

WRIGHT COUNTY PLANNING COMMISSION
Meeting of: June 29, 2023
MINUTES

The Wright County Planning Commission met on Thursday, June 29, 2023, in the County Commissioners Board Room at the Wright County Government Center, Buffalo, Minnesota. Chairman, Dan Mol, called the meeting to order at 7:30 PM with members present: Pat Mahlberg, Jan Thompson, Jeanne Holland, Ken Felger, Sandy Greninger, and Dan Bravinder, Barry Rhineberger, Planning & Zoning Administrator, represented the Planning & Zoning office; Greg Kryzer, Assistant County Attorney, was legal counsel present.

ACTION ON June 1, 2023 MINUTES

A. On a motion by Greninger, seconded by Bravinder, all voted to approve the minutes of June 1, 2023 meeting as printed.

VOTE: CARRIED UNANIMOUSLY

PUBLIC HEARINGS:

1. **KELLY MATSON** – continued from 6/1

LOCATION: 5063 County Road 30 SW – part of NE 1/4 lying southerly of the center line of County Rd 30, Section 19, Township 118, Range 26 and portion of the S 1/2 of the NW 1/4 , Section 20, Township 118, Range 26, Wright County, Minnesota. (Woodland Twp.) Tax # 220-000-191401 & - 202300 Property Owners: Roger Kiefer & Denise Doll-Kiefer

Petitions for an Interim Use Permit to operate a kennel to include dog boarding, training, grooming, and limited sales, as regulated in Sections 155.003(73), 155.031, & 155.048(2), Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Kelly Matson & Nick Matson

A. Rhineberger opened with a reintroduction of the matter continued from the June 1 meeting to conduct a site visit. A brief submittal was received right before the start of the meeting, which had been included in the review materials regarding training schedules and the layout of the area training grounds with external runs depicted on the north side of the building. The applicants had nothing further to include.

B. Mol opened the matter for public comment.

- Scott & Karen Diers – reside at 9524 Ferman Ave shown on the southwest area of the map displayed, asked if the Commissioners were aware that another potential buyer had also offered to purchase the property that does not have a dog kennel. Mol reminded Mr. Diers to keep to the matter at hand. S. Diers – firearms will be used near their backyard to

train hunting dogs. He expressed that safety for his children is a big concern and that dogs might chase them.

- Tracy Janikula representing Diers Corporation – The family farm owns the property to the north of the parcel in question. Without viewing the revised training schedule presented tonight, the operational plans were noted to state that all hunting training sessions shall follow the State and County rules relating to hunting while adhering to proper setbacks from all neighboring properties and to only take place during daylight hours. Summer season means potential daylight at 5:30 AM and suggested to Commissioners to possibly establish scheduled times to match their office hours or define a set time for “daylight hours” and adjust for weekend scheduling. She referenced the corn field growing in the corner neighboring their property and described the site line visibility difficulties it produces when crops grow and may obscure visibility for the traffic, which typically travels at higher speeds than the posted 55 miles per hour. Dependent on the time of the year, this corner can make for difficult visibility to on-coming traffic from the other direction around the bend. Traffic has increased over the last 20 years as well. There is not a house to the north side of the property currently, but they do hold a building eligibility. Referencing the dog kennel run on the north side of the property in question and the location of the hayshed only leaves about 300 ft. setback from where a potential home could be placed. The proposed trees have merit, but conditions regarding maintenance should be considered for longevity and density of growth. Sixty dogs and no information on what traffic could potentially be could make for many dogs and a lot of loud barking and suggested perhaps 30 dogs to start their operation.
- B. K. Matson – understands the concerns of others regarding daylight hours and is aware of seasonal differences and plans to adjust to accommodate early evening daylight hours in the summer. Hours have not been depicted because they don’t want to restrict hours or make unmet expectations. The training schedule to start the day for the dogs after morning routines would typically not be starting earlier than 10:00 or 11:00 AM and ending between 2:00 or 3:00 PM. Hunting sessions might alter schedules, depending on the owner’s abilities to observe their dogs in session, and could be after office hours in the early evening midweek or afternoons on Saturdays. Training sessions on Saturdays, like weekdays previously mentioned, would start later in the morning but would wrap up around noon, and no hunting on Sundays. Referencing the calendars presented, the hunting days are the only days shooting. Outside of that, blanks with a .22 caliber pistol are used, muffled to sound no louder than a handclap. The calendar depicts 9 days out of the month that is designated for hunting and only 2 Saturdays out of the 31-day month. Mol – asked how much shooting will be done? K. Matson – each dog gets 2 birds, and each bird is shot twice, so 4 shots per hunting dog per training session. The introductory training group would be capped at 10 dogs, so there could be 20 birds per session or roughly 40 shots over the duration of 1.5 to 2 hours, depending on the training of the dogs, per day for the 4-day series. Mol – asked about the shooting duration and not for the length of the full day, correct? N. Matson – each session could be as long as 2-2.5 hours, but not from 8:00 AM to 5:00 PM, as Mol suggested. K. Matson – There may be times when the dogs might need to start earlier, depending on the heat of the summer months; some would start around 7:30 or 8:00 AM and the rest in the earlier evenings as the weather cools down, avoiding mid-afternoon highs and dogs potentially with heat stroke from working. The outdoor runs and tree maintenance are within their plan and

explained how this helps the dogs for visibility and to avoid distractions to their training and creates a noise barrier on the northern portion of the property.

- C. Greninger – the shooting will take place during only that 6:30-8:30 timeframe? Matson – Correct.
- D. Bravinder – asked for the differences between the intermediate versus the intro training and how the shooting differs between the programs and the progression of the training. N. Matson – the intro is the puppy training, introduction of the shotgun sounds, starting with the pistol blanks and moving into the shotgun and its noise. The intermediate level involves obedience and field conditioning. K. Matson – the days specified for hunting would be with a 28-gauge shotgun. The progression of the intro training including the muffled .22 is on the other non-hunting days.
- E. Felger – in terms of shooting, it was mentioned up to 10 dogs per session, 2 birds per dog with 4 shots, so that could be up to 40 shots. K. Matson – for the intro training level, yes. For the intermediate, they would consider 15-20 dogs, which could double that number. Felger – perhaps, if the math is correct, the applicant is looking at a period of 3 weeks with an excess of 500 shots potentially fired, correct? K. Matson – probably. Felger – referenced the 21st on the example calendar falling on a Saturday with 2 hunting sessions and of the 13 days throughout the month shooting, three of which fall on a Saturday. K. Matson – 2 days’ worth of hunting on Saturdays with 3 groups. Felger – stands corrected, 2 Saturdays. During the summer shooting as early as 6:00 or 6:30 AM? K. Matson – would be willing to agree to that, but it would not be that early, as they have never hunted that early in the past. Differs from recreational hunting, like duck hunt shooting at first light. 6:30 AM to 6:30 PM was mentioned if a client might need that for a session.
- F. Thompson – on a given day, how many people are anticipated to contribute to the traffic flow along that road? K. Matson – referring to the calendar and the start days of the intro and intermediate sessions are the drop-off days. Only those two days noted might increase traffic. The dogs stay for the duration of their training series, not being picked up each night. Boarding is the other consideration, but only on an occasional basis and depending on the capacity of the training dogs and will not be running a doggy-daycare service. The operation of the kennel will only be the two of them, so check-ins would be done on staggered 10-15 minute drop-off windows of time.
- G. Mahlberg – asked where the hunting and training area is located, having not been able to attend the last meeting and may have previously been addressed. The neighbors’ homes are within close proximity of the parcel itself; how will the operation location be determined? K. Matson – all hunt training with shotguns will be down the slope and near the wetland area by the tree line located to the far east of the parcel. The closest they will get to using shotguns would be at the midpoint area of the property, running north/south along the east edge of the pole shed depicted down to the midpoint of the tree line on the south end of the parcel. The front area is nearer to the road. Mol – having attended the site visit, he explained the terrain and slope of the area to the east of the pole shed building before reaching the edge of the marsh. After the slight upslope, it then drops off approximately 15 feet or so down into the lowland wetland. K. Matson – cannot see other properties when down by the marsh. Mahlberg – asked if the applicants would adhere to a condition, to not fire shotguns along the

mentioned north/south site line. Matson – yes and are willing to accommodate for recommendations otherwise and understand the concerns at hand.

- H. Mol – if they were to do any hunting, it would be on the back side of the building only or below the hill near the marsh, shooting toward the east, as long as there are discussions and a proposed condition is set in place. A shooting schedule should also be implemented, 8:00 AM to 5:00 PM for example. K. Matson – considering summer seasonal hours and a 6:00 or 6:30 AM start time due to the location of the training facility and patrons' schedules to stay open later for after office hours and anything otherwise that might hinder their business's success. Mol – consideration might be taken for perhaps one day of the week for these adjusted hours if included in the condition. K. Matson – referenced the example calendar and explained how the training series depends on the level and how many days in training, so asked about placing hours on those days for pick up and drop off. Mol – a consideration could be a condition set for 2 days a month, for example, to adjust the hours to accommodate earlier drop off and later pick up. Rhineberger – such a condition would be difficult to monitor and enforce. Consider perhaps a maximum of one day a week to establish a set time for the drop-offs and pickups to commence. Mahlberg – specific to the day of the week might make for difficulty on the pick-up days. Rhineberger – owners who have the means to send their dogs to training should be able to accommodate the hours set by a business. When the Commission sets the restriction, the kennel owner and the customers must abide by the conditions. K. Matson – added if there is shooting later on those mentioned days be designated for hunting sessions, not for the entire hunting training group, and based on an individualized basis if needed, and would only produce 2 to 4 gunshots for that one dog. Most clients can get there that early but don't want to lock in on something they cannot accommodate. Mol – the Commission cannot approve a permit left open to create potential issues and need to consider all perspectives.
- I. Bravinder – suggested adjusting the pickup on Tuesdays and Thursdays during the months of May through August to 6:30 PM, regular hours being 8:00 AM to 5:00 PM for the other days of the week when open for business. N. Matson – fall and winter months having an ending time at 5:00 is fine, the days are dark by then. Mahlberg – when considering the Tuesdays/Thursdays for a 4-week month, is there a value in designating those 8 set days a month? K. Matson – dependent on when the group sessions start but are willing to work with training group schedules based on the conditions if approved to end on specified days. Bravinder – mentioned Tuesdays and Thursdays specifically to reference the point of enforcement made by Rhineberger. Mahlberg – Tuesdays/Thursdays was an example of specifically set days, rather than going off of a training schedule, and to discuss the need for one or two days per week. Bravinder – with the two specified days per week, this gives more allowance to the days they can work with for later hours for the summer pickup schedule.
- J. Felger – asked about the hunting sessions and who would be in attendance while these events happen. K. Matson – the owners are present and off to the side to observe their dogs in session; Mr. Matson is the only one shooting. Felger – asked how the dogs will be kept at bay, and what sort of control is on the dog while in the field. N. Matson – the obedience training and electronic collar conditioning will be completed before hunting will begin. K. Matson explained how the e-collars are utilized during obedience training and how the remote which controls the collar prompts the dogs' direction and is rigorously practiced before entering the field for intermediate training. For the intro training, the dogs are tethered to a 60-foot check cord or leash to introduce them to the e-collars. Felger – safety is a concern, and the risk of an uncontrolled dog taking off at large concerns him and

others. Referencing owners of the hunting dogs, he asked if they be present at each hunting session? K. Matson – no, owners are only present on their pickup day, as it is the occasion that their dog is hunting the two birds before leaving training. The other days are only Mr. Matson and the dogs hunting.

K. Greninger – asked Matson’s if they have small children. K. Matson confirmed yes, three girls.

L. On the motion by Greninger to approve an Interim Use Permit for a kennel in accordance with the discussion, plans, and description held on file, with the following conditions: 1) Proper building and septic system permits are obtained for the remodel of the existing pole building for the kennel structure; 2) Dogs are allowed outside during the hours of 6:00 AM to 9:00 PM, must have direct supervision at all times, and must be housed inside at night or during inclement weather; 3) Animal waste must be properly disposed of per our Environmental Health guidelines; 4) A Notice of Construction or Expansion for the bird pens be filed with the Feedlot Program Administrator and the pen be moved to meet the 100 ft. property line setback requirement; 5) Township to review in one year, with subsequent reviews at an interval established by the Township; 6) Any change in use or expansion of animals or facility requires a new Interim Use Permit hearing; 7) This permit shall expire upon transfer of the property, termination of any lease agreement, or change in business ownership or operations; 8) Gunfire is allowed May through August, 8:00 AM to 6:30 PM on Tuesdays and Thursdays, rest of the months 8:00 AM to 5:30 PM; 9) Gunfire area be limited to the location, as per diagram displayed as Exhibit A. Motion was seconded by Holland.

DISCUSSION: *Rhineberger asked if the Commission was comfortable with the wording on condition 2., per the proposal. Regarding the discharge of the firearms, and suggested the following: Discharge of firearms for training must be restricted to between the hours of 8:00 AM to 5:00 PM except for Tuesdays and Thursdays from 8:00 AM to 6:30 PM during the months of May through August. In accordance with the discussion regarding the tree line: The existing tree line must be maintained or enhanced. Mol asked about the location discussion of the building, as the north had been motioned; Greninger thought the area included the run on the north side of the building, between that and the northern tree line. K. Matson – the red area, as depicted on the areal map, and asked if to then run down to the south property line, all falling within the lowland on the parcel. Greninger – when looking at the shed, there would always be shooting away from it, correct? K. Matson – correct. Shooting will always be toward the wetland. Even if located within the southern area of the depicted, shooting would still be north-easterly toward the wetland. Greninger asked of adding a friendly condition to specify the crest of the hill down to the bottom. K. Matson – to clarify, this is with a shotgun, and asked if blanks could be used anywhere on the property. Greninger allowed it. Kryzer added that it be noted gunfire, not simply shooting, anywhere within the area encompassing the wetland.*

VOTE: MOTION CARRIED, Felger voted against

2. **MARK D. JOHNSON** – continued from 5/4 & 6/1

LOCATION: xxxxx Pleason Ave NW – SE 1/4 of SW 1/4, Section 9, Township 120, Range 28, Wright County, Minnesota. (French Lake Twp.) Tax # 209-000-093400 Property Owners: Mark D & Jodene M Johnson

Petitions to rezone the entire 34.65 acres from General Agricultural (AG) to Agricultural/Residential (AR) as regulated in Section 155.028, 155.047 & 155.048, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

- A. Rhineberger stated that the applicant has been and continues to work through this request with French Lake Township. As such, the property owner has requested a continuation.
- B. On the motion by Mol to continue the matter to the July 20th, 2023 meeting, per request by the applicant, to continue working with the Township for their recommendation. Motion seconded by Thompson.

VOTE: CARRIED UNANIMOUSLY

3. **ALICE DENNEY** – New

LOCATION: 3828 Moore Ave NW – part of NE 1/4 of NW 1/4 and a portion of the SE 1/4 of the NW 1/4 , Section 13, Township 120, Range 28, Wright County, Minnesota. (French Lake Twp.) Tax # 209-000-132100 Property Owners: Denney

Petitions for an Interim Use Permit to operate a home extended business for wire recycling in a 30' x 40' portion of the addition to an existing shed as regulated in Sections 155.031, 155.048 & 155.103, Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Alice Denney, Randy Bodin

- A. Rhineberger opened the matter. The property sits on 10 acres along Moore Ave NW in French Lake Township. The property owner is seeking approval to operate a wire recycling and scrap metal sorting facility as a home extended business within a 30 x 40 portion of a pole building. A building permit has been applied for and issued for an addition to be placed on the structure. The business plan and operational areas are included in the review materials. The French Lake Township clerk has responded that as long as the business is operated and contained within the building and the property does not become a junk yard, she believes the Township would be okay with the request. In the interim, the Township had a misunderstanding of what was taking place at this property and discussion was ironed out in the presented email exchange. The applicant added that there is a lean-to where the pallets can be stacked and stored under coverage. There may be occasions where items may be stored outside, but only on a temporary basis when in between pickup and delivery times during a given day.
- B. No public comments.
- C. Felger - what sort of wire is collected for recycling; is it residential-grade and if insulated. Denney – wire is obtained from local electrical companies, then divided into different categories for recycling only; no stripping of plastic coating or any other labor involved. Simply collecting, temporarily storing, then recycling the wiring for profit.
- D. Geninger - how many pallets and where they are going to be placed. Denney – it will be on the back side of the facility, where loading/unloading takes place with a forklift. Bodin added the supply is loaded onto car trailers then immediately hauled to the recycling center, nothing large-scale like semis.
- E. Mahlberg – hears what the applicant is requesting but has concerns about the Township's response regarding containment and for it not to become a junk yard without containment. Based on what was received from the Township, he cannot decipher what their recommendation is for this matter at hand. Rhineberger added that all information known from the Township is what is presented and can't determine if the Township understands the matter at hand or not. Mahlberg asked if the business has been operational for a while now. Denney – yes, but was done at another facility, not at her home. Mahlberg – the language from the Township clerk mentioned “so long as it is contained within the pole building and is not creating another junk yard.” Was

the Clerk referencing the applicant's junk yard or a larger junk yard? Denney – reads this as a larger junkyard; their stockpile is small. Bodin added that “junk yard” might be used as an example; the Township might not want the parcel's contents unsightly. Mahlberg – as long as if it is unsightly and able to be put in a pole building, no one seems to care. The applicants agreed with this perception. Mol – to clarify, asked Mahlberg if okay with pallets outside but all recycling needs to be handled within the shed. Mahlberg – needs clarification, as this seems to be the best they can do. Sounds like the scrap will be inside. Denney – they will only be outside of storage in between deliveries. No pallets to be scattered throughout the yard, as they're stored in the lean-to and used for transport means. Kryzer added the language of Condition 3 as written will work, as the applicant is proposing staging of the delivery and is not designated for outdoor storage. If it does become outdoor storage and complaints are received, then it truly would become a violation.

- F. Holland – what are the hours of operation? Denney – 8:00 AM to 5:00 PM, she supposed. She collects from the facilities once they are open for business, so her start time is to accommodate, sometimes staging might take place the night before. Customers will never be on-site; other facilities sell and buy. She is a lone operator and has no other employees on the premises. Rhineberger added traffic would not be a concern, no one other than the applicant is coming and going. All business is conducted inside the building, and she is allowed to work at her will. Mahlberg asked for the need Condition 1, if the applicant decided to work outside of the set hours. Rhineberger – any recommended condition is up for discussion, and whether or not a condition is included. Kryzer – if the members wish for elaborate on the noted condition, perhaps specify it pertaining to deliveries and hauling out. Thompson – when speaking of delivery, you are bringing the items to your property, correct? Denney – correct, no one else is dropping off or picking up at her location. Mol – consider evolution of business for the aspect of the future and for what could come. Mahlberg – if approving the interim use permit, there becomes a narrative on file. This would only become an issue of violation if the suppliers were to come to her and a complaint is received due to trucks coming and going.
- G. Felger – asked Rhineberger of the addition to the building, thus meeting Condition 5 as proposed. Rhineberger confirmed this to be correct.
- H. Thompson - what type of trucks are used for hauling. Denney – takes a pickup with an empty trailer to pick up materials, loads and hauls back to her location, backs it into the shed for sorting, then is loaded and hauled away to the recycling facilities in Monticello or Saint Cloud, depending where she is able to sell the scrap for the most profit. Her recycling wire comes from and is picked up at Wright Hennepin Cooperative Electric in Rockford. Denney confirmed the demand is met for this business and supplies will not accumulate on her property.
- I. On the motion by Bravinder to approve an Interim Use Permit for a home-extended business in accordance with the discussion, plans, and description held on file, with the following conditions:
1) Deliveries shall be between the hours of 8:00 AM and 5:00 PM Monday-Saturday; 2) No more

than one employee in addition to the owner/operator and family members residing at the homestead; 3) No outdoor storage is allowed, and all business-related items must be contained within the 1,200 square foot portion of the building; 4) The operator must properly dispose of all waste from the business; 5) Satisfactory building final inspection is required before business operations may commence; 6) Township to review in one year, with subsequent reviews at an interval established by the Township; 7) This permit shall expire upon transfer of the property, termination of any lease agreement, or change in business ownership or operations. Motion was seconded by Holland.

VOTE: CARRIED UNANIMOUSLY

Mol called for a 5-minute Chairman's break at 8:27 PM. Meeting resumed at 8:33 PM.

4. **MATTIE CYMEK** – continued from 5/4 & 6/1

LOCATION: 8025 State Hwy 25 NE – Part of E 1/2 of SW1/4, lying west of the westerly right of way line of Highway 25 and south of..., Section 22, Township 121, Range 25, Wright County, Minnesota. (Monticello Twp.) Tax # 213-100-223402 Property Owners: Double H Properties, LLP

Petitions to rezone the area outside of the shoreland overlay on the property, as seen on the concept plan, from General Agricultural (AG) to General Industry (I-1) as regulated in Section 155.028, 155.048 & 155.055, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Applicant not present.

- A. Rhineberger stated that the applicant has decided not to pursue the rezoning any further and has requested the matter be dismissed.
- B. On a motion by Thompson, seconded by Greninger, all voted to dismiss the matter without prejudice at the applicant's request.

VOTE: CARRIED UNANIMOUSLY

5. **BENET DESMARAIS** – continued from 6/1

LOCATION: 1841 2nd St SW – part of Gov't. Lot 5, Section 02, Township 119, Range 26, Wright County, Minnesota. (Marysville Twp.) Tax # 211-000-022201 Property Owners: DesMarais

Petitions to rezone from Agricultural/Residential (A/R) to Suburban Residential (R-2a) as regulated in Sections 155.028, 155.047 & 155.051, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Paul Otto, Otto Associates & Ben Desmarais

- A. Rhineberger displayed an aerial view of the proposal to rezone the parcel located within the shoreland district from Agricultural/Residential (A/R) to Suburban Residential (R-2a). A site inspection was conducted earlier in the week, nothing further to report. Otto added that the members who attended the site reviewed what portion of the property was lakeshore by walking the grounds, the proposal is still the same. Rhineberger added that the Wright County Soil and Water Conservation District (SWCD) did request wetland delineation, a standard in the subdivision process. Staff will review this portion when the time comes if the Board grants the rezoning request.
- B. Mol opened the matter to public comment.
- Eric Knutson – is not opposed to the sale of the land, but sides with the Township in that they have denied this proposal. Land is in the country, not suburbia, and he did his own due diligence and research before purchasing this land. If approving this request, it would set a precedence for what could come. Traffic will increase with more cars on the roadway and on the lake itself, a small fishing lake. He does not see a hardship with this proposal.
 - Matt Schuveiller– resides on Bice Ave. down the road from the proposed. He moved here years ago because of the location within the Township. He had spoken at a past meeting and is back again to express his feedback for no more developments. He wants to be away from the Cities for his own personal reasons relating to family and undeveloped land, suggested to sell the land, but asked for no more buildings. Neighboring township Chatham and Marysville did not favor the previous matter but was approved by the Board and stated how residents did not favor the approval.
 - Joe Hickman is Marysville Township Supervisor and stated reasons for Township's denial. A map of developments is on the wall at the Township Hall showing all districts and how they can be developed. This location was allowed in the past to be split into 10-acre parcels and the Board is now looking at a proposal to make this 20-acres into three. He stated that the zoning ordinance regarding subdivision on lakeshore is too vague. His interpretation, when originally written, was to keep from a division with a house in that a roadway will not impede on the parcel, a means to keep the properties separate on both sides. This proposal is the opposite of his interpretation as written and was mentioned as a "two-tier" development, building on the other side of the road from the lakeshore property. As proposed, this would be oppositional to how the ordinance was written. Two split ten-acre parcels are agreed to, as to what is showing on the Township land use map. The applicant's brother was allowed a split his 40-acre parcel into two 20-acre pieces two years ago and it was noted on the Township's map to not split again. Now the request is to split a 20 into three, when it should be split into

- two, as his brother did. Allowing this split could also reclassify ponds into lakeshore, opening up problems with other townships with lakeshore, per ordinance interpretation. Mahlberg mentioned the issue of incorporation of potholes and backwaters is not the matter at hand. This matter involves Birch Lake, which may be only a fishing lake, but it's a nearly 100-acre lake and is of a different quality than other potholes propagated throughout the county. Hickman – that is an interpretation. Once it has a name, it becomes a lake. Mahlberg – even without a name, the DNR can classify it as a lake. The extreme is not the water body being the matter of the problem. Hickman – correct. The matter is setting a precedence of interpretation for the next time a matter like this is addressed.
- Kristine Hamm – also a Marysville Township resident and speaking again from last meeting, opposing the idea to split into three parcels. Birch Lake is a nice little lake and there are not many homes on the lake, only two that are on the lakeshore. By adding two more lots, this could add two more homes and change the environment and atmosphere of the lake. Traffic will increase; the Township has gravel roads, no budget for paving, like Chatham Township, and have already seen an increase from a neighboring development on Bolton Ave, northeast from the new homes built. Not much more can be taken on without improvement to the infrastructure.
- C. Otto was present at the site inspection where the home is proposed to be built. The applicant currently resides in home on the westerly parcel on the lake requested for division – house is on the southern end of the property. Proposed Lot 2 near the intersection does not have enough room to build between the road and the lake, a natural environment lake requiring at least a 200 ft. setback. The building site is on a hill across from driveway, as depicted on the presented map and described the setting aligned with the other existing lots around the lake and are only a few houses on the bottom portion of the lake. Rezoning is not setting a precedence, it is within the code and is allowed, the precedence has already been set. He has had other matters like this brought forward before and each has been unique. Without a change to the wording of the ordinance for clearer interpretation, these scenarios will continue to be addressed. In this scenario, the proposal is to look at creating 7 acre lots with more than 10 acres leftover, making sense for this property and without impact on the lake. From a building standpoint, one more residence might be added to the lake. Regarding the matter previously mentioned of the western properties, the applicant could have asked for a split at a past hearing, had there not been physical buildings in the way. This discussion was not mentioned, as it would have involved demolition of the existing buildings to suit lakeshore development. He believes this property has merit and wouldn't have brought the matter forward to the Board otherwise, the request falls within the ordinance. Desmarais added that the body of water on the parcel is 35 feet deep. Three generations have lived there, they used to have a landing, but it and was taken out due to the lake receding. The placement also makes sense in where the roads meet to the east and front/north and the depth of the parcels, creating two 7-acre pieces and a back 12 acre lot. From the zoning perspective, R-2a makes sense. They have a retired cattle underpass under the road used to get to the lake, so this will allow access to the lake from proposed Lot 2. As it sits now, the home is on one portion of the proposed, the barn is on another, and the lake is on the third. Without lake access, he has been allowing folks to use this land to get onto the lake to allow fishing. Stated he is also fortunate to have purchased this property with his brother from parents and hopes to be able to do the same for his own; the proposal simply makes sense.

- D. Mahlberg – the matter at hand must be based on how it fits the standard, not how it makes sense. It's a small, beautiful lake to look at, but not good for boating; he struggles to understand the uniqueness. Otto – the parcel size is unique at 25 acres, just short by 5 to make a full three lot subdivision. The 2 proposed parcels on the lake have the required 300 ft. frontage standard met and is located on the best lakeshore location on Birch Lake. The parcels on the east side of the lake are approximately 300 ft. of lakeshore; the western lots are within a Planned Unit Development (PUD) and are smaller, closer to 200 ft. The proposed would allow this to blend or fit in with the rest of the properties. Having a 600 ft. lot on the lake is not unique and that there are 3 or 4 other properties on the lake that also do. The lakeshore standard isn't unique; it's especially suited for lakeshore development, from his perspective. Mahlberg – the standard at hand is the request to rezone to R-2a, the further standard that may be appropriate in unique circumstances not specifically suited for residential development. He asked the inverse, what would not be unique? Otto – putting three lots in here on the lake, using smaller size, trying to fit into smaller sizes, fit the R-2a standard on a natural environment lake, what size should be on a NE lake. The lake use and the type of lake set by the DNR are valid but would require one acre lots and is not the correct use for this kind of lake and should align closer to AG-standards on a NE lake. Mahlberg – of all of the NE lakes in Wright County, is the take that all should be viewed as 10-acre developments around the lake? Otto – depending on the lakeshore. He reviewed a similar situation encountered in Silver Creek Township and the proposed was smaller in size than the matter at hand. He described the development of larger parcels, predating all codes, and was asked to come back with a larger scale than the proposed 2 acres on shoreland. Mahlberg – it's addressed every time because every time is unique. Otto – when asked what qualifies for each property to be there, he tries to make sense of what the past Board's decisions may have been.
- E. Bravinder – asked about two-tier development. Rhineberger – not a Wright County definition, but his interpretation of a tier is a set or row, so two tiers or rows of lots lakeside with another set of lots behind. A second-tier development would be a second tier of lots. Otto – the DNR has a definition of tiers based on density calculations and distancing from the lake. Rhineberger – State shoreland definition, from his past having served on a city planning board, has to do with tiers of development in municipalities, allowances of X number of homes per distance in varying degrees based on density. In some instances, it is defined as a distance. The Wright County plan discourages a second tier for development on lakes. Example in this case is if first two lots on the lake are the first tier, then the lot behind would be the second tier. Based on the matter at hand and the proposed plan, a few things can be considered. They could keep 13-14 acres with the lakeshore and could propose a subdivision to create 11.8 acres without lake access, still creating two lots without the need to rezone. They could also extend the line between Lots 1 & 2 to run all the way to the south property line, meeting the minimum width standards, getting 10 acres out of each lot and requiring only a subdivision application, no rezoning. Other avenues can be taken to create one additional lot. The trigger is for two additional lots requested for R-2a because there isn't enough acreage to create more than two. As originally developed, it wasn't maximized for A/R. The applicant could potentially have the ability to subdivide, creating the two lakeshore lots by meeting the 300 ft. width requirement, without actually needing the rezoning request as well. Mahlberg – the controlling document, the US Highway 12 Corridor Land Use Plan, has language discouraging second tier developments along lake to prevent pollutants, overcrowding, and overuse of the lakes.

- F. Mahlberg moved to close the public hearing to direct Council to prepare findings based on the record and discussion consistent with the denial of the request to rezone the property and to continue the matter to the July 20th, 2023 meeting. Motion seconded by Holland.

DISCUSSION: Rhineberger – the applicant has the ability to submit a withdraw request. Without a vote on it yet, there is no clear indication on what is motioned. If the Commission approves and adopts the motion on the floor, the applicant will have the ability to submit a withdraw request after this timeframe. There would not need to draw up findings and if withdrawing before the next meeting, so perhaps include a timeframe to submit the withdraw request to avoid the rezoning. Mahlberg – historically, applicants have not been limited with a timeframe to submit a withdraw. Kryzer – not with rezonings. Bravinder – respects Marysville Township’s progress but does not agree with their stance on the denial. Does not see impact on the lake itself; one extra house won’t make a difference. It’s allowed to be applied for as it falls within code.

Greninger agrees with Bravinder, based on the site inspection attended, she does not see how this will impact the lake.

Felger has served on the Commission for over a decade. He does not support this division and the motion consistent with denial. Over the years, he’s seen Marysville Township progress in representing their constituents and coming up with a plan. This plan was likely set in the early 2000s, a time when Townships had a great deal of input with the citizens to formulate the land use map. He explained that a past matter to rezone a restricted parcel which was denied despite the Township’s recommendation for approval, taking factors into account in making the decision that would not support the property. Everyone has a property right and the right to speak at public comment within reasonable perimeters. Being said, Marysville came up with a great plan, has stuck with it, and has been consistently rural residential with 10 acre lots, with exception of some on the west subdivided into smaller lots. He does not feel that this is a unique property; it matches its surroundings, it’s already zoned rural residential and fits the plan to easily divide into 2 lots and does not fit the criteria for R-2a zoning.

VOTE: MOTION CARRIED, Greninger and Bravinder opposed

6. **SKIES LIMITED LLC** – continued from 6/1

LOCATION: Area North and South of 72nd St NW – part of the NW 1/4 of the SE 1/4 and part of Gov't. Lot 2 as well as a portion of the SW 1/4 of the SE 1/4 and the SE 1/4 of the NW 1/4, Section 25, Township 121, Range 26, Wright County, Minnesota. (Black Lake - Maple Lake Twp.) Tax # 210-100-254200 & 210-100-252400 Property Owners: Robinson Acres LLP

Petitions to rezone from General Agriculture (AG) to Agricultural/Residential (A/R) S-2 Shoreland as regulated in Sections 155.028, 155.047, 155.048 & 155.057, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Paul Otto, Otto Associates & Phillip Kothrade

- A. Rhineberger presented a survey and briefly reintroduced this matter continued from the June 1st meeting for a site inspection to be conducted on June 26th. The only additional information received since were additional comments regarding the proposed driveway placement, relative more for the subdivision portion of the rezoning phase at the current time and was presented to the Commissioners for their review.
- B. Otto – thanked everyone who attended the site inspection to get a view of what makes sense from his perspective. It falls within the land use plan, A/R, and proposes to meet all minimums and has prepared plans for lots to fall over the minimum. He met with and provided a letter from the Township based on historical visits and past conversations with County staff. His discussion also included Township-jurisdictional accesses and property lines in their proposal. The applicant paid for the services of the Township Engineer to consult and review placement of the driveway, also providing documentation presented to the Township's Board, and this Commission, ensuring that roadway access has been considered. Kothrade – there was a lot of discussion at the last meeting about the driveway's location on Ames Ave. NW and the slope of the downhill traffic feels this is the best placement and that it fits the surroundings.
- C. Open to public.
 - John Shriver – resides on Aladdin Ave. NW adjacent to the property up for discussion. After attending the June 1st meeting, he conducted a site visit of his own to see what he may be missing. From his interpretation, 140 acres of land was designated for agricultural use forever. The proposal does fall within the land use plan to be rezoned AR, but it never has been. The previous owners did not feel the need for rezoning; now the applicant comes forward with motives for rezoning to portion it out and sell it off as-is, he believes. His view on the proposal is it might take away from prime farmland production, and he has considered how the pothole may affect the potential subdivision. Without having reviewed the proposed plat, he cannot envision how 7 or 9-acre lots could fit into this development and feels it could have a detrimental effect on the pothole if “ringing” or subdividing it outside of the lots. There are several houses already in this area, and he does not perceive a lack of housing, as was previously mentioned. Shriver noted an adjacent parcel to the northeast, which is zoned AR, and two other platted subdivisions approximately a quarter mile from the discussed location, one having 10 buildable lots and the other with 12 buildable lots. More houses in

another development in this area could put a strain on the infrastructure. He wants to keep the land the way it is and has been for the last 30 years of his residency there.

- D. Felger asked if any studies have been conducted to determine if this is prime AG land. Otto – confirmed that portions of the parcel fall inside the areas of prime AG soils. To clarify, the proposed would be for 7 new lots, 2 of which are existing building entitlements, so the depicted is 9 lots. The request for rezoning is only for the 7 as mapped. The prime AG soil lots are the two lots mentioned. He spoke of conflicting information discussed at the previous meeting regarding the land's soil, and with this not being within his field of knowledge and basing what the maps indicate, yes, portions of it are within prime AG land. Felger asked about the 40-acre piece at the northwest portion of the displayed map and how access is obtained. Otto stated that this piece, in particular, is wooded. Rhineberger confirmed there is tilling in the area as well on approximately 10 acres. Otto – suspects that vehicles must be getting to the farmland by some other means than around the marshy area. He mentioned a field road, observed at the site inspection, and a trail skirting the wetland, it's not large enough for equipment, and he is not sure how they gain access. Kothrade said that he was able to get in through the west side of the wetland using an ATV wide enough for the trail. He is not sure if the current or previous owners on the adjoining parcel to the west gain access, but it can be done with a side-by-side machine on the western portion. His intent is to keep the back 40 as-is because it's centralized with houses to the east and the north. It's best to not disrupt that. The future build site would be set closer to 72nd St. NW. Otto – the proposal includes a strip along the edge where the home would be placed with the back 40 attached to it, making it a 53-acre parcel, different from what is displayed on the map. Felger asked Otto if the 40 is attached simply because there is no access to it. Otto confirmed this is correct. They cannot get to it. Rhineberger added to Felger's question regarding prime tillable soil by displaying a mapping system indicating the prime soil locations overlaid with yellow crosshatch. From a preliminary review, the United States Geological Survey (USGS) considers prime farm soil types in varying classification codes: prime if drained, prime if protected from seasonal flooding, and so forth. The information available to the County does not indicate each parcel's code, so it's simply a means to determine locations of prime soils of varying degrees.
- E. Greninger asked about the yellow-marked areas and if they are considered tillable. Rhineberger – displayed is the USGS's soil classifications and soil surveys. The wetland is considered as part of the prime soil and has a classification if it's protected from flooding. This classification is utilized when reviewing land entitlement divisions. If the proposed included an entitlement division, this depicted wetland wouldn't be factored into the 2.5 acreage calculation because it does not fall under till and is not protected from flooding. According to the USGS soils survey, this is of a soil class type listed as prime farm soil. Greninger asked Otto which of the lots on the presented map are the two parcels in existence before proposing the additional 7. Otto – when the applicant purchased the property, they weren't there, but the 2 entitlements allowed them the 2 building rights based on acreage. Lots 5 & 6 on the map were created as a part of the entitlements, the 2.5-acre portions noted by the intersection.

- F. Mahlberg – relative to the standard, the proposed falls within the land use plan. There are also other factors to consider and asked of the demand for property like this in this particular area. Kothrade – is also co-owner of a custom home builder, producing around 15 homes per year, and has clients searching for properties with acreage. Land as such is tough to find, so he and his partner decided to branch out into land development on large acreage with means to subdivide to suit the demand. His partner is also a licensed real estate agent, so they both have clients looking for acreage. If approved, he anticipates the lots to be purchased fairly quickly thereafter.
- G. Felger - is the applicant is aware of the Township's specific concerns regarding driveway allocations. Otto confirmed that he and his client are aware.
- H. Bravinder believes the property is well-suited to split as presented, and the proposal falls within the land use plan for rezoning. He agrees in that there is a need for the proposed, and it is ultimately the property owner who takes the risk to subdivide if approved. He read through the report and noted that Hakanson Anderson is the same engineering firm used by Cokato Township and is familiar with their practices. If approved and when encountering the part of the phase of the development, he believes the driveways would be placed very well. The applicant's placement of the lot lines as proposed were reviewed well, so he agrees with the Township's 3-0 vote in favor of approval. Many comments were made about the roads at the last meeting. He serves on the Cokato Township Board too and stated that taking care of roads is what they do. The Township deals with increased development all the time.
- I. Mahlberg – the need issue should not be left up to the landowner but is something the Commission should consider when looking at rezoning. The land use plan is hugely important in decision-making. He is personally not looking forward to seeing 10-acre lots to come, being a resident on the south side of Black Lake and loving country life, but also understands that a land use plan is in place and the timing for the demand for lots like this is veracious. Residents of Black Lake understand its qualities and complications. Otto – is out in his field due to demand by his clients; he is not out looking for work, it comes to him. His clients are finding the demand and are having a tough time locating a decent 10-acre parcel in Wright County. Kothrade – is also a licensed real estate agent, so he looks at listings daily. The lead list in his office is huge, so even if the 9 lots don't meet their clients' criteria, his business partner alone has enough within their network to be able to sell.
- J. Felger moved that Planning Commission recommend approval to the County Board of Commissioners to rezone the properties from AG-General Agriculture to AR-Agricultural/Residential because the Township approves, and it is aligned with the goals and policies of the NW Quadrant Land Use Plan. Motion seconded by Greninger.

VOTE: CARRIED UNANIMOUSLY

7. **ZACHARY BURNS** - New

LOCATION: 6478 Desoto Ave NW – Tract in Lot “A” of Section 33, Township 121, Range 26, Wright County, Minnesota. (Maple Lake Twp.) Tax #210-100-334101 Property Owners: Burns

Petitions for an Interim Use Permit to operate a non-commercial contractor’s yard as regulated in Sections 155.003(B)(30), 155.031 & 155.048, Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

- A. Rhineberger - this property is roughly 4.23 acres and is located on the northeast corner of Desoto Ave NW and County Road 37 NW in Maple Lake Township. The property is zoned General Agriculture (AG), as are the surrounding parcels with exception of a few older divisions along the shoreline of Maple Lake. The request to operate a non-commercial contractor’s yard to store business equipment and materials for the applicant’s contracting business. The storage of materials and equipment is proposed to be located within an existing 40’ x 72’ mixed-use pole building on the north side of the property that was completed in 2002. The applicant is also requesting, in addition to the use inside the existing building, a 2,000 square-foot designated area for outdoor storage space that would be located directly north along the property line and west of the pole building, as seen on the site plan. Maple Lake Township has approved the recommended request. One neighbor has responded with concerns and has suggested conditions if approved, as per noted and included in the review materials. The applicant had nothing further to add.
- B. Mol opened the matter for public comment.
- Tom Neuman, Maple Lake Township Board – the board approves this request with the previously-mentioned neighbor who objects regarding traffic. The township does not typically approve roadway parking except for situations like a party or family gathering. Another concern of the complainant was regarding burning. The Town board didn’t see problems with this request and would like to ask for their input to review this matter within a year if approved.
- C. Mol – referenced the included site plan and asked of street parking. Burns – does not park on the road and only parks within his driveway. Mol – anything typically kept outdoors would then be inside storage, correct? Burns – confirmed area will be used for mixed-used trailers.
- D. Thompson – her concern, like Mol’s, is of outdoor storage and this does not seem the case at hand. Burns – only the business trailers, not building materials. He has 2 trailers under the business, one that leaves and returns daily and another that is always stored inside. He also has 2 more for personal/recreational use. Mol – all work is done off-site? Burns – business-related activities are off-site, although he might do his own hobby work inside the shed.

- E. Bravinder moved to approve an Interim Use Permit for a non-commercial contractor's yard in accordance with the discussion, plans, and description held on file, with the following conditions: 1) All work must be conducted off-site; 2) Business-related materials must be stored inside the building or within the approved 2,000-square-foot exterior storage space; 3) Vehicles and trailers shall be limited to a work truck and two additional trailers; 4) A privacy fence with a gate for vehicle and trailer access not to exceed 7 ft. must be constructed around the 2,000-square-foot exterior space shown on the plans submitted; 5) Only one additional employee besides the owner may be able to access the property; 6) Any change in use or expansion would require an amended IUP; 7) This permit shall expire upon transfer of the property, termination of any lease agreement, or change in business ownership or operations; 8) Township to review in one year, with subsequent reviews at an interval established by the Township. Motion seconded by Felger.

DISCUSSION: With the open motion on the table, Burns asked why there was no previous mention of the fence and does not have plans to build one. Rhineberger - this suggested condition was to spur discussion among the board and had been included in the provided review materials as part of the exterior storage area. Fencing is something typically seen with these sorts of requests involving a contractor's yard. Now is the time for this discussion, if the Commission wants the condition included or amended. Bravinder – is not in favor of a fence, if the applicant doesn't want fence. In reviewing the site plan, it might be tough to place a fence with a gate in this location and the area he has to work with. He asked Burns of any neighbors to the north of the proposed. Mahlberg – not depicted, but there is currently one house to the north. Burns – his pole shed is not visible from the neighbor's house to the north or when driving by. He also mentioned the trees along the property line. Rhineberger – fences are commonly seen, in cases similar to this involving outdoor storage. The mention of it is due to the proximity of the shared property line and the proposed outdoor storage location's proximity, as what is typically conditioned.

Bravinder revised the motion to strike Condition 4, motion seconded by Greninger.

VOTE: CARRIED UNANIMOUSLY

8. **CHARLES KRAUSE** – New

LOCATION: 451 County Road 8 NW – The N 1/2 of the SE 1/4 and the S 1/2 of the NE 1/4 of Section 31, Township 120, Range 26, Wright County, Minnesota. (Chatham Twp.) Tax #203-000-311400 and 203-000-314200. Property Owner: Krause Family Land Partnership

Petitions for a Conditional Use Permit as regulated in Section 152.78(A)(1), Chapter 152, Title XV, Wright County Code of Ordinances, Sections 155.029 and 155.048, Chapter 155, Title XV, Wright County Code of Ordinances and per MN Rule 7020.2000, that Krause Holsteins Inc. – Charles & Robyn Krause has made application for a permit to allow an animal feedlot of 500 animal units or more.

- A. Rhineberger – The request is for a conditional use permit for an expansion of a feed lot to exceed 500 animal units. The dairy farm sits across two parcels, on a total of 165.39 acres, owned by the Krause Family Land Partnership, who also owns an additional 329.82 acres, most of it tillable ground. The farm is located along County Road 8 NW in Chatham Township, north of County Road 35 NW. The expansion would not include any additional construction at this time. When an expansion requires a CUP, the Planning Commission shall consider the impact on pre-existing dwelling units within 1,000 ft. In this case, the closest home is 975 ft. from the free-stall barn, cut out of the parcel to the northeast. Chatham Township has responded for approval with no concerns and one neighbor has responded favorably for the proposed.
- B. C. Krause – this has been a family run dairy farm for over 150 years and have been on the site in question since 1959. The family have been named Wright County Soil Conservation Farmers of the Year, in addition to being awarded the MN Milk Producers of the Year in 2013. The farm provides stable nutrition to meet the needs and provide milk for over 14,000 people and have continued to see growth in the industry. Internal growth has taken place over the last 20 years and are at maximum capacity; the female cattle population will stay as-is, around 350 milking cows. The young stock, cows under the age of 2 years, are also hand-raised on the property. Organic fertilizers are produced from and utilized at the farm as a viable resource while using soil and water conservation practices. He expanded on the types of rotating crops and fertilizers that best utilize dairy manure and the success they have had over the years with this practice. The need for the proposed is for the growth and expansion of the business with anticipation for what it may evolve to over the decades to come.
- C. The matter was opened for public comment, with no public comment given.
- D. Mahlberg asked if the Feedlot Officer might be willing to add anything. Tracy Janikula, Wright County Feedlot Program Administrator, agreed with Krause's mention of rotational crops and the fertility of the soil it creates. The farm has sufficient acreage for manure application on both owned and rented farmland on both sides of County Road 35 which runs directly to the south of the property in question. Janikula explained that manure testing is as important as soil testing and that the phosphorous numbers were nothing alarming and measure consistently and attests to their successful operation.

- E. Bravinder – asked of the proposed animal unit increase from 494 to 713 and if it was similar to another dairy, which had a related public hearing matter. Kryzer – recalled the matter being of a much larger size and operation. Bravinder – does not feel that a site inspection is necessary. He has known the family since the mid-1970s, attests to their successful farm operation and spoke of the neighboring residents on the south side of County Road 35 who are also pleased with their business practices.
- F. Mahlberg – agreed to not needing a site visit to make his determination on how to vote. Rhineberger –The previously mentioned larger-scale dairy farm matter was in close proximity to Pelican Lake with special conditions set forth by the City of Monticello. He mentioned another dairy farm that had lake, included construction, and had conditions in place specific to construction. This matter is not as elaborate, does not include building expansion, and the applicant is currently meeting all needed criteria.
- G. Rhineberger read the proposed conditions to the applicant. Mol asked the applicant if they understood the proposed conditions as presented; they responded that the conditions are reasonable. Mol added that the requirements seem to already be in place and the requirements are per the law. The conversation is a testament to the farm, without an audience present to oppose the request.
- H. Greninger motioned to approve a Conditional Use Permit for feedlot expansion from 494 to 713 animal units with the following conditions: 1) Notification of liquid manure pumping must be called in or emailed to the Feedlot Program Administrator three days prior to agitation; 2) The applicant shall mail, email, or deliver a notification to all neighboring homes located within 1,000 feet of the production site property lines. Notice must be sent at least three days prior to the agitation of the earthen basin. The applicant in the notice is authorized to provide the neighboring properties with a window of time in which the applicant believes the manure basin is most likely to be agitated. A listing of property owners can be obtained from the Wright County Planning & Zoning Office; 3) Manure application records, including any records of transferred manure, and any soil tests taken in the prior 12 months, must be submitted to the Wright County Feedlot Program Administrator by March 1 each year; 4) Manure is allowed to be pumped through a hose to the site of application. The pumping of manure must comply with all statutes and regulations of the State of Minnesota to prevent contamination of wetlands and waters of the State. The applicant shall immediately notify the Wright County Office of Planning & Zoning in the event of a manure spill; 5) The total number of animal units shall not exceed 714 unless a new Conditional Use Permit is issued.

VOTE: CARRIED UNANIMOUSLY

9. **NANCY BETZLER** - New

LOCATION: 3623 156TH St NW – Part of Gov't Lot 3, Section 16, Township 122, Range 26, Wright County, Minnesota. (Silver Creek Twp.) Tax # 216-100-162401 Property Owners: Betzler

Petitions for a Conditional Use Permit for a 2-lot platted residential subdivision as regulated in Sections 155.029, & 155.058, Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances and Subdivision Regulations. Property is zoned Wild & Scenic River District.

Present: Nancy & Steven Betzler

- A. Rhineberger introduced the property located on approximately 6.29 acres along 156th Street NW in Silver Creek Township. The property falls within the Northwest Quadrant (NWQ) Land Use Plan as Agricultural (AG) but is actually zoned Wild & Scenic (WS), a designation that has specific legal descriptions on the properties which are zoned as such. The State adopted the WS river standards and gave Wright County the legal definitions of said properties. The property does not require rezoning. The minimum standard is two acres in size with 200 feet of road frontage. The property in question has gone through the Board of Adjustment (BOA) process on a couple of past occasions to ultimately change the size of the property. What currently exists is the 6.29-acre lot presented today. A previous Board of Adjustment conditions was that any further division of the property would require platting. This request is seeking approval to create a two-lot platted subdivision within the WS district. If approved, Lot 1 would be a buildable homesite on 2.78 acres, and Lot 2 would be the existing home on 2.81 acres. Silver Creek Township has approved the request as proposed.
- B. S. Betzler - have resided at the property for over 60 years on the current homesite, the proposed 2.81 acres if approved.
- C. Mol opened the matter for public comment. No public comments were given.
- D. Mahlberg –the Township's recommendation mentioned a planned unit development (PUD) and asked if this perhaps a typo. Rhineberger - didn't know why the Township referenced a PUD. This matter is to simply create two lots meet the minimum size and width regulations.
- E. Bravinder moved to approve a conditional use permit for a two-lot platted subdivision called Betzlers Addition, with the following conditions: 1) prior to recording the final plat, the plat checklist must be completed, including but not limited to the following: a) park dedication is paid along with other fees as noted on the plat checklist; b) a title opinion is submitted and accepted by the County attorney; 2) driveway approaches be approved by the Township. Motion seconded by Holland.

VOTE: CARRIED UNANIMOUSLY

DISCUSSION

Rhineberger introduced Anne Mueller, Office Technician II, from Planning and Zoning, who is taking the minutes for this hearing. He introduced Josh Butteris, Planner with Wright County since July 11, 2022, whom most had already met. He took the roll of Stacey Marquardt. He also noted Tracy Janikula in the audience, the Feedlot Program Administrator for Wright County.

Meeting adjourned at 10:04 PM

Respectfully submitted,



Barry Rhineberger
Planning & Zoning Administrator

BR:am

cc: Planning Commission
Kryzer
Twp. Clerks