

WRIGHT COUNTY PLANNING COMMISSION
Meeting of: September 21, 2023
Minutes

The Wright County Planning Commission met on Thursday, September 21, 2023, in the County Commissioners Board Room at the Wright County Government Center, Buffalo, Minnesota. Chairman, Dan Mol, called the meeting to order at 7:33 p.m. with members present: Jan Thompson, Pat Mahlberg, Ken Felger, Sandy Greninger, Jeanne Holland & Dan Bravinder. Barry Rhineberger, Planning & Zoning Administrator, represented the Planning & Zoning office; Greg Kryzer, Assistant County Attorney, was legal counsel present.

ACTION ON August 31, 2023 MINUTES

On a motion by Thompson, seconded the Mahlberg, all voted to adopt the minutes for the August 31, 2023, meeting as printed.

PUBLIC HEARINGS:

1. **RODNEY HEBRINK** – Cont. 7/20, 8/10, 8/31

LOCATION: xxxx Endicott Ave NW – Part of Government Lots 2 and 3, Section 17, Township 121, Range 26, Wright County, Minnesota. (Millstone Lake - Silver Creek Twp.) Tax # 216-000-173100 & -172401 Property Owners: Rodney W. Hebrink & Carol J. Hebrink Joint Revocable Trust

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

No Representative Present

- A. Rhineberger noted the item was closed for public hearing to allow time for staff to draft findings consistent with denial. The applicant has decided not to pursue the rezoning any further and has requested the matter be dismissed.
- B. Felger questioned if the dismissal would address both properties that were part of the discussion. Rhineberger confirmed that it was one request, representing two parcels. The dismissal covers both requests.
- C. Holland moved to dismiss the matter without prejudice, at the applicants request. Felger seconded.

Discussion: *Bravinder – this request once again brought up the difficulty this board has when it comes to ‘especially suited for residential development’ on a riparian lot. His feeling is that the decisions can be swayed and are purely based on opinion. Thomson stated she agrees with member Bravinder. The discussion continued amongst the members with the consensus being there could be some amended or added language to this portion of the ordinance. Rhineberger – as this discussion is not directly related to this request for dismissal, he would suggest the discussion continue at the end of the meeting or at another time. Mol agreed and called for additional comment related to the dismissal or a vote.*

VOTE: CARRIED, Bravinder Nay

2. **ARBOR CREEK HOLDINGS LLC** – Cont. 7/20, 8/10

LOCATION: xxxx 78th St NW – Hannahs Landing Lot 6 Block 1, Section 27, Township 121, Range 28, Wright County, Minnesota. (E. Sylvia – Southside Twp.) Tax #217-084-001060
Property Owners: Hannah's Arrival LLC

Petitions for a Conditional Use Permit for a land alteration of approximately 16,798 cubic yards within the shoreland and amending an existing Conditional Use Permit for a platted subdivision to allow a home to be built lakeside of a bluff as regulated in Section 155.029, 155.051, 155.057 & 155.101, Chapter 155, of Title XV Land Usage of the Wright County Code of Ordinances.

No Representative Present

- A. Rhineberger – this request has been continued several times as well as a site inspection was complete by this commission. The applicant is working through some items with the Township and at this time is not able to be on their agenda until early October. Therefore, the applicant is asking for a continuation until October 12th.
- B. Bravinder moved to continue the matter to October 12th, at the applicant's request. Motion seconded by Holland.

VOTE: CARRIED UNANIMOUSLY

3. **BEN VOSEJPKA** – New

LOCATION: 1616 40TH Street SE – part of the Southwest Quarter of the Southeast Quarter and the North Half the Southeast Quarter of Section 20, Township 119, Range 25, Wright County, Minnesota. (Crawford Lake - Rockford Twp.) Tax # 215-100-204305 Owner: Mindy J. Brummer Trust

Requests an Interim Use Permit to extend mining operations within the existing pit for an additional 3 years, in accord with Title XV, Chapter 155.100, of Title XV Land Usage of the Wright County Code of Ordinances.

Present: BenVosejpka

- A. Rhineberger displayed the property site details, including area already reclaimed and reviewed the request. Property is roughly 75.01 acres in Rockford Township. In September 2020, the Commission approved a 3-year interim Conditional Use Permit for a mining operation to excavate approximately 280,000 yards of material with some screening. Today's request is for an Interim Use Permit to extend mining operations for the original September 2020 interim Conditional Use Permit. With the original mining permit set to expire on December 31, 2023, the applicant is seeking three additional years of mining operations. The applicant has included a year-by-year update on total cubic yards of materials removed and brought back to the pit. Rockford Township has approved the request. No other comments have been received.
- B. No comment from Vosejpka or public.
- C. Bravinder questioned the amount of black dirt moved. Vosejpka – majority clay. When project is done there will be layer of black dirt and probably better planting than what is there now. Bravinder – appears that the yards going out of the operation will be less than the total permitted. No problem with the request.
- D. Thompson asked if black dirt is being removed. Vosejpka – mostly clay and sand with the black dirt being brought to site.
- E. Rhineberger questioned if there was a current Bond held by the Township. Vosejpka confirmed and will deliver a copy to Planning & Zoning. Rhineberger explained that Rockford Township has their own mining ordinance that does require some additional details that the county ordinance does not. The proposed motion, provided by staff, includes mostly what is present in the current CUP with some updated IUP language as well as updates or removal of language.
- F. Mahlberg moved to approve an Interim Use Permit for a mining operation for 3 years, according to the plans submitted, with the following conditions: 1) No crushing, washing or bituminous plant is included with this permit; 2) All requirements of the Wright County Highway Department for access to County Road 32 be followed; 3) All requirements of the

Wright County Soil and Water Conservation District for the pit road through the wetland areas be followed; 4) A financial guarantee for reclamation in the amount and as required in the Rockford Township Ordinance and Wright County Code of Ordinances, be kept in place for reclamation; 5) Hours of operation Monday-Saturday are between and must be limited to hours of 7am and 7pm; 6) All other requirements of the Wright County Code of Ordinances must be followed for dust and noise control and reclamation; and, 7) This Interim Use Permit shall expire December 31, 2026, or prior to that date upon transfer of the property, termination of any lease agreement, or change in business ownership or operations. Motion seconded by Greninger.

VOTE: CARRIED UNANIMOUSLY

DISCUSSION ITEM

Ordinance Amendment 23-x – Discussion and setting a public hearing date for an ordinance amendment related to a number of potential and proposed changes to the Wright County Code of Ordinances.

- A. Kryzer stated the proposed amendments are a combination of cleaning up wording, corrections, and additions related to items brought forward by individual commissioners. Historically the process is to compose a list of items needing to be addressed and bring forward when there is a sufficient number to review. Holland questioned and voiced concern of individual commissioners bringing items forward. She has concerns with the process and what is asked of staff. Rhineberger, along with Kryzer, explained the process with Rhineberger stating he would add in a level of communication with all commissioners when an amendment is ready for Planning Commission to have their initial review.
- B. Kryzer went through each article and section while explaining the background, reasoning, and specific changes. During the review there was light discussion and minor questioning by the commission members.
- C. On a motion by Felger and seconded by Holland the Wright County Planning Commission will review and discuss the proposed amendments at a future public hearing, with date to be set by staff.

VOTE: CARRIED UNANIMOUSLY

Meeting adjourned at 8:55 p.m.

Respectfully submitted,



Barry Rhineberger
Planning & Zoning Administrator

BR:sd

cc: Planning Commission
Kryzer
Twp. Clerks