

Becker County Planning Commission November 19, 2013

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

Chairman Bruflodt called the meeting to order at 7:00 pm. Julene Hodgson recorded minutes.

Kovala made a motion to approve the minutes from the joint Planning Commission and the County Board of Commissioners meeting of October 8th, 2013. Seaberg second. All in favor. Motion carried.

Kovala made a motion to approve the minutes from the October 15th Planning Commission meeting with correction of Sherbrooke spelling. Seaberg 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 November 26th, 2013.

Old Business: None

New Business:

FIRST ORDER OF BUSINESS: APPLICANT: Matthew & Christin Mohr 15019 320th Ave Frazee, MN 56544 **Project Location:** 15019 320th Ave **LEGAL LAND DESCRIPTION:** 030011000 Burlington Township PT SW1/4 OF SW1/4: BEG SW SEC COR TH N 758.21'...Section 03, TWP 138, Range 40 **APPLICATION AND DESCRIPTION OF PROJECT: Request a Conditional Use Permit for a gunsmithing shop located in the basement of the existing home in an Agricultural Zone.**

Property owners Matthew and Christin Mohr explained the application to the Board. He is requesting a Conditional Use Permit for a gunsmithing shop located in his basement. The business will consist mostly of gun repair and gun parts ordered- no retail sales are proposed at this time. Knutson asked if he will have a shooting range on his property. Mohr stated any shooting will be by him for test firing only and he has a gravel/sloped area in the S/E corner of his property that is a safe area.

No one spoke in favor or in opposition to the application. Swenson read written correspondence from Burlington Township Chairman David Green. The letter noted the Township was in favor of the request. At this time, testimony was closed and discussion was held.

It was the concensus of the Board that the request meets the criteria of the Ordinance. There was no further discussion by the Commission.

MOTION: Thorkildson made a motion to approve a Conditional Use Permit for a gunsmithing shop due to the request is not detrimental to the surrounding area. Lien

second. All in favor. Motion carried.

SECOND ORDER OF BUSINESS: APPLICANT: Doug LeSage with Prairie Lakes Properties LLC
PO Box 245 Osage, MN 56570 **Project Location:** 53014 St Hwy 34 **LEGAL LAND DESCRIPTION:**
050144001 Carsonville Township NE1/4 N OF HWY 34, Section 25, TWP 140, Range 37
APPLICATION AND DESCRIPTION OF PROJECT: Request to amend an existing Conditional Use Permit document #458776 to include 40 RV sites in a Commercial Zone known as Smoky Hills Wilderness Park, LLC.

Doug LeSage on behalf of himself and Prairie Lakes Properties LLC explained the application to the Board. The original Conditional Use Permit for the property allowed 15 RV sites. With the total useable acreage 40 units would be allowed by today's Ordinance. The proposal includes 20 seasonal sites and 20 overnight sites. They are proposing a swimming pool with the atmosphere being family oriented. Kaiser asked if the owner will continue to use the main entrance off of highway 34 to which Doug answered yes, they will not propose any new entrances to the property from the north. Knutson asked what the other buildings are going to be used for and Doug stated they are going to utilize the existing cabins have a conference center and full restaurant. Doug continued by saying the property was recently used for a retreat that catered to churches and private parties but now it will be reopened to the general public. Kaiser asked if the request was for an additional 40 RV sites besides the original 15 RV sites granted to which Doug answered no it will be for a total of 40 RV on the property as allowed by Ordinance. They continued by discussing the revised plan that was submitted regarding the access area and walking trails/ATV trails that are already established in the property.

No one spoke in favor or in opposition to the application. Swenson read a written correspondence from Ron and Theresa Celander who are against the application. They purchased property on the north side of this property and thought Smoky Hills Wilderness Park was to be a retreat, a sanctuary of nature and peace. At this time, testimony was closed and discussion was held.

Kovala stated he spoke to some of the Carsonville Township officials and neighbors who did not have a problem with the request as long as the access to the property remained from the south and not off the road from the north. They all stated they thought it would be good for the area and bring in out of area people for businesses close by. Knutson stated he lives by other property owned by the applicant and there has been no problems or concerns regarding that property. Lien stated the request meets all requirements of the Ordinance and sees no problem with the request. Kovala noted the property is already zoned Commercial.

There was no further discussion by the Commission.

MOTION: Kovala made a motion to amend the existing Conditional Use Permit document #458776 to include 40 RV sites due to the request meets the criteria of the Ordinance. Moritz second. All in favor. Motion carried.

THIRD ORDER OF BUSINESS: APPLICANT: Randy & Alisa Wold 26259 Co Rd 140 Detroit Lakes, MN 56501 Project Location: 26259 Co Rd 140 **LEGAL LAND DESCRIPTION:** 080029002 Detroit Township N 410' OF W 550' OF GOVT LOT 3, Section 03, TWP 139, Range 41
APPLICATION AND DESCRIPTION OF PROJECT: Request a Conditional Use Permit for a taxidermy business located in an existing garage and a sign for advertising business in an Agricultural Zone.

Property owners Randy and Alisa Wold explained the application to the Board. He has done taxidermy

work as a hobby, but would like to do more and wants to place a sign on the property for advertising the business. The work he does is mostly on a one on one basis and for returning customers. The requested sign would not be illuminated.

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.

It was the concensus of the Board that the request meets the criteria of the Ordinance and would not be detrimental to the surrounding area.

There was no further discussion by the Commission.

MOTION: Kaiser made a motion to approve a Conditional Use Permit for a taxidermy business and a sign for advertising on the above property due to the request would not be detrimental to the surrounding area. Johnston second. All in favor. Motion carried.

FORTH ORDER OF BUSINESS: APPLICANT: Daniel Finn with DKF Investments, LLC PO Box 831 Park Rapids, MN 56470 Project Location: Utopia Bay Ln LEGAL LAND DESCRIPTION: 250555505 Round Lake Township Elbow Lake 25014 SubdivisionName OXBOW BEACH CLUB CIC 47 Lot #5, Section 06, TWP 142, Range 38 APPLICATION AND DESCRIPTION OF PROJECT: Request to amend an existing Conditional Use Permit document #534781 to relocate lot #5 within a CIC due to groundwater issues.

Daniel Finn on behalf of himself and DKF Investments LLC explained the application to the Board. The approved original site of Lot #5 has groundwater issues. The excavator determined the previous area chosen for Lot #5 is not suitable as a building site. They would like to relocate the site and not add any further sites.

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.

Lien stated the relocation of Lot 5 to a new location will still follow the letter of the Ordinance and the number of sites previously allowed will remain the same.

There was no further discussion by the Commission.

MOTION: Lien made the motion to amend the existing Conditional Use Permit document #534781 to relocate lot #5 within a CIC due to groundwater issues due to the request meets the criteria of the Ordinance. Kovala second. All in favor. Motion carried.

FIFTH ORDER OF BUSINESS: APPLICANT: Central Specialties Inc on behalf of Dean and Janice Haverkamp 19172 230th Ave Detroit Lakes, MN 56501 Project Location: Field N of 19172 230th Ave LEGAL LAND DESCRIPTION: 020079001 Audubon Township E1/2 SE1/4 Less 10.85 AC, Section 13, TWP 139, Range 042 APPLICATION AND DESCRIPTION OF PROJECT: Request a Conditional Use Permit to allow aggregate extraction/mining and processing including crushing, screening, washing and storage, on a needs basis for area road construction projects in an Agricultural Zone.

Sue Vieregge for Central Specialties Inc and property owner Dean Haverkamp explained the application

to the Board. The property could provide as much as 50,000 cubic yards of material suitable for road construction. The timetable would be six-eight weeks per year until the material runs out. The request is to extract materials on an as needed basis. Johnston noted the request was for hours of operations from 5:30 am-10:00 pm to which he stated most construction runs with daylight hours only. Vieregge stated the extra time would allow for maintenance and for the trucks to get back to the pit area. Vieregge continued by stating there would be nothing permanently established on the site. Haverkamp stated the existing pit was used in the 1970's for 230th Ave and a couple of other local road projects. Kovala asked Haverkamp questions regarding the history of the road to the north of the property. Haverkamp stated the one acre area that the road surface is within was originally a part of his acreage making it a total of eighty acres and the primary use of the area is for granting a perpetual easement to the neighboring property. Somehow the one acre was excluded from the eighty acres so Haverkamps property has been seventy-nine acres for some time with access use of the road. The road area was County tax forfeited property and recently came up for sale. The neighbors abutting the road were notified and Haverkamp purchased the one acre to add it back to his property. Haverkamp is giving egress-ingress rights to the neighbor for a perpetual easement. Knutson asked Haverkamp if he thought it was a problem using a driveway for hauling purposes to which Haverkamp stated no. Haverkamps lease states the road will be maintained and repaired. Vieregge noted there will not be a lot of hauling due to the size of the aggregate area, the sight would be for small projects. They are prepared to improve the road to allow for truck traffic and leave the road in the same condition as it is presently. Vieregge stated there will not be a plant set up due to the small size of the pit. Brufloft asked if they had spoke to the neighbor to which Haverkamp stated yes he had and he did not think there was a problem, but that she was in the audience and could speak with any concerns. Moritz asked Vieregge what they planned on doing with the topsoil to which Vieregge stated they would keep it on site and use it for the reclamation process. Brufloft asked if another access road could be constructed off of 230th Ave to which Haverkamp stated it would be possible but not feasible to construct another road next to the existing road. Kovala noted the request was for seven years to which Vieregge stated the amount of time was requested to get enough small road projects to utilize the 50,000 cubic yards. Knutson stated it does not take a long time to crush 50,000 cubic yards of aggregate and thought the time frame requested was extreme. Knutson suggested going in and crushing the entire amount immediately, then haul when the projects allowed. Brufloft noted if there was 10,000-15,000 a year excavated, the use should be completed in three to four years.

No one spoke in favor of the application. There was no written correspondence either for or against the application. Pat Toenjes spoke against the application. She has owned the property for 39 years and has maintained, graded, graveled, cut the grass and snow plowed the road. She has requested for a different access method to be used. Toenjes stated this is her driveway and she objects to trucks and heavy equipment utilizing the road. Toenjes stated the hours of operation requested seemed extreme. Toenjes stated she knew the road area was for sale but thought her easement area was half from the property to the north and half from the Haverkamp property so she had no interest in purchasing it and was assured her easement would remain with her property. Rick Ellsworth on behalf of Audubon Township stated they were aware of the sale of the road area but thought it was a private drive so the Township showed no interest to purchase it. Ellsworth was surprised to receive the notice there would be commercial use proposed for the driveway. Johnston asked Haverkamp when he purchased the property to which he stated just a couple of weeks ago. Haverkamp stated he basically owns the driveway that is totally on his property and he is willing to take the responsibility to assure it is maintained and repaired during this process. Knutson noted it is not just a maintenance issue but a traffic concern. At this time, testimony was closed and discussion was held.

Lien noted that the submitted plan did not specifically address the road or the plan to which the road would be maintained or repaired but instead it was in the lease agreement to the land owner. Lien stated

the language should be included in the plan and/or outcome. Kovala again stated concern of hours of operation and years of proposed project. Seaberg noted that the Board had given a shorter time frame as a stipulation of a different applicant and then they had to come back to the Board and ask for an extension due to they did not sell the aggregate. Brufloft stated he would suggest a four year plan with hours of 7am to 9pm and a different exit route off of 230th Ave. Moritz suggested this be accomplished before the findings given in the actual operation plan. Kaiser stated if the driveway is going to be utilized it should require a road agreement by all parties. Kovala suggested the applicants table the application and come back to the Board next month with suggested amendments to their original plan submitted. Lien agreed any further information should include the suggested wording of daylight hours for operation, a shorter length of years requested and the road issues.

There was no further discussion by the Commission.

Lien made the motion to table the application as submitted to allow the applicants to come back to the Board with clarified information regarding total length of the Conditional Use Permit requested, hours of operation and the road/access information. Kovala second All in favor. Application tabled.

SIXTH ORDER OF BUSINESS: Informational Meeting.

The next informational meeting is scheduled for Thursday, December 12th, 2013 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. Lien second. All in favor. Motion carried. Meeting adjourned.

At this time the Becker County Commissioners adjourned the meeting.

Jim Brufloft, Chairman

Jeff Moritz, Secretary

ATTEST

Patricia Swenson, Zoning Administrator