

**Becker County Planning Commission
September 27th, 2023**

Members Present: Chairman Dave Blomseth, Tom Disse, Kohl Skalin, Tommy Ailie, County Commissioner Erica Jepson, Harvey Aho, Nick Bowers, Steve Lindow, Jeff Moritz, Kim Mattson, Commissioner John Okeson, Craig Hall, Mary Seaberg, and Zoning Director Kyle Vareberg. **Members Absent:** none.

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

Harvey Aho made a motion to approve the minutes from the August 30th, 2023, meeting. Disse 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 will be forwarded to the County Board of Commissioners for final action. New applicants one (1) and two (2) will be forwarded to Detroit Township for final action.

Old Business:

1. **APPLICANT: Nicholas G Lewis & Betsy J Lewis** 19898 330th Ave Rochert, MN 56578 **Project Location:** 19898 330th Ave Rochert, MN 56578 **LEGAL LAND DESCRIPTION:** Tax ID Number: **10.0279.001** Section 15 Township 139 Range 040; PT GOVT LOT 1; BEG 679.92' S OF NE COR TH S 404.28', TH W 556.70', S 165', W 227.69' TO LK, TH NLY TO PNT SW OF POB & NELY 978.78' TO BEG. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Conditional Use Permit for a retaining wall. This application was tabled from the August 30th, 2023, hearing.

At this time there was no one present to speak, so it was decided to move this applicant to the end of the meeting.

New Business:

1. **APPLICANT: Brian L Johnson & Julie A Johnson** 28191 Mountain Rd Detroit Lakes, MN 56501 **Project Location:** 17023 Highland Dr Detroit Lakes, MN 56501 **LEGAL LAND DESCRIPTION:** Tax ID Number: **08.0426.000** Section 25 Township 139 Range 041; 25-139-41 PT SW1/4 SW1/4: COMM SW COR SEC 25, N 427.86', E 320.06', S 427.85', W 320.06' TO POB. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Final Plat for a common interest community consisting of twelve (12) units to be known as HIGHLAND STORAGE.

47 As there was no one present to present the application and no one to speak for or against the
48 application, testimony was closed.

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52 **MOTION: Moritz motioned to approve the application as presented; Seaberg**
53 **second. Roll Call; All in favor. Motion carried.**

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57 **2. APPLICANT: Lake Neighbors Properties LLC** 290 Shorewood Dr Detroit Lakes,
58 MN 56501 **Project Location:** 28603 St Hwy 34 Detroit Lakes, MN 56501 **LEGAL**
59 **LAND DESCRIPTION:** Tax ID Number: **08.0443.000** Section 25 Township 139
60 Range 041; 25-139-41 PT SW1/4 NE1/4: COMM N QTR COR SEC 25, S 1916.51',
61 SLY 179.72' TO POB; NE 714.7', SELY 860.6', W 909.14', NLY 530.4' TO POB.
62 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Final Plat for
63 phase one (1) of a Common Interest Community consisting of twenty-seven (27) units
64 to be known as TOY STORE 34 CONDOS.

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66 As there was no one present to present the application and no one to speak for or against the
67 application, testimony was closed.

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70 **MOTION: Aho motioned to approve this application as presented. Disse second.**
71 **Roll Call; All in favor. Motion carried.**

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75 **3. APPLICANT: Linda J Harris** 18850 Archers Dr Monument, CO 80132 **Project**
76 **Location:** TBD Pearl Lake Dr Detroit Lakes, MN 56501 **LEGAL LAND**
77 **DESCRIPTION:** Tax ID Number: **17.1049.332** Section 12 Township 138 Range
78 042; PEARL LAKE TERRACE THIRD ADDN Lot 002 Block 001 LOTS 2, 3. BLK
79 1. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Change of
80 Zone from Residential to Agricultural.

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84 Linda Harris presented the application. She handed out an outline for her presentation and that is
85 entered below:

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Talking Points for Becky County Zoning Board Meeting

27 Sept 2023

Hello,

My name is Linda Harris.

- This project is a request to rezone our 3.7 acres to its original zone classification as Agriculture.
- Our goal is to combine this with our adjacent 13.4 acres with this property, currently classified as Agriculture.
- This will allow us to better manage the property with weed control methods including benefits of using goats. This property includes wetlands that is more difficult to access with machinery.
- My husband and I have already marked all the property line with pink flags at the Shore Pec Line of 50 ft in order to satisfy those requirements.
- We are environmentally conscience and prefer to manage the property by natural methods rather than using herbicides as possible.
- Some organizations, I believe even in our Becker County, are using goats to clear land for further development.
- My husband's board is CO has been recommended by the State and County to consider using goats to clear land in areas that cannot be accessed by machinery.

Thank you

Linda

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Harris shared their desire to combine this parcel with their northern parcel, so they can use natural methods to clean up the site with the use of goats.

Hall asked how they would manage the goats if they live in Colorado.

Harris said they will be moving here.

Moritz asked the goats will roam free or how they will be managed.

Harris stated that the goats will rotate into different areas as needed.

Moritz asked how many time they go through an area and how long they will be in each area.

Harris said they will always have the goats, but they would go through a rotating process for managing the property.

105 Moritz asked if there will be fencing and what the fencing setback would be from the lake.
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107 Harris said it would be at least fifty (50) feet, but probably further back.
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109 Bowers asked how many goats she was planning to have.
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111 Harris said they were unsure at this time.
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113 Skalin asked if they plan to have structures for the goats in the winter time.
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115 Harris said there's been some discussions on that or housing them with another person who has
116 goats, but they will likely have a place for them on their property.
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118 Lindow asked what the minimum acreage requirement is to be zoned agricultural.
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120 Vareberg state two and a half (2.5) acres, but for an animal unit the minimum requirement is four
121 (4), so she would have to combine this with the north property to be able to have the goats.
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123 Lindow asked how many she is allowed to have on the property.
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125 Vareberg said approximately seventy (70).

126 Skalin said he was reasearching on the internet and read that six (6) to eight (8) goats per acre is
127 sustainable.

128 Harris said she does not want to have seventy (70) goats.

129 Lindow asked what her plan is for the goats after they are done eating shrubs.

130 Harris said she wants to keep the goats for maintaining the property.

131 Lindow asked if there were regulations to keep the goats out of the marsh and wetland.

132 Harris said its not a protected wetland, but would keep them backed off whatever required.
133 However, her intentions are fifty (50) feet.

134 Skalin said she doesn't have to keep them back fifty (50) feet.

135 Harris said she intends to in order to be environmentally safe.

136 Phyllis, a neighbor, spoke and asked if this is right on the lake shore.

137 Blomseth said the property goes up to the lake shore, but they would have to keep the goats back
138 fifty (50) feet.

139 Phyllis shared that she is concerned about fertilizer runoff into the lake.

140 Blomseth stated the purpose of the fifty (50) foot setback is to create a buffer.

141 Jeff Reznecheck, Pearl Lake Association President, shared his concerns with runoff into the lake
142 and if more animals would be added in the future how much more runoff would there be. He
143 asked how the animals would be monitored and shared his concerns for the adjacent neighbors.
144 He stated that he spoke with the Pelican River Watershed District and they were not in favor.

145 There were questions about which surrounding properties are agricultural and which are
146 residential.

147 Vareberg pulled up the zoning map on the Becker County GIS showing how all the property
148 around Pearl Lake is zoned and each member viewed it. He explained that everything in purple is
149 agricultural and everything in blue is residential. That image is entered below:



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152 All letters received were read before the meeting and are entered below:

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LRB

Re: 17.1049.332

Sept. 16, 2023

Planning Commission -

Down the island on Pearl Lake (17.0136.000),

As long as this change by Linda Harris does not affect the island, I neither support nor object to this attempted change.

If it affects my property adversely, then I object strenuously.

Sincerely
Larry Dahl

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I would like to oppose the request to from residential to agricultural for Pearl Lake Terrace Third Addn. Lot 002 Block 001 Lots 2, 3 proposed at the Sept. 27th meeting. Reason for opposing is for water quality concerns from potential runoff if livestock is using the land. The lakeshore has a very large percentage of residential properties and use of the lake is recreational. I will not be present at the meeting.

Thank you
Brian and Becky Cronin
14078 Pearl Lake Drive
Detroit Lakes, MN
701-552-0245

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In Regards to September 27, 2023, 6:00pm Zoning Hearing on Applicant Linda J Harris.

Her request to change Pearl Lake Terrace Third Addn Lot 002 Block 001 Lots 2, 3.

BLK 1.; Lake Eunice Township from Residential to Agricultural.

We are opposed to the change from Residential to Agricultura.

Pearl Lake is Zoned as a Development and Recreational Lake, not Agricultural. In order to maintain Water Quality of the lake we need to limit to Runoff from farm animals and crop production.

Dennis & Cindy Macheel

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Sept 21, 2023

Planning and Zoning Department

Lake Avenue

Detroit Lakes, MN 56501

ATTN: Nicole Bradbury

RE: Request to Change Zone from Residential to Agricultural Tax ID 17.1049.332

We would like to go on record to *oppose* the above mention change for the following reasons:

1. This change would allow the landowner and/or lessees to maintain livestock on property that is adjacent to shoreline. Runoff would pollute the waters of Pearl Lake and the Pelican River Watershed thus promoting advanced aquatic vegetation and be detrimental to fish habitat. Additionally, the odors generated by livestock and their excrement will be foul and quite unpleasant.
2. This change would also allow the landowner and/or lessees to plant crops that would require the application of fertilizers and herbicides for the production of these crops. Again, runoff into Pearl Lake and the Pelican River Watershed will promote advanced aquatic vegetation and be detrimental to fish habitat.
3. We also feel property values will be negatively impacted in the presence of farm odors. We would not buy property near a livestock farm, would you?

Pearl Lake already has a significant weed problem and we don't need it to get worse.

Thank you very much for your considerations,

Michael and Karen Moore

13706 Pearl Lake Dr

Detroit Lakes, MN 56501

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To whom it may concern,

The PRWD would like to comment on the following:

Linda J Harris TBD Pearl Lake Dr. Detroit Lakes: We recommend not changing the Zone from Residential to Agricultural. The water quality on Pearl Lake is very good and we would like to prevent something that could possibly impact the lake's water quality.

Pelican River Watershed District
Wells-Fargo Bldg – Suite 201
211 Holmes Street West
Detroit Lakes, MN 56501
E-mail: prwdpermit@arvig.net
Website: www.prwd.org
Phone: (218) 846-0436

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Good Morning Nicole

Recently, I received a notice of a public hearing in regard to a neighbor wanting to change her zone from residential to agricultural. The hearing information is:

Applicant Linda Harris

Tax ID Number 17.1049.332 Section 12 Township 138 Range 042 PEARL LAKE TERRANCE THRID
ADDITION Lot 002 Block 001 Lots 2, 3. BLK 1 Lake Eunice Township

I have some concerns with this request that I would like to share with you. Linda Harris has requested an agricultural zone to allow goats to be placed on her property to remove vegetation, both harmful/invasive vegetation as well as vegetation deemed not invasive but natural to the area. As both a land owner on Pearl Lake and as the Pearl Lake Association President, I feel it's my responsibility to share my concerns with this request.

1. **If this request is approved, what prevents Linda Harris for introducing new animals onto her property or begin to use chemicals to treat her agricultural plants if she should choose to plant any form of crop?**

*Pearl Lake already has an aquatic invasive species within its waters. Any further chemical added to the lake or the waste from added animals to the property would exacerbate the growth of these aquatic invasive species. This possibility of added chemicals or animal waste adjacent to the lake from run-off would be a large concern for the Pelican Lake Watershed of which Pearl Lake belongs.

2. Linda Harris resides in Colorado and there is no residence built on her Pearl Lake property for anyone to stay. **If goats are permitted through the approval of her request, who will monitor these goats and ensure that these goats keep to her property?** With her property bordering the lakeshore of Pearl Lake and Pearl Lake Drive, the goats have the capability of wandering off her property and onto the property of others. Fences, though helpful, are not a guarantee in keeping goats into their designated living area.

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Living in Colorado, others living adjacent to her property or close by, have not had the opportunity to meet and get to know Linda Harris. As residents of Pearl Lake and Pearl Lake Drive, we hope that the words used by Linda Harris within her reasoning to add goats to her property are true and honest, and that her dislike for chemical usage on vegetation is also true. But not having the chance to get to know Ms. Harris, one has to be cautious of her intentions. Words within her reasoning statements could simply be words to get what she wants. Again, we hope that is not the case, but simply want to be cautious and do what is best for the lake and the homeowners that live and enjoy the waters of Pearl Lake.

Thank you very much for the opportunity to share our thoughts. I appreciate your consideration of my concerns with this zoning request and hope that the decision made is in the best interest of all involved.

Sincerely,

Jeff Reznecheck
13990 Pearl Lake Drive
701-318-3455

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167 Testimony closed.

168 Skalin said he grew up on the lake and struggles with this application because another farm
169 destroyed the lake years ago. He does think this application is much more reasonable than having
170 two hundred (200) to three hundred (300) cows.

171 Moritz asked Harris if she would be willing to go further beyond the shore impact zone to give
172 more protection.

173 Harris stated they were actually planning to go back one-hundred (100) feet.

174 Lindow stated he talked with a neighbor who was wondering if the animals would be right next
175 to their lot. He said they weren't interested in having them right next to their property. He asked
176 if they would be able to require a barrier.

177 Vareberg said a fence can be right on the property line with the nicest side facing the neighbor.

178 There was discussion on whether they could add stipulations regarding fencing setbacks.

179 Aho said they shouldn't be dictating things like that.

180 Jepson said they need to vote on what it is, a Change of Zone application and that they can't put
181 stipulations on a Change of Zone.

182 Vareberg said if they owner wanted, they could choose to split off a front portion and leave that
183 residential to create a buffer and change the rest to agricultural.

184 Aho thought they should just change the whole parcel and let her do the one-hundred (100) foot
185 setback that she said she is planning to do.

186 Vareberg commented that he's pretty sure they can't put a stipulation on a change of zone, but if
187 they wanted to, he could look into it before the County Board meeting.

188 Jepson asked if they would have the option to table it, so the applicant could consider all the
189 options.

190 Seaberg said things have changed since the days of farms polluting the lake and people are much
191 more environmentally conscious now. She doesn't think they need to stipulate.

192 Lindow shared his concerns of the downhill slope and also stated that if someone doesn't watch
193 the goats they will get out of fencing.

194 Harris wasn't interested in tabeling.

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197 **MOTION: Craig motioned to approve the application with no stipulations. Aho**
198 **second. Roll Call; Aho, Disse, Bowers, Blomseth, Moritz, Ailie, Seaberg, Skalin,**
199 **Mattson, and Hall in favor. Lindow opposed. Motion carried.**

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203 **4. APPLICANT: Cale Arneson; Casey Arneson PO Box 9949 Fargo, ND 58106**
204 **Project Location: 24594 NE Rock Lake Rd Detroit Lakes, MN 56501 LEGAL**
205 **LAND DESCRIPTION: Tax ID Numbers: 16.0145.000 & 16.0139.000 Section 21**
206 **Township 140 Range 040 & Section 20 Township 140 Range 040; 21-140-40 PT**
207 **SEC 20. PT GOVT LOT 5 SEC 20. PT GOVT LOT 2, 3 SEC 21: COMM W QTR**
208 **COR E 1298.11', S 312.23' TO CTR RD AND POB; SLY AL RD 1150.57', W**
209 **1264.31' TO ROCK LK, NLY AL LK 1453.42', ELY 1146.79' TO POB. TRACT B.;**
210 **21-140-40 PT SEC 20. PT GOVT LOT 5 SEC 20. PT GOVT LOT 2, 3 SEC 21:**
211 **COMM W QTR COR SEC 21, E 1298.11', S 312.23' TO POB; NW 806.21' TO CTR**
212 **RD, SLY AL RD 1150.57', W 1264.31' TO ROCK LK, SLY, NLY AND ELY AL**
213 **LK 3813.25', N 1060.22 TO POB. TRACT C. APPLICATION AND**
214 **DESCRIPTION OF PROJECT: Request a Preliminary Plat for ten (10) lots.**

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217 Maverick Larson with Compass and Joe Stenger, the contractor hired to build the road, presented
218 the application. Stenger stated that the Township, not the landowner, is the one responsible to
219 maintain the road to the property if needed.

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221 Hall asked if there would be back lots or if the lots go straight back.

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223 Vareberg said they go straight to the road.

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225 Steve asked about the low land and if it's possible to build while meeting septic standards out
226 there.

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228 Vareberg said the whole property was delineated and has been acknowledged by Ed Clem. He
229 stated that it is possible, and it would be a case-by-case scenario as to what type of system they
230 would need.

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232 Seaberg asked if the township has any opinions on this.

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234 It was noted that they do and would speak during testimony.

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236 Mike Carey, neighbor, spoke and shared that years ago another property's development was
237 stopped because they were told the road was too dangerous. He said there is water on both sides
238 and that if you want land developed then you need a new road.

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240 Skalin commented that the Right-of-Way (ROW) already exists for the road to be improved.

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242 Todd Frank, Holmsville Township Chairperson, spoke and said the road is too low, too narrow,
243 and there is not enough passing room. He said it is basically a glorified field road. He said it
244 shouldn't be the township's expense to pay for improving it. He said if the developer wants his
245 project, then he should have to pay to maintain the road out to it.

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247 Hall said by law they are supposed to be maintaining the ROW, the road ditches, and the surface.

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249 Kohl said in regard to safety concerns with road branches the township should be taking care of
250 that.

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252 Frank handed them pictures of the road that someone else handed him.

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254 Hall said he went and looked at the road. He stated he is a township supervisor for Height of
255 Land township, and it is the job of the townships to be maintaining their roads.

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257 One letter was received and read before the meeting and is entered into record below:

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259 Hi Nicole my name is Mike Krey and I own 2 properties on rock lake rd 24246 rock lake and the next property to the
260 north. I am e-mailing you with the concerns of the proposed 10 lot site on rock lake, this has been proposed before and
rejected. The road concern for getting equipment and materials around my corner is a large issue since the road is so
narrow and dangerous for passing vehicles. We have been on rock lake road for over 24 years and this would be a real
issue in the future. I wish I could be at the meeting but have to work, thanks for your help. Mike and Karla Krey
Sent from [Mail](#) for Windows

261 Skalin commented that as far as the road width is concerned, he said there are state highways that
262 have ten (10) foot through lanes in towns, thirty (30) miles and hour or less. He stated there is
263 one going through barnsville right now, and they will be doing it in Pelican Rapids next year. He
264 said its all about shrinking that pavement and the environmental impact.

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266 Hall said all these lakes are going to get more developed, and the townships get the tax dollars
267 off of these new developments, so they need to be using that to maintain the roads.

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269 Seaberg asked if it is up to the contractor or the Township to upgrade.

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Hall said the Township is required by law to maintain that table top and build it up.

Okeson said he spent twenty (20) years on Lake View Township board and he commented there are roads right now that are being paved at only twenty (20) feet wide.

MOTION: Hall motioned to approve the application as presented. Bowers second. Roll Call; Aho, Disse, Bowers, Blomseth, Moritz, Ailie, Seaberg, Skalin, Mattson, and Hall in favor. Lindow opposed. Motion carried.

Old Business:

- 1. APPLICANT: Nicholas G Lewis & Betsy J Lewis** 19898 330th Ave Rochert, MN 56578 **Project Location:** 19898 330th Ave Rochert, MN 56578 **LEGAL LAND DESCRIPTION:** Tax ID Number: **10.0279.001** Section 15 Township 139 Range 040; PT GOVT LOT 1; BEG 679.92' S OF NE COR TH S 404.28', TH W 556.70', S 165', W 227.69' TO LK, TH NLY TO PNT SW OF POB & NELY 978.78' TO BEG. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Conditional Use Permit for a retaining wall. This application was tabled from the August 30th, 2023, hearing.

As there was still no one to speak to this application, there was discussion on tabling the application.

Jepson asked how long they have to address the application.

Vareberg said technically one hundred and twenty (120) days, but they have grounds to table it because the applicant isn't there.

Ailie thinks they need a more detailed plan.

Moritz said there needs to be a plan to slow down and move water to prevent all the beach sand from washing into the lake.

Vareberg said they need an engineer.

The application was tabled until the October 25th, 2023, hearing.

Other Business:

- I) Tentative Date for Next Informational Meeting: October 18th, 2023; 8:00 am; 3rd Floor Meeting Room in the Becker County Courthouse, Detroit Lakes, MN.**

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Since there was no further business to come before the Board, Aho made a motion to adjourn. Ailie second. All in favor. Motion carried. The meeting adjourned at 7:00 pm.

David Blomseth, Chairman

Jeff Moritz, Secretary

ATTEST

Kyle Vareberg, Zoning Administrator