

**Summary of the
MEEKER COUNTY PLANNING COMMISSION
June 13, 2023 – MEETING MINUTES**
Audio Available

The Meeker County Planning Commission held a meeting on **June 13, 2023 at 5:00pm** to consider the following Conditional Use permit applications and Preliminary Plat application and other business before the Board. Present was Smith, Turck, Schreiber, Hempel, Jans, Euerle, Salzl and Zoning Administrator Schultz.

5:00pm

Jans calls the meeting to order. There is a quorum.

The Board states their names for voice recognition.

Jans asks the Board if they have any corrections or additions to the May 16, 2023 meeting minutes. None are noted.

Hempel makes a motion for approval.

Smith seconds the motion.

Motion carried 7-0.

5:01pm

Jans opens the public hearing for John Hulsing, 7195 Gunflint Trail, Chanhassen, MN 55317. Lot Two (2), Block One (1), Ashwill Shores Fifth Addition, Lake Collinwood, Collinwood Township. An application for a Conditional Use Permit to move more than ten (10) cubic yards of material in the Shore Impact Zone and more than fifty (50) cubic yards of material in the Shoreland District in the R-1 Suburban Residential District and within the Shoreland District.

Steve & Dawn Schwalbe and John & Aimee Hulsing are present for this hearing.

Schultz: This property is an approximate 2.07-acre riparian R-1 zoned Lot 2/Block 1 of Ashwill Shores Fifth Addition formed in December of 2006. This lot is located in Section 12, Township 118, Range 29 in Collinwood Township. Collinwood Lake is considered a Recreational Development Lake.

Currently this is a bare lot with no structures on it. The property owners are requesting to create a corridor with gradual slope to the lake to make it more useable. This corridor project will include cleanup of farm and agriculture refuse/debris (see pictures) as well as the removal of dead native and non-native species in the shoreland area. Vegetation management will include seed mixes from Prairie Restoration with and the replacement of native trees as part of the plan. Approximately 100 feet of riprap will be installed for the project with approximately 5,100 square feet of shore area reworked for slope.

Total yards of material to be reworked for slope will be approximately 380 cubic yards. Total riprap materials will be approximately 30 cubic yards.

Emily Javens, DNR Area Hydrologist, has not yet commented at the time of this meeting.

Jans states that he viewed the project with Jesse Turck and it will basically be leveling off the bluff on the top. Looks like a simple project.

Dawn Schwalbe says that she lives on Collinwood as well. Her main concern is that when new homes are being built, the land in between the houses is causing waterflow changes and water pooling. Water isn't flowing naturally.

Jans tells her that this project won't affect water flow. It is strictly shoreline maintenance. It is not going to be higher. The contours right now show it is at 1047 and once it is done will be 1044.

Dawn Schwalbe says that it shows 5100 square feet of shoreline that is going to be changed. She says that DNR says you can only change 50 feet.

Schultz says that they will only be changing 50 feet.

Dawn Schwalbe asks about the trees that are going to be taken out.

Schultz says that they can take out as many trees as they would like within that 50' corridor.

Jans states that there were only about 2-3 live trees that could be moved.

Turck says that 1 or 2 of the trees look like they are leaning out over the lake.

Dawn Schwalbe states that trees leaning out over the lake is what causes them to have good fishing.

Steve Schwalbe says that a couple trees got damaged about two years ago. He asks how many feet of top soil can be taken off the top ridge.

Jans says it varies depending on the area. Closest to the lake, it will be about a foot. As you go further back it will be about three feet. It is tiered up.

Dawn Schwalbe says that she doesn't like the wording in the notice as it is so vague. It caused an uproar in neighbors.

Hempel tells her that she should have called the zoning office.

Jans says that the property owner needs to figure out how much material is going to be moved around or brought in/out. If it is under a certain amount, they may not need a permit. If it is over, then a Conditional Use permit is needed. Once the board gets to the condition part of the hearing, it will be decided how much will be allowed.

John Hulsing says that they just want to make the lake usable and there is also a lot of refuse that needs to be cleaned up. He is not planning to bring in any fill. This is old farm land with a berm that has been built up over the years. He would like to put prairie native grasses down to improve the land. He wants to improve the quality of the lake as well.

Schultz reads possible conditions:

1. The total cubic yardage moved and/or brought onto this site shall be a maximum of 450 cubic yards of material.
2. A maximum 50-foot-wide clear-cut corridor is allowed for viewing and access to the shoreline.
3. The project shall be completed as per the plans submitted with this application.
4. All required additional permits shall be obtained if needed prior to commencing the project or project extends beyond scope submitted.
5. Engineering completed by a licensed structural engineer licensed in the State of Minnesota for any walls that are four feet or taller.

6. Erosion control shall be implemented and maintained on-site until permanent vegetative cover is established to prevent erosion of material into sensitive areas.
7. The applicant and/or property owner shall notify Meeker County Planning & Zoning within seven days of completion of this project.

Hempel makes a motion to close the public hearing.

Turck seconds the motion.

Motion carried 7-0.

Smith makes a motion to approve with the conditions.

Schreiber seconds the motion.

Motion carried 7-0.

5:20pm

Jans opens the public for Kenneth Ness, 27392 734th Ave, Dassel, MN 55325. Lots Four & Five (4 & 5), Block One (1), Hidden Valley Shores, Big Swan Lake, Dassel Township. An application for an After-the-Fact Conditional Use permit to move more than ten (10) cubic yards of material in the Shore Impact Zone and more than fifty (50) cubic yards of material in the Shoreland District in the R-1 Suburban Residential District and within the Shoreland District.

Kenneth Ness is present for this hearing.

Schultz: This property is a 1.61-acre riparian R-1 zoned lots 4 & 5 / Block 1 of Hidden Valley Shores created in 1980 with a property address 27392 734th Ave, Dassel MN. Located in Section 2, Township 119, Range 29 in Dassel Township. Big Swan Lake is considered a Recreational Development Lake.

Currently there is a house and garage on the property built in 1997. A septic system installed sometime in the 1997 was compliant in May of 2023. When the house was built 2646 square feet of patio concrete and paver was installed and 332 square feet of deck installed. A CUP was granted in 1996 to install riprap along the shore. Total impervious for the site is approximately 14%

After enforcement officer Paul Holmgren noticed that work had been done at the property in September of 2022, he notified the owner that a Conditional Use Permit was needed for the volume of work that had been done on the property. Paul, in March of 2023, issued a failure to proceed with the Conditional Use Permit application. In April dialog between the applicant and county took place on what was required for the Conditional Use Permit application.

On May 22nd the property owners applied for and after the fact permit. The work reported being done on the property was reworking 150 feet of riprap. Reworking the boulder walls, log walls, sand, river rock. Adding a 14 x 14 concrete pad and bringing in additional black dirt for the grass. Total material brought in or reworked for the project was approximately 110 cubic yards.

Emily Javens DNR, Area Hydrologist, has not yet commented at the time of this meeting.

Jans states that he has a couple concerns about this project. The area that was redone had no protection that he could see. There were no blankets and no vegetation. We need to address that area next to the stairs.

Ness says that he can put blankets down. Nothing has washed now.

Jans states that if we get a couple inches of rain right now, it could wash down. Until vegetation is there, some sort of protection is needed.

Turck says the other concern is the slope on the left side of the boat house looks like the two boulder walls going up could be over 4'. If that is the case, an engineered design would be needed for any retaining wall over 4'.

Ness says he doesn't plan to go over 4'.

Hempel asks if the 14% is after this work or before.

Schultz says the only addition item is a 14x14 patio of pervious. It will remain at 14%.

Smith makes a motion to close the public hearing.

Schreiber seconds the motion.

Motion carried 7-0.

Schultz reads the possible conditions:

1. The total cubic yardage moved and/or brought onto this site shall be a maximum of 125 cubic yards of material. This will allow approximately 15 cubic yards of additional materials to be brought on site to finish the project.
2. Engineering completed by a licensed structural engineer licensed in the State of Minnesota for any walls that are four feet or taller.
3. The project shall not be added to without the Counties prior notification.
4. All required additional permits shall be obtained if needed prior to commencing the project or project extends beyond what has been disturbed or submitted.
5. Erosion control shall be implemented on slope face and maintained on-site until permanent vegetative cover is established to prevent erosion of material into sensitive areas.
6. If determined that future erosion onto neighboring properties or into the lake is caused by this project immediate remediation must take place to correct the issue.

Hempel asks the approximate height of the riprap, since DNR rules are for every foot you go up, you are supposed to be 3' out. *3-1 slope.*

Turck makes a motion for approval with the conditions.

Euerle seconds the motion.

Motion carried.

5:35pm

Jans opens the public hearing for Richard Carlson, 21860 575th Ave, Litchfield, MN 55355. Property located at That Part of Government Lot Four (4), more fully described in the application. Section Six (6), Township One Hundred Eighteen (118), Range Thirty One (31), Star Lake, Greenleaf Township. An application for a Preliminary Plat to consider the proposed ten (10) buildable lot Conservation Subdivision Plat of Birdwing Second Addition.

Richard Carlson, Tod Erdmann and Lorraine Bipes are present for this hearing.

Schultz: This Conservation Sub-Division will occupy 25.29 acres of a 55.6-acre property located in Government Lots 4 and 6 adjacent to Star Lake in Section 6, Township 118, Range 31 in Greenleaf Township. 575th Ave is adjacent to this property to the west. Star Lake is a Natural Environment Lake.

The property owner is requesting to be permitted to establish a ten (10) lot plat of the Conservation Sub-Division Birdwing Second Addition for the construction of ten dwelling eligibility lots and Out Lot A as open space which is also part of this plat. The new plat is contiguous to R-1 zoned properties of Birdwing First Addition to the south.

As per the survey each lot meets the sub-division tier requirements of being between ½ to 1 acre lots in area with the rest of the area as open space. Outlet A is approximately 17.63 acres. Some wetland was found within Outlet A. A wetland delineation was submitted by Granite City Environmental and approved by BWSR on 3/31/21. Surface water arrows shown on the plat indicate surface water flow is not proposed to change based on the plat being established. No floodplain is located within the plat boundary. Applicable erosion control conditions will not restrict or alter the passage of stormwater in such a manner as to impact adjacent properties.

The applicant has submitted sufficient soil borings done by A&T Septic that show two adequate primary and secondary locations per lot for the installation of a 4 bedroom mound or pressure bed septic system. Engineer plans for the road, cul-de-sac and storm water management was included in the preliminary plans and found adequate according to the public works engineer.

A Title of Opinion was submitted along with Declarations, Bylaws and Articles of Incorporation and was reviewed and commented on by County Attorney representative Steve Besser. On June 13, 2023 the county attorney representative indicated that there is just one minor issue with the recording of the Satisfaction of Mortgage Document No. 1883, which was discussed with Richard's attorney and could be cured by Richard and Elizabeth simply executing and recording a Satisfaction of Mortgage before the final plat recording. Other than that, he found no objection to the contemplated plat and annexation.

Greenleaf Township, at their April 11th meeting, commented that they approved up to three access locations off of 575th Avenue for sub-division lots.

Jans says the road has to be to public road specs.

Bipes asks where the road will be located.

Schultz says it will be within the plat itself. *She is shown the plat map.*

Carlson says this has been about a ten-year process. He feels grateful and says thanks to Greg for all his help. It is a big project.

Hempel makes a motion to close the public hearing.

Smith seconds the motion.

Motion carried 7-0.

Hempel makes a motion to approve the preliminary plat.

Schreiber seconds the motion.

Motion carried 7-0.

Schultz states that the road needs to be substantially completed until the final plat stage. He has one year to get that done.

5:45pm

Schultz tells the board that the bio-digester CUP has been pushed back to approximately August. They have not submitted the EAW yet.

5:48pm

Smith makes a motion to adjourn.

Turck seconds the motion.

Motion carried 7-0.