

Becker County Planning Commission
May 20, 2014

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

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 May 27th, 2014.

Kovala made a motion to approve the minutes for April 15th, 2014 with changes on Page 1 under first order of business. Johnston second. All in favor. Motion carried.

Chairman Bruflodt called the **Notice of Intent to Amend Ordinance** meeting to order. Zoning Technician Julene Hodgson recorded minutes.

FIRST PURPOSE OF BUSINESS: Purpose: To Amend Chapter 4, Section 10
Subject Matter: Amend the requirements of Individual subsurface sewage treatment systems to comply with the newly adopted MN Rules 7080- 7083.

Swenson explained the proposals to the Board. The MPCA revised the 7080 rules within the 7083 rules. There is the option to adopt the entire rules from the 7083 or parts of the rules. The proposed changes will provide different alternatives. Some include 15% flexibility rule on soil separation, all dwellings will be sized for a Classification I Dwelling with a minimum of 300 gallons per day, pump tanks must include an alternating two-pump system or have a minimum total capacity for design flow, and holding tanks may be used for uses that are seasonal or intermittent in nature and will not use more than 150 gallons of water per day.

No one spoke against the request. There was no written correspondence either for or against the proposal. Jody Yliniemi with Racer Construction spoke in favor of the request. Yliniemi had previously met with the group that reviewed the proposed changes. Yliniemi stated the proposals streamline well, will be easy to work within Becker County and everything was agreeable. Al Winterberger with Winterberger Inspections spoke in favor of the proposed changes. Winterberger was at the first public hearing but not at the group discussion meeting. Winterberger thanked the Board for tabling the previous paperwork for further discussion by the group and felt the alternatives adopted will be less costly for home owners. Dave Hacker with Backhoe Pete also thanked the Board for taking the time to listen to what the contractors discussed and he felt these are agreeable changes. At this time, testimony was closed and further discussion was held.

Kaiser noted that earlier discussion had removed part of number 5 on page 9 regarding the water meter reading at the time of pumping and number 3 on page 9 regarding an

MPCA approved land application site. Swenson noted these areas should be taken out of the sentences.

There was no further discussion by the Commission.

Motion: Lien made a motion to Amend Chapter 4, Section 10 requirements of Individual subsurface sewage treatment systems to comply with the newly adopted MN Rules 7080- 7083 based on staff recommendations with changes. Kovala second. All in favor. Motion carried to approve.

At this time Chairman Brufloft called the **Applicants Public Hearing** meeting to order. Zoning Technician Julene Hodgson recorded minutes.

FIRST ORDER OF BUSINESS: Luke & Jessica Stuewe Project Location: 31177 Eagle Lk Rd 56544 APPLICATION AND DESCRIPTION OF PROJECT: Request a Conditional Use Permit for a mobile paddle board rental service business which includes fitness and yoga instruction classes and a 4x8 advertising sign at the end of driveway. Property is currently zoned Residential.

Luke and Jessica Stuewe explained the application to the Board. Luke stated Jessica teaches yoga instruction. Luke stated they have received positive comments from the neighbors. Kovala asked if there is any noise involved to which Luke stated the yoga classes on the water are very tranquil and quiet. Kaiser asked about renting the boards to which Luke stated the clients rent the boards and they bring the boards to the clients most of the time to their residents/lakes. Brufloft asked about yoga classes to which Jessica stated she instructs all of the classes.

No one spoke for or against the request. There was no written correspondence either for or against the proposal. At this time, testimony was closed and further discussion was held.

There was no further discussion by the Commission. Johnston noted there is sufficient parking area on the property so that should not cause a problem. Johnston stated the owners have two properties side by side and that both parcels should be included in the CUP outcome. Knutson commented the property is a quiet spot and Lien added the sign fits the surroundings.

It was the consensus of the Board that the request meets the criteria of the Ordinance.

MOTION: Kovala made a motion to approve a Conditional Use Permit for a mobile paddle board rental service business which includes fitness and yoga instruction classes and a 4x8 advertising sign at the end of driveway based on the fact the request is not detrimental to the surrounding area. The CUP outcome will be recorded for both parcels owned. Johnston second. All in favor. Motion carried to approve.

SECOND ORDER OF BUSINESS: Alisa & Roger Nelson Project Location: 40419 Elbow Lake Store Rd **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Certificate of survey for one (1) tract containing 5 acres with a change of zone from commercial to agricultural for the smaller (new) tract only.

Scott Walz with Meadowland Surveying explained the application to the Board on behalf of Alisa and Roger Nelson. Walz explained the property will be accessed from the north and lake access will be by an approved DNR docking system.

No one spoke for or against the request. There was no written correspondence either for or against the proposal. At this time, testimony was closed and further discussion was held.

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

MOTION: Blomseth made the motion to approve a Certificate of survey for one (1) tract containing 5 acres with a change of zone from commercial to agricultural for the smaller (new) tract only due to the request meets the criteria of the Ordinance. Kaiser second. All in favor. Motion carried to approve.

THIRD ORDER OF BUSINESS: K & H Holdings Project Location: 20711 Co Hwy 21 **APPLICATION AND DESCRIPTION OF PROJECT:** Request an Amendment to Document #55913 for the Plat of Sunrise on Little Floyd Lake (First Supplement CIC 56) to adjust units #15, 16, 17, 18 and 19- nothing new is being added. The request is for the preliminary plat amendment and final plat amendment. Property is zoned Residential.

Scott Walz from Meadowland Surveying and developer Kris Smith explained the application to the Board. Walz explained the area is a previously filled area and Smith wants to spread the unit areas out more to allow for more space.

No one spoke for or against the request. Swenson read written correspondence from Clair and Jean Sorensen who are against the application. Sorensens stated they did not believe that K & H Holdings can add common interest property to enlarge any Plat without first notifying and getting 100% agreement from all members of this common interest community and no one was notified. Swenson explained the application will be taking away from the common elements area to make units larger and that is a covenant restriction which Planning and Zoning does not regulate or enforce. At this time, testimony was closed and discussion was held.

It was the consensus of the Board that the request meets the criteria of the Ordinance.

There was no further discussion by the Commission.

MOTION: Lien made a motion to approve an Amendment to Document #55913 for the Plat of Sunrise on Little Floyd Lake (First Supplement CIC 56) to adjust units #15, 16, 17, 18 and 19 based on the fact the request will not be detrimental to the surrounding area and meets the criteria of the Ordinance. Blomseth second. All in favor. Motion carried to approve.

FORTH ORDER OF BUSINESS: Gill Gigstead Project Location: next to 39260 Horseshoe rd **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Certificate of Survey for (2) two tracts (Tract B= 2.3 acres +/- Tract C=2.6 acres +/-) and a change of zone from agricultural to residential for both tracts.

Scott Walz from Meadowland explained the application to the Board on behalf of owner Gill Gigstead. The request meets and exceeds the shoreland frontage and area required. Walz explained Tract B needs to be rezoned due to the size proposed of 2.3 acres. Gigstead stated he has a purchase agreement pending with West Central Initiative Lake Association to purchase Tract B and he will keep Tract C for himself. Gigstead questioned if rezoning of Tract B to residential will affect the purchase of the property, to which Swenson stated Tract B must be rezoned to residential due to the size proposed is less than 2.5 acres.

No one spoke for or against the request. There was no written correspondence either for or against the proposal. At this time, testimony was closed and further discussion was held.

It was the consensus of the Board that the request meets the criteria of the Ordinance.

There was no further discussion by the Commission.

MOTION: Seaberg made a motion to approve a Certificate of Survey for (2) two tracts (Tract B= 2.3 acres +/- Tract C=2.6 acres +/-) and a change of zone from agricultural to residential for Tract B only based on the fact the request meets the criteria of the Ordinance. Kovala second. All in favor. Motion carried to approve.

FIFTH ORDER OF BUSINESS: Aggregate Industries-MVR inc Project Location: Co Rd 145 APPLICATION AND DESCRIPTION OF PROJECT: Request a Conditional Use Permit to expand their sand and gravel mining operation to include parcels: 06.0409.000, 06.0410.000, 06.0408.000, 06.0412.000, 06.0418.001- also known as Pit #34, 35, 37, 78 and 81.

Environmental Advisor Patty Christensen and Aggregate Industries Operation Manager Mike explained the application to the Board. Christensen outlined the areas and went over the sequence and timeframe of expansion. All of the proposed areas are a part of the original EIS approved in 2006. Most of the excavation material will go onto the conveyor to Pit # 52, the rest will be transported on 120th St to Pit # 88. Mike explained they have environmental management in place and follow all plans for reclamation. Kovala asked which pits have been reclaimed that the Board could visit and Mike stated Pit # 52E and a

portion of Pit # 88. Christensen stated other Counties have been pleased with the reclamation of sites.

No one spoke for or against the request. There was no written correspondence either for or against the proposal. At this time, testimony was closed and further discussion was held.

It was the consensus of the Board that the request meets the criteria of the Ordinance.

There was no further discussion by the Commission.

MOTION: Kaiser made a motion to approve the request for a Conditional Use Permit as submitted to expand their sand and gravel mining operation to include parcels: 06.0409.000, 06.0410.000, 06.0408.000, 06.0412.000, 06.0418.001- also known as Pit #34, 35, 37, 78 and 81 due to the fact the request meets the criteria of the Ordinance. Seaberg second. All in favor. Motion carried to approve.

SIXTH ORDER OF BUSINESS: FINAL PLAT: Amendment to Document #55913 for the **Plat of Sunrise on Little Floyd Lake** (First Supplement CIC 56) to adjust units #15, 16, 17, 18 and 19. Developer: K & H Holdings.

MOTION: Kovala made a motion to approve the Final Plat of the Amendment to Document #55913 for the Plat of Sunrise on Little Floyd Lake to adjust units #15, 16, 17, 18 and 19. Johnston second. All in favor. Motion carried to approve.

SEVENTH ORDER OF BUSINESS: Informational Meeting: The next informational meeting is scheduled for Thursday, June 12th, 2014 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. Blomseth second. All in favor. Motion carried. Meeting adjourned.

Jim Bruflo, Chairman

Jeff Moritz, Secretary

ATTEST _____
Patricia Swenson, Zoning Administrator