoning Ordinance Amendments:

1) **Chapter 8, Section 4, Letter E, numbers 2 & 3; Section 5, Letter H, number 2, Letter e, numbers 1 & 2; Easements: To Reduce the width from sixty-six (66) feet to thirty-three (33) feet for all private easements regardless of the number of tracts it serves.**

Kyle Vareberg explained the amendment to the board.

Hall asked if it was county wide.

Vareberg stated that yes it would be county wide.

The board spoke amongst themselves

The board asked what effect it would have on future roads like Township roads or is this private easement access.
Vareberg stated that it would be only private easement access. Kyle explained that the county is struggling to subdivide larger properties because of this restriction.

Skalin stated that utilities companies want to save money coming across your property. He said they will ask the property owner for the easement.

Bob Hedlund spoke in favor of the amendment. Bob stated he feels that the 66ft easement is limiting to his property.

Vareberg Read a letter of opposition from the City of Detroit lakes.

Knutson stated the last paragraph in the letter was incorrect.

Closed Testimony.

MOTION: Aho motioned to approve the amendment. Collins second. Roll Call; All in favor. Motion carried.

2) Chapter 3, Section 7, number 7; Chapter 5, Table 5-4.5; Chapter 6, Section 10, Letter D, numbers 1-3; Chapter 8, Section 3, Letters D & E; Section 6, Letter H, Number 3, Letter d; Section 9, Letter H, number 5; Section 11, Letter F, number 6; Impervious Surface Coverage: To increase the allowed percentage outside of the shoreland.

Vareberg explained the amendment to the board.

Closed Testimony.

MOTION: Skalin motioned to approve the amendment. Bestge second. Roll Call; All in favor. Motion carried.

3) Chapter 2, Section 2, Letter C; Section 3, Letter G; Board Conduct: To establish policy for attendance.

Vareberg explained the amendment to the board.

Closed Testimony

MOTION: Moritz motioned to approve the amendment with removal of the last sentence. Aho second. Roll Call; All in favor. Motion carried.

4) Chapter 5, Section 2, Table 5-2 & Letter E; Wetland Setbacks: To eliminate the setback for all wetlands on riparian lots and to
implement a setback for wetlands listed in the Public Waters Inventory for all lots.

Vareberg explained the amendment to the board.

Close Testimony

MOTION: Ailie motioned to approve the amendment. Collins second. Roll Call; All in favor. Motion carried.

Other Business:

1) Tentative Date for Next Informational Meeting: March 2\textsuperscript{nd}, 2022; 8:00 am; 3\textsuperscript{rd} Floor Meeting Room in the Becker County Courthouse, Detroit Lakes, MN. Since there was no further business to come before the Board, Skalin made a motion to adjourn. Collins second. All in favor. Motion carried. The meeting adjourned at 7:49 P.M.

David Blomseth, Chairman

Jeff Moritz, Secretary

David Blomseth, Chairman

Jeff Moritz, Secretary

ATTEST

Kyle Vareberg, Zoning Administrator