

**Becker County Planning Commission – Special Meeting
June 11th, 2025**

An audio recording of the meeting is available at:

https://www.co.becker.mn.us/government/meetings/planning_zoning/planning_commission/

Members Present: Chairman Dave Blomseth, Commissioner Phil Hansen, Kim Mattson, Steve Lindow, Harvey Aho, Kohl Skalin, Craig Hall and Zoning Administrator Kyle Vareberg.

Members Absent: Commissioner Erica Jepson, Jeff Moritz, Tommy Ailie, Tom Disse, and Mary Seaberg

Chairman Dave Blomseth called the Planning Commission special meeting to order at 8:30 am. Becker County Zoning Technician Nicole Bradbury recorded the minutes.

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.

The general purpose of the special meeting is as follows:

1. A special meeting for the Planning Commission to consider conditions and findings of fact drafted by staff and counsel to be consistent with the Motion made on May 28th, 2025, and to be included with the recommendation to the County Board at their meeting on June 17th, 2025, for the following application:

APPLICANT: Prairie Lake Investments LLC 30871 Sunset Rd Detroit Lakes, MN 56501

Project Location: TBD Heimark Ave Audubon, MN 56511 **LEGAL LAND DESCRIPTION:**

Tax ID Number: **17.0368.043** Section 31 Township 138 Range 042; S 990' OF SE1/4 NE1/4, NW1/4 OF SE1/4, NE1/4 SE1/4 LESS 10 AC IN SE COR LESS REC DOC NO 711615.

APPLICATION AND DESCRIPTION OF PROJECT: Request a Conditional Use Permit for mining operations.

MOTION: Lindow motioned to have the normal mining operation be restricted to the hours of 7:00 AM to 5:00 PM Monday through Friday, and for the Crushing Hours to be restricted to the hours of 7:00 AM to 6:00 PM Monday through Friday. Hall second. Roll Call; All in favor. None opposed. Motion carried.

MOTION: Hall motioned to approve the amended “Findings, Report, and Recommendation to the County Board”. Aho second. Roll Call; All in favor. None opposed. Motion carried.

The approved **“Findings, Report, and Recommendation to the County Board”** is entered below:

FINDINGS, REPORT, AND RECOMMENDATION TO THE BECKER COUNTY BOARD

1. By Application dated May 15th, 2025 (the "Application"), Prairie Lake Investments LLC (represented at the hearing by contractor, Torrey Sonnenberg) have requested a Conditional Use Permit ("CUP") to allow for operation of a mine consisting of 20 acres within approximately 90 acres of land in Section 31, Township 138, Range 042 in Becker County. The proposed site is in Lake Eunice Township in Becker County.
2. Prior to the meeting, numerous members of the public filed written objections to the project. While the Commission does not wish to downplay the concerns raised by these citizens and their objections to a mine, the Commission believes that the Minnesota Pollution Control Agency ("MPCA"), the Mine Safety and Health Administration ("MSHA"), the Becker County Highway Department and Minnesota Department of Transportation have adopted proper standards and regulations to respond to these concerns.
3. Several citizens filed written objections prior to the hearing or testified in opposition to the application. The objections are part of the record.
4. Chapter 8, Section 11 of the County Zoning Ordinances identifies the decisional criteria that apply to this CUP request. Subpart F of this Section indicates:

No conditional use shall be recommended by the County Planning Commission or granted by the Board of County Commissioners unless the Commission and the Board shall find that all of the following criteria are met:

1. **Affect 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.
2. **Affect on orderly, consistent development.** That establishing the conditional use will not impede the normal, orderly development and improvement of surrounding vacant property for uses predominate in the area.
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 spaces to serve the proposed use.
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.

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;
 - c. Adequate utilities. That the site is adequate for water supply and on-site sewage treatment; and
 - d. Watercraft. That the types, uses, and number of watercrafts that the project will generate can be safely accommodated.
5. The Application came before the Planning Commission at a meeting held on May 28th, 2025. The Commission conducted the public hearing required by law and took extensive testimony from the Applicant and other interested parties. The Commission also received extensive written documentation and written testimony into the record.
6. Based on review of the documentation submitted and the testimony provided, the Commission **recommends** to the Becker County Board that it **grant** the CUP request with conditions, for the following reasons:
 - a. **The Applicant has demonstrated that the proposed mine will not harm the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity for the following reasons:**
 - i. A mine plan was submitted as required by the Becker County Zoning Ordinance in Chapter 7, Section 5, Letter C.-3. The plan indicates there will be limited hours of operation and days of operations. The Commission finds these hours of operation are similar in nature to normal business hours and should be amended and conditioned as followed: Normal mining operations are restricted to 7:00 AM to 5:00 PM – Monday through Friday. Crushing Hours are restricted to 7:00 AM to 6:00 PM – Monday through Friday.
 - ii. The plan also indicates material from the site will be used to screen the site. The Commission recommends this as a condition for the northerly and westerly property boundaries of the described mine site. The recommendation is to minimize noise and dust from the site, along with screening.
 - iii. The closest residence to the proposed site with objections heard by the Commission is located on parcel 17.0368.006, which is adjacent to the site on the northly property boundary. The Commission recommends as a condition that no mining takes place with 500' of the residence located on this parcel between the holidays of Memorial Day and Labor Day.

- iv. As part of the mine, crushing of material is necessary to operate the mine. The Commission recommends as condition that beyond the calendar year 2025, crushing only occur before Memorial Day or after Labor Day. This recommendation is to minimize noise and dust during the summer months when occupancy of residences in closer proximity to the mine is more common.
 - v. While opposition to the project was certainly voiced, there is little evidence about how the proposed project will affect the use and enjoyment of those in the immediate vicinity. The Commission finds, through the above-mentioned conditions, there will not be any harm through the proposal to the use and enjoyment of properties in the immediate vicinity. No evidence was submitted or heard regarding an impairment or improvement regarding property values.
- b. The Applicant has demonstrated that the proposed mine would not impede the normal and orderly development and improvement of surrounding properties for the following reasons:**
- i. The area of the proposed site is rural in nature. Use in the area is vacant agricultural land, with some residential and seasonal residential use as well.
 - ii. The applicant has indicated the request is a temporary project to create adequate development elevations within the 20-acre portion of their property. With some of the material remaining on site to establish roads for future development. The future desired use of the project site is residential lots, like those existing in the Plat of Cormorant Meadows adjacent to the property.
 - iii. The Commission recommends the project life span be no more than 5 years.
 - iv. The Commission finds the operation of a temporary mine completely within the bounds of land owned by the applicant will not affect the orderly development and improvement of surrounding properties.
- c. The Applicant has demonstrated that the proposed mine operation will have adequate utilities, access roads, drainage, and other necessary facilities.**
- i. Utility use will be minimal for the project. The applicant will have a portable toilet on-site provided by a licensed professional. Access roads to the site exist.

An approach to the site from the existing Heimark Ave will be applied for through Lake Eunice Township.

- ii. The Commission finds as a matter of law that the applicant will be required to comply with any/all road restrictions provided by the Township, County and State.
 - iii. If the application is approved by the Becker County Board, any drainage, erosion, and stormwater would be subject to a Stormwater Pollution Prevention Plan regulated by the MPCA.
 - iv. The Commission recommends a condition the applicant be responsible for providing truck traffic warning signs for the area.
 - v. The Commission finds through the requirements of the MPCA for stormwater, existing road restrictions and traffic laws, and the lack of need of utilities that the applicant has demonstrated these needs are met.
- d. The Applicant has demonstrated that there would be adequate parking at the project.**
- i. The application has provided a very small need for parking. No concerns were raised or discussed regarding the adequacy of any parking for the project. The Commission finds through the numerous acres included in the project that adequate space for parking is included.
- e. The Applicant has demonstrated that there would be no offensive odor, fumes, noise, vibrations, or other nuisances from the operation that could adversely affect neighboring properties for the following reasons:**
- i. The testimony provided included concerns about dust created by the project.
 - ii. All mining projects exceeding air emission thresholds must obtain air quality permits from the MPCA. The air permits issued by the MPCA are in accordance with State and Federal regulations. The permit(s) issued would require compliance for dust created by crushing and the handling of material on site.
 - iii. The Commission recommends a condition to place low frequency back up alarms on any of the equipment required to have alarms in accordance with MSHA and any other applicable agency.
 - iv. The Commission recommends a condition the applicant enter into a road agreement with Lake Eunice Township for increase wear and tear on Heimark Avenue and Dust Control. The Commission also recommends a condition for a form of dust control within the mine site.

- v. The Commission finds through compliance with the MPCA, MSHA, and recommended conditions that there will be no offensive odors, fumes, noise, vibration or other nuisances from the operation.
- f. **Additional criteria for shoreland areas are not applicable to this request due to the fact the project site is not within 1000' of a lake or 300' of a river or stream.**

Note: This project does not meet the requirements for mandatory environmental review under Minnesota Rule 4410.4300, nor has a discretionary environmental assessment worksheet been requested.

Dated the 11th day of June 2025.

Chairperson
Becker County Planning Commission

Since there was no further business to come before the Board, Hall made a motion to adjourn. Aho second. All in favor. Motion carried. The meeting adjourned at 9:01 am.

David Blomseth, Chairman

Jeff Moritz, Secretary

ATTEST

Kyle Vareberg, Zoning Administrator