

**Summary of the
MEEKER COUNTY PLANNING COMMISSION
August 10, 2021 – MEETING MINUTES**
Audio Available

The Meeker County Planning Commission held a meeting on August 10, 2021 at 5:00pm to consider the following Conditional Use, Interim Use, Rezone and Preliminary Plat permit applications and other business before the Board. Present was Jans, Euerle, Hempel, Beach and Smith, 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 July 13, 2021 meeting minutes. None are noted.

Beach makes a motion for approval.

Hempel seconds the motion.

Motion carried 6-0.

5:01pm

Jans opens the continued public hearing for Scott & Wanda Mitchell, 3508 N 82nd Ave, Brooklyn Park, MN 55443. Property located at 74390 309th St, South Haven, MN 55382. That part of Government Lot Five (5), Section Twenty Four (24), Township One Hundred Twenty (120), Range Twenty Nine (29), Mud Lake, Kingston Township. An application for an after-the-fact Conditional Use permit to move more than ten (10) cubic yards of material in the Shoreland Impact Zone and more than fifty (50) cubic yards of material in the Shoreland District for shoreland alterations in an R-1 Suburban Residential District and within the Shoreland District.

Scott & Wanda Mitchell are present for this hearing.

Schultz: This property is a Mudd Lake Riparian R-1 zoned metes and bound lot with a property address 74390 309th Street, South Haven, MN 55382 located in Section 24, Township 120, Range 29 in Kingston Township. Mudd Lake is considered a Natural Sensitive Lake.

This property is approximately 66,000 square feet. Currently there is a shed built in 1975 and a remodeled garage built in 1988 on the property. No well and only and outhouse for septic on site. This is an after-the-fact CUP for bringing in 40 cubic yards of gravel fill in the shore impact zone to be spread across areas marked on the plan. An additional 20 cubic yards of black dirt will be brought on site to cover the gravel then seeded.

Ethan Jenzen DNR Area Hydrologist talked to me today and said he viewed the property and indicated that the fill was not placed below the ordinary high water level thus not requiring a Public Waters Work permit.

As per [Article 19A.04. C.2.d] Movement of more than 10 cubic yards of material in the shore impact zone and/or 50 cubic yards of material in the shoreland district requires an approved conditional use permit from the county.

Hempel asked why they are not required to have a septic inspection, since they have an outhouse.

Schultz states that they don't have any water on the property.

Euerle asks what would stop them from going out further because it looked like the cattails were covered up.

Schultz says that Ethan looked at the property and he was okay with it.

Euerle makes a motion to close the public hearing.

Smith seconds the motion.

Motion carried 6-0.

Schultz reads the proposed conditions:

1. The total cubic yardage moved and/or brought onto this site shall be a maximum of 25 cubic yards of additional material.
2. The project shall be completed as per the plans submitted with this application.
3. All required permits shall be obtained prior to commencing this project if project extends beyond scope submitted.
4. Erosion control shall be implemented and maintained on-site until permanent vegetative cover is established to prevent erosion of material into sensitive areas.
5. The applicant and/or property owner shall notify Meeker County Planning & Zoning within seven days of completion of this project.

Hempel states that if the DNR is okay with this project, she is as well.

Hempel makes a motion for approval.

Beach seconds the motion.

Motion carried 6-0.

5:08pm

Jans opens the continued public hearing for Richard & Elisabeth Carlson, 21860 575th Ave, Litchfield, MN 55355. Property located at That Part of Lot Four (4), more fully described in the application. Section Six (6), Township One Hundred Eighteen (118), Range Thirty-One (31), Greenleaf Township, Star Lake. An application to Rezone a parcel of land from A-1 Agricultural Preservation District to R-1 Suburban Residential District.

Richard Carlson is present for this hearing.

Jans states that this hearing was continued from last month because additional information was needed to be obtained from the attorney, which has since been received.

Schultz: This property is a 68.27-acre riparian property adjacent to Star Lake in Section 6, Township 118, Range 31 in Greenleaf Township. 575th Ave is adjacent to this property to the west. Most of the rezone is within the shoreland district of the Natural Environment Lake—Star Lake. Currently on this property there are no structures. There are R-1 properties located approximately 1000 feet to the north.

The current property owners are requesting to rezone 13.13 acres of the 68.27-acre parcel from A-1 Agricultural Preservation District to R-1 Suburban Residential to allow for the establishment of a two (2) lot plat.

Green Leaf Township approved the rezone and plat for building sites at their township meeting on March 9, 2021

A Title of Opinion was submitted with the application and was approved August 6, 2021 by a County Attorney representative.

Jans says that we were waiting for attorney information on the outlot, but it has been received. It's a good spot. It won't take productive land out of operation. It fits in the area.

Hempel makes a motion to close the public hearing.
Smith seconds the motion.
Motion carried 6-0.

Euerle makes a motion for approval.
Beach seconds the motion.
Motion carried 6-0.

5:12pm

Jans opens the continued public hearing for Richard & Elisabeth Carlson, 21860 575th Ave, Litchfield, MN 55355. Property located at That Part of Lot Four (4), more fully described in the application. Section Six (6), Township One Hundred Eighteen (118), Range Thirty-One (31), Greenleaf Township, Star Lake. An application of a Preliminary Plat of two (2) lot plat of the R-1 Suburban Residential District zoned plat of Birdwing First Addition.

Richard Carlson is present for this hearing.

Beach makes a motion to close the public hearing.
Hempel seconds the motion.
Motion carried 6-0.

Schultz: This plat will occupy 13.13 acres of a 68.27-acre riparian property 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 three (3) lot plat of Birdwing First Addition for the construction of two dwelling eligible lots. Outlot A will be part of this plat as well. The new plat will be within 1000 feet of R-1 zoned properties to the north.

As per the survey each lot meets the R-1 requirements of 100,000 total square feet with 40,000 square feet minimum contiguous buildable area. Lot 1 is 4.15 acres. Lot 2 is 4.49 acres and the outlet is 4.05 acres. Some wetland was found within each of lots 1, 2 and Outlet A. The 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.

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.

Euerle makes a motion to approve.
Beach seconds the motion.
Motion carried 6-0.

5:18pm

Jans opens the public hearing for Craig & Colleen Stedham, 74210 273rd St, Dassel, MN 55325. Property located at 27381 742nd Ave, Dassel, MN 55325. That part of Government Lot Three (3), Section One (1), Township One Hundred Nineteen (119), Range Twenty-Nine (29), Dassel Township, Big Swan Lake. An application for a Conditional Use permit to move more than ten (10) cubic yards of material in the Shoreland Impact Zone and more than fifty (50) cubic yards of material in the Shoreland District for shoreland alterations in an R-1 Suburban Residential District and within the Shoreland District.

Colleen Stedham and Jerry & Lauren Konz are present for this hearing.

Schultz: This property is a Big Swan Lake Riparian R-1 zoned metes and bound lot with a property address 27381 742nd Ave, Dassel MN, located in Section 1, Township 119, Range 29 in Dassel Township. Big Swan Lake is considered a Recreational Development Lake.

This property is approximately 18,800 square feet. Currently there are no structures on the property. The property owners are requesting to install 85' of boulder retaining wall, 89' of rip rap and 4-foot-wide steps down to the OHWL elevation of 1003'. They are also installing a 15' wide native seed mix and erosion control blanket between the retaining wall and hillside. The boulder wall will be at the interface between the rip rap and shoreline.

Total material proposed to be moved or brought onto the shore impact zone where the walkway and boulder side walls will be placed according to the site map submitted will be approximately 120 cubic yards of rock and soil. Erosion control during construction will be placed between the construction and water.

Ethan Jenzen, DNR area hydrologist, has not yet commented at the time of this meeting.

As per [Article 19A.04. C.2.d] Movement of more than 10 cubic yards of material in the shore impact zone and/or 50 cubic yards of material in the shore land district requires an approved conditional use permit from the county.

Jans feels something does need to be done. There are exposed roots and it is very eroded.

Salzl says that it is very steep, so some work out there will make great improvements.

Hempel asks Jerry Konz if he will be removing the current steps. Are those referenced in the estimate? Are you doing the whole estimate body of work that is listed?

Konz says that he doesn't know if the applicants want to do the rock below. All the steps are a sure thing. They are still deciding if they will be doing the wall.

Jans is surprised that the wall isn't a sure thing because that seems to be the only thing that will fix the shoreline from erosion.

Konz feels the biggest thing they are trying to accomplish is getting access down to the lake with steps and a handrail. The second thing is if budget allows, they would like to add the wall and the fill behind it.

Colleen Stedham says she definitely wants the wall, just depends on the budget.

The Board talks to Stedham and Konz about all the plans.

Schultz read the proposed conditions:

1. The total cubic yardage moved and/or brought onto this site shall be a maximum of 138 cubic yards of material.
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 be completed as per the plans submitted with this application.
4. All required permits shall be obtained prior to commencing this project if project extends beyond scope submitted.
5. Erosion control shall be implemented and maintained on-site until permanent vegetative cover is established to prevent erosion of material into sensitive areas.
6. 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.

Smith seconds the motion.

Motion carried 6-0.

Hempel makes a motion for approval with the conditions.

Salzl seconds the motion.

Motion carried 6-0.

5:31

Jans opens the public hearing for Trisha Hedburg (owner), 64580 365th St, Watkins, MN 55389. Donna Baumann (applicant), 3143 Cty Rd 74, St. Cloud, MN 56301. Property located at that part of the East Half (E ½) of the Northeast Quarter (NE ¼), more fully described in the application. Section Twenty (20), Township One Hundred Twenty-One (121), Range Thirty (30), Forest Prairie Township. An application for an Interim Use Permit to move in a temporary second dwelling for a blood relative on a property in the A-1 Agricultural Preservation District.

Donna Baumann, Tricia Hedburg and Robert & Suzanne Lindbloom are present for this hearing.

Schultz: This property is 16.5-acre A-1 Agricultural Preservation zoned property located in Section 20, Township 121, Range 30 of Forest Prairie Township.

Currently on this site there is a dwelling built in 1967, garage built 1946, utility shed built 1980, cattle barn built in 1965, machine shed built 1950 and other buildings built in the 1960's. A 3-bedroom mound septic system was installed in 2001 for the existing house.

The property owner is requesting an interim use permit for a second dwelling on the property to assist in the care of her mother and grandmother. The intention is to bring in a mobile home that is one level for easier mobility for the relatives. The duration of the permit she is asking for is for 20 years.

Article 11 Sec. 11.04.A.a.c requires an Interim Use Permit to allow for the placement of a temporary second dwelling in the A-1 Preservation District.

Jans says that the current house on the property looks livable from the outside.

Hedburg states that her father passed away two years ago and he was living in that house. While he lived there the conditions worsened. There is black mold in the basement. The exterior and roofing is fine.

Modifications need to be done. They are working on that, but it is a large project to complete. To have the grandmother and mother live on the property, a second dwelling will be needed.

Hempel asks if they will be bringing in a double wide.

Baumann says that she hopes to get a double side, but has been told that this hearing has to be approved before she can buy a house.

Schultz states that the property has a septic.

Robert Lindbloom asks if there will be a time limit for this second dwelling.

Schultz says 20 years.

Smith makes a motion to close the public hearing.

Beach seconds the motion.

Motion carried 6-0.

Schultz reads the proposed conditions:

1. This dwelling must be served by a conforming SSTS system.
2. The applicant shall obtain all required permits.
3. Property owners must follow the building code.
4. The applicant approved for temporary second dwelling shall submit annually to the Planning and Zoning office a completed certification form, indicating the conditions of the permit approval are still in place and that the need for the temporary second dwelling has not changed.
5. The second dwelling permitted shall be removed within 1 year of the date residency ceases from the relative the permit was issued for.
6. This interim use permit shall expire twenty (20) years from the date of final approval. Application by the Meeker County Commissioners. If another blood relative intends to occupy said dwelling, a new interim use permit must be obtained.

Salzl makes a motion to approve with conditions.

Beach seconds the motion.

Motion carried 6-0.

5:42pm

Jans opens the public hearing for Jesse & Lori Trebil, 56844 US Hwy 12, Grove City, MN 56243. Property located at Lots 10-14, (Ten, Eleven, Twelve, Thirteen, Fourteen), Section Thirty-One (31), Township One Hundred Twenty, Range Thirty One (31), Harvey Township and that part of the Southeast Quarter (SE ¼) of Section Thirty Six (36), Township One Hundred Twenty (120), Range Thirty Two (32), Swede Grove Township, more fully described in the application. An after-the-fact Conditional Use permit to construct a 3000'x75' airplane landing strip on his property and to move more than 1000 cubic yards of material in the A-1 Agricultural Preservation District.

Jesse & Lori Trebil and Paul Bolle (Jennie-O Turkey Stores) are present for this hearing.

Schultz: The properties are 99.3 acre and 185.4 acre A-1 Agricultural Preservation zoned properties located in Section 36, Township 120 and Range 32 of Swede Grove Township, approximately 2 miles east of Grove City. Currently there are no buildings on site and used for agriculture.

This is an after-the-fact CUP for an airplane runway the property owner has constructed running northwest on the properties. The applicant has moved 30,000+ cubic yards of material to build up the elevation and level the area for construction of a 75' x 3000' runway.

Beacon GIS program elevations across the construction area range from 1148' in the wetland area to 1156'. A NPDES/SDS General Stormwater Permit for Construction Activity was issued for the project on July 1, 2021. SWCD has visited the site and has indicated that the land surrounding the air strip is enrolled in an FWS Wetland easement, as part of that easement they will be restoring wetlands. Depending on what the final wetland restoration plans from FWS plan for will determine how much wetland credits he will have to purchase to mitigate for the excess wetland fill.

As per Article 11.03.F of the Meeker County Zoning Ordinance and approved Conditional Use Permit is required to allow a landing strip in the A-1 Agricultural Preservation District. As per Article 11.03.DD of the Meeker County Zoning Ordinance an approved Conditional use Permit is required to allow substantial land alteration in excess of 1,000 cubic yards in the A-1 Agricultural Preservation District.

Bolle states that his sole concern is animal welfare. He says he has spoke at length with Trebil and now is less concerned. They have come to an agreement that will mitigate the risk to the turkey farms. A form has been signed and copies given to the Board listing the conditions they have agreed to.

Jans states that Bolle called him with his concerns and is so glad to see both parties working out any issues they may have. Turkeys can get very upset with loud noises.

Trebil says that it is not a problem at all to take-off to the south, which is only part of the year to turn right and head straight south. If there is ever an issue, he wants to talk about it.

Jans states that we will add the conditions Jennie-O and Trebil made into the Meeker County's conditions.

Schultz reads the proposed conditions:

1. The applicant shall be permitted to move and/or bring in a maximum of 35,000 cubic yards of material for this project.
2. The property owner shall utilize appropriate erosion control measures until a permanent vegetative cover is re-established to prevent the erosion of material into sensitive areas.
3. This area shall be properly graded so that surface water is not redirected towards the existing dwelling to the east and any adjacent property boundaries.
4. If project extends beyond current construction area it will require all permits to be issued before expansion construction starts.
5. Applicant will obtain and adhere to all required state and federal permits if required prior to using the landing strip.
6. Aircraft utilizing this site are willing to avoid farms and route flights away from livestock and poultry operations.
7. Prop airplane(s) will be the primary traffic.
8. Aircraft will make sure to do any maneuvers away from barns.
9. Applicant/owner is willing to talk about any issues that could arise with livestock and poultry.
10. Whenever possible, direct landings with an approach from the west/northwest; and whenever possible, direct take-offs will be to the northwest.
11. The applicant shall notify the Meeker County Planning & Zoning office within seven (7) days of the completion of the material movement and seeding.

Smith makes a motion to close the public hearing.

Salzl seconds the motion.

Motion carried 6-0.

Salzl makes a motion to approve the dirt movement with conditions.
Beach seconds the motion.
Motion carried 6-0.

Salzl makes a motion to approve the landing strip with conditions.
Beach seconds the motion.
Motion carried 6-0.

6:05pm

Robert Lindbloom shows the Board mapping of his land that he would like to plat into a one lot plat. He would first like to rezone the property to R-2 Rural Residential. He hopes to build a home.

The Board feels this would be fine. They suggest he move forward with the rezone and platting procedures.

6:13pm

John Heutmaker shows the Board his survey to rezone his land and create a two lot plat. This is a large lot on Big Swan Lake.

The Board is in agreement that Heutmaker can go ahead and start the rezoning & platting process.

6:28pm

The Board discusses Zoning Ordinance changes for:

- Solar garden setbacks.
- Shipping containers.
- After-the-fact permit fees.

7:05pm

Smith makes a motion to adjourn.
Beach seconds the motion.
Motion carried 6-0.