

WRIGHT COUNTY PLANNING COMMISSION

Meeting of: January 16, 2025

Minutes

The Wright County Planning Commission met on Thursday, January 16, 2025, in the County Commissioners Board Room at the Wright County Government Center, Buffalo, Minnesota. Chairman, Dan Mol, called the meeting to order at 6:30 p.m. with members present: Dan Mol, Pat Mahlberg, Ken Felger, Jeanne Holland, Dan Bravinder, and Sandy Greninger. Larry Smith was absent. Greg Kryzer and Rachel Pence, Assistant County Attorney, were the legal counsel present. Barry Rhineberger, Planning & Zoning Administrator, represented the Planning & Zoning office.

ORGANIZATIONAL ITEMS:

1. First meeting of the year was opened by Administrator Rhineberger, acting as Chairman pro-tem at 6:30 p.m. First order of business was to call for nominations for Chairman: Greninger nominated Dan Mol as Chair. Rhineberger called three times for any further nominations, hearing none, a unanimous ballot was cast for Dan Mol as the 2025 Chair.

Mol assumed the Chair and called for nominations for a Vice-Chairman for 2025: Mahlberg nominated Ken Felger as Vice-Chairman. Mol asked three times if there were any further nominations, hearing none a unanimous ballot was cast for Ken Felger as Vice-Chair for 2025.

2. Rhineberger asked if the Commission received and reviewed the suggested meeting dates for 2025 and questioned if there were any changes or questions. Greninger asked if the April 3rd meeting could be moved to April 10 with suggestion to potentially push April 24th into May. Discussion continued among members and staff until a consensus was reached. Greninger moved to adopt the 2025 meeting calendar, with April 3rd rescheduled to April 10th, cancelling April 24th to reschedule for May 1st with a start time for meetings November 1 through April 30th at 6:30 p.m. and May 1st - October 31 at 7:30 p.m. Motion was seconded by Holland.

VOTE: CARRIED UNANIMOUSLY

3. Mol explained to the Commission that the County Board set Per Diem for 2025 at \$120 for all meetings and site inspections will be \$70. No vote needed, just informational.

ACTION ON DECEMBER 12, 2024, MINUTES

Felger mentioned a misdate regarding the Kastner matter continuation; Holland made a misdated quote regarding the next meeting slated for January 10th and should read the 16th. Motioned by Holland, seconded by Felger, all voted to approve the December 12, 2024 minutes with the revision as stated.

PUBLIC HEARINGS:

1. **DEBORAH KASTNER** – cont. 12/12/24

LOCATION: 906 80th St NE – Part of Government Lot 1, 3 & 4 in Section 19, Township 121, Range 25, Wright County, Minnesota. (North Lake – Monticello Twp) Tax # 213-100-194100 Property Owner: KASTNER LIVTR

Petitions for an Interim Use Permit for a Commercial Agricultural Tourism use that includes wedding and small community events on the property and within an existing barn and pavilion, as regulated in Sections 155.003(25), 155.031, 155.048, 155.057 & 155.109 of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Deborah Kastner

- A. Rhineberger reminded Commission that this item was continued from the December 12 meeting to allow time for a site visit, which was completed on January 2nd. Additional renderings were received from the applicant with updated plans depicting 125 parking spaces, included in the revised Staff Report handed out at the beginning of the meeting. Monticello Township response was received, having not been available at the previous meeting, and was recommended for approval with condition for Township Review on an annual basis.
- B. Kastner stated she had nothing more to add to what Rhineberger stated.
- C. Public comment.
- Tim Tuffs lives down the road off County Road 106 and came to better understand the difference between an Interim Use Permit, as applied, and a Conditional Use Permit. Rhineberger – a CUP has open-ended conditions without a sunset to expire and stays with the property regardless of ownership. An IUP can define a timeline with an established ending date and list criteria to reference change in business or ownership, extinguishing the use. Many times, properties sell and the new owners will likely not operate in the same manner. Tuffs stated that the applicant currently does great work at their property and he simply wanted clarity for if the property were to be sold or passed along.
 - Tuffs – moved to area for rural quiet setting. Tuffs asked about number of events taking place at the property and if conditions will reflect occurrences of events; he doesn't want to listen to noise every weekend. Also concerned with property value and if having a neighboring venue may affect his and neighbors' taxes. Parking is another concern He attended the site inspection on January 2nd and claimed what is depicted doesn't seem to match what he saw. Tuffs mentioned concern with parking along County Road 106, bussing in of patrons and wonders if parking will be contained on the property in question. Rhineberger – staff reviewed permits like this and nearly every matter prohibits parking along the right-of-way. Parking conditions are recommended by staff, but up to Commission to review and include with the approval. Standard is to not allow parking along public rights-of-way. Regarding number of people, short of having a counter clicker at entrance, monitoring and regulating this would be tough to enforce and is reason for coming up with designated number of parking spaces. Tuffs asked how the process would continue or create a new CUP/IUP if/when they sell the property with concern if the business were to grow in the future. Rhineberger – these are fair questions to address of the Planning Commission to set in their conditions. Tuffs – mentioned fire code and the allowed capacity for the existing buildings. Rhineberger – the buildings are currently not approved for human occupancy of the public. Fire and all state-regulated building code is determined by the building official and, if approved, conditions set by the Commission are non-negotiable. Tuffs – with the property being connected to 2 lakes; what sort of restrictions on lake access and docks will be in place and if approved to host more boats and party pontoons on the lake. Rhineberger – not enforced or monitored by Wright County, but MN Department of Natural Resources. Tuffs - how many docks are allowed? Rhineberger – doesn't matter as long as the DNR designates the property as lake access and possibly permitted by the Sheriff's department. Tuffs – regarding noise, asked if the event center doors could be closed to help dampen the music. Will this permit allow for open-air music? Rhineberger – this is a separate issue for

- the Commissioners' consideration. Mol reminded Tuffs that much of his concerns will be addressed during the discussion. Tuffs – what about fireworks? His understanding is that the rules are “loose,” and he is not in favor of businesses in residential areas in general. Mol – the matter at hand is for an interim permit for land use only. Tuffs asked if their business is non-profit or for-profit. Mol stated that how they conduct their business is up to them, and they are here for an interim use permit. Tuffs asked how this could be classified as commercial agricultural tourism if it's a farm. Mol – other businesses, such as those selling pumpkins or sweet corn, fall under similar classifications. Rhineberger – the applicant will work with staff on feedlot registration for the horses. Tuffs stated he is concerned about the permit being “stuck” with the property. The applicant is currently running their business well but considers it a concern if things move in the opposite direction.
- Chris Northenscold, whose property abuts the subject property to the north, was also present at the January 2nd site visit. He expressed concerns neighbors on all sides of the property and suggested to Commissioners to consider his stance; they all paid a significant amount of money to avoid noise and activity next door living in the country. He believes that if the permit is approved, it would negatively impact his property value and asked that the noise be considered as if they were living there. He does not want to listen to traffic and live music in his neighborhood every weekend. He emphasized that this is not an event center and that too many properties around it would be affected. Northenscold conducted an informal neighborhood survey and spoke on behalf of others who share the same concerns about the negative impacts if approved. He does not want live music, as it carries across the 80 acres. He requested that the permit, if granted, be issued with conditions to mitigate these impacts. While horses are acceptable, he questioned why weddings should be part of a commercial agricultural permit for riding events. Holland asked which parcel belonged to Northenscold. Northenscold – referenced the displayed aerial overview, PID ending -001030 and that his home is closer to the road on higher elevation. Holland stated from where they were standing at the site inspection, she did not see the house in question and there seemed to be a tree berm at the back side of his property between his and the applicant. Northenscold – not concerned about the noise at Afton Ave; the sound carries, his house sits on elevation and as high as the venue. He would prefer to have no outdoor music allowed. Greninger asked if Northenscold had experienced live music every weekend and from which direction? Northenscold – at north, have heard live band playing last summer. West lakeside residents also share the same concerns; they also have heard live music, but not every weekend. Greninger – perhaps a consideration might be to limit to 15 events per year but would like to have further discussion with the Commissioners.
- D. Mol closed the public comments to bring conversation back to the applicant. Kastner stated that she is not combative by nature and wanted to address the public's concerns, as she deals in facts. Regarding the noise Northenscold spoke of, she believed his family moved to the neighborhood in May 2024, just before the mentioned event took place and have only had a few since with much smaller capacity. She does not have intentions of having 1,000 guests, as previously suggested, and is only asking for what they're looking for their needs.
- E. Mahlberg questioned the factoring of the 125 cars and how that was determined to accommodate 125 people, as stated in the applicant's narrative. Kastner explained that the application was for up to 125 people, factoring in 40 to 65 cars for the population. However, Kastner was advised not to

request fewer than 125 cars and is comfortable with the 125-car figure. As for the building itself and the surrounding area, they would not want to exceed that number and are comfortable with a maximum of 125 cars at any given time. Mahlberg asked if the applicant would be okay with a condition limiting the number of people to no more than 125 at one time. Kastner agreed. Mahlberg then noted that weddings, corporate events, neighbor gatherings, volunteer events, and community events were proposed, and asked what types of events had been hosted in the past.

Kastner - the referenced event with live music was a community-invited gathering designed to reach out to neighbors and allow them to meet her horses. Other events hosted have been corporate gatherings, typically with 20-25 people, mostly during daytime weekday hours. Mahlberg was open to capping the number of events, including weddings and corporate gatherings, suggesting that 4 or 5 weddings a year seemed reasonable. It was anticipated that the owners weren't looking to host 20 weddings even if allowed up to 20 events. Kastner said that she wasn't interested in expanding the business and is more focused on community outreach, with occasional weddings taking place. They have 30 volunteers that they recognize twice a year as a celebration and gathering for their families to simply enjoy the property. Mahlberg asked about the live music, based on public feedback, and inquired whether it was amplified with speakers. Kastner explained that a 5-member mariachi band was hired, and they brought along small plug-in amplifier speakers. Mahlberg asked of the performance location on the property and how the speakers were positioned. Kastner responded that the event took place at the pavilion, and the speakers were directed north. Mahlberg – this unfortunately caused the sound to carry across the lake and suggested that redirecting the speakers could make the difference. Mol suggested that if live music is amplified, it could perhaps be contained inside the building and recalled a past venue nearby his residence that conditioned that all live music be housed to minimize loud noise.

- F. Greninger confirmed the proposal by the applicant is for 4-6 wedding events, 4-5 corporate events, 2 barn dances, and 2 volunteer events, maxing at 15 events per year.
- G. Bravinder asked of the occupancy rate for the event center. Rhineberger – the Building Official determines the occupancy, per state-regulated fire codes for commercial use. Bravinder asked Kastner about the use of fireworks. Kastner confessed the fireworks were in celebration of her son's wedding ceremony held there, not a public event. Bravinder asked if Kasnter would be okay with fireworks being prohibited, if the board were to make that a part of the motion. Kastner stated that her contracts have already been changed to state that they are not permitted on the property.
- H. Mol lives near a venue like this, located about a half mile from his home, also along a public township road, which is trafficked and open for use by patrons and the public, just like any families who reside nearby. He suggested for better understanding and to better get along with the neighbors, perhaps just be neighborly and have a conversation. The parcels to the north of the farm were part of a rezone and subdivision which took place 2 or 3 years ago out of a larger farm field. The applicant's farm has been there longer and has their business. One should consider if the parcel were used for farming; the noise of farming equipment is constant and could operate 24 hours a day, producing noise during the nighttime too. Their business is their livelihood, and the Commission cannot tell them how and what businesses they can run, only how the land is used and assign reasonable conditions on number of events.
- I. Holland stated she attended the site visit and went on to express how beautiful the property is, and from her perspective the applicant is not looking to commercialize their property, but rather share it

with the community. Sound will inevitably travel, especially with a lake. Growing up in the country and relocating to a city later in life, she recalled how noisy farm life was then and would anticipate it even more now with ATVs and other farm equipment. Part of having good relationships with neighbors is having open perspective and be conscientious about how they function. Based on land and property, she supports approval, pending stipulations suggested by the Commission.

- J. Greninger – shares same thoughts as Holland; the applicant is sharing their property and isn't asking for a lot and that 15 events per year seems reasonable. She too lives in the country and it is always loud and even smells terrible sometimes. She suggested to have neighborly conversations if things do get a little loud, for better understanding instead of making presumptions.
- K. Mol asked the applicant if alcohol will be served at their events. Kastner stated that she only hires caterers or bartenders who carry liability insurance and possess the proper liquor licensing with the State to serve at off-site events.
- L. Felger asked if the applicant had experienced any issues with alcohol in the past and whether a Sheriff deputy would be present during occasions when alcohol is served. Kastner responded that there were no past issues and was a one-time occurrence; also mentioned that a volunteer's husband is a deputy and has offered to provide security services if needed. Felger then asked Rhineberger if security could be included as a condition. Rhineberger stated that while this is seen with some Permits, it is not always required. Felger remarked that the application is for a modest request to operate a modest event schedule and 15 events a year over the course of seven months, seems reasonable. He also has lived in the country for 40 years and noted that noise is a typical part of agricultural living. Those opposing the application tend to live on smaller parcels of land, as if they moved to the area expecting it to be like large-scale farmland.
- M. Mahlberg also lives in the country, understands and deals with similar circumstances, having witnessed the development of small lots on what were once large farms. He noted that Wright County is evolving and is no longer as agriculture centered as it once was. The landowners were established before the new neighbors arrived. He suggested that perhaps events could be more staggered to minimize the impact. Mahlberg mentioned that on days when he's been home, he can hear noise from trucks coming from as far as a quarter mile away on County Road 37. He believes reasonable stipulations are needed to manage this.
- N. Mol asked if there was a way to ensure the maximum number of events allowed is followed. Mahlberg responded that events would likely be sporadic. Mol then suggested using trees as a buffer to reduce sound. From his perspective during the site visit, it appeared that trees had already been planted and had matured. He noted that being on a lake could sometimes create "radio" noise, where sounds can be heard in the distance at times and not at all at others.
- O. Greninger - with respect, implied that the applicants are at an age, like herself, of retirement and perceived this to be a hobby or livelihood over a money-making business venture. Kastner nodded in agreement from the audience.
- P. Mahlberg moved to approve an Interim Use Permit for a Commercial Agricultural Tourism use that includes wedding and community events on the property and within existing structures, based on the narrative, plans, and discussion, with the following conditions: 1.) Events are limited to the months

of May through November, with no more than 15 events allowed, of which not more than 6 will be weddings. 2.) No more than 100 cars per event with parking following the plans presented. Parking is prohibited on public roads and rights-of-way at any time. 3.) No more than 135 guests per event. 4.) No fireworks shall be allowed. 5.) Except in the event of emergency, an owner must be present during all events. 6.) Overnight stays of any kind are prohibited. 7.) Amplified outdoor music is allowed during the wedding ceremony only and speakers shall be oriented in such a manner as to reduce the potential for excess noise to leave the property (direct the music toward the pole building). Any other amplified music is limited to inside the fully enclosed building and steps shall be taken to reduce the potential for excess noise to leave the property (e.g., close doors). All music must cease by 10:30 pm. 8.) Wedding events are limited to Friday through Sunday, must start no earlier than 11:00 am, and all guests must be off the site by 12:00 am. 9.) Smaller weekday events (Monday through Thursday) have operating hours of 8:00am to 6:00pm May through November. 10.) All food must be catered. 11.) The use of any buildings by the public is prohibited until all required permits are issued, inspections conducted, and certificate of occupancy granted. 12.) Portable toilets must be provided according to the letter from the Wright County Environmental Health Officer. 13.) Any signage must meet requirements of the Wright County Code of Ordinances 14.) This approved Commercial Agricultural Tourism use is ONLY valid as long as the Feedlot registration remains up to date. 15.) This permit shall immediately and automatically expire upon transfer, termination of any lease agreement, or any change in business operations or ownership. 16.) Township to review on an annual basis and then at a period to be set by the Township. Motion seconded by Greninger.

DISCUSSION: Bravinder asked how the number of cars was calculated and factored in, noting that it seems challenging to accommodate 100 cars. He wondered if there was a way to reduce the number of people without imposing limitations within the conditions. Mahlberg reminded everyone that these are separate conditions, and violations would need to be addressed as such. He asked whether they would be counting cars or people, or if bussing in patrons could be an option. Bravinder then asked how this would be tracked. Mahlberg explained that it could not be tracked in real time, short of receiving a call for a violation, which would be addressed accordingly. Rhineberger suggested that an amendment or revocation might be necessary.

Mol asked about the existing business sign, which is currently placed within the right-of-way and is too close to the township road. Rhineberger clarified that the applicant will work with staff to either move the non-compliant sign to meet code or proceed with the variance process through the Board of Adjustment.

VOTE: CARRIED UNANIMOUSLY

2. **FRITZ COMPANIES** – new

LOCATION: xxxx 30th St SE – Portions of the East 1/2 of the NW Quarter and the West 1/2 of the NE Quarter in Section 21, Township 119, Range 25, Wright County, MN. (Unnamed Lake - Rockford Twp.) Tax #215-100-211103. Property Owner: Cynthia Van Lith, Curtis Van Lith, Lori Thingvold.

Petitions for an Interim Use Permit for temporary mining (1-2 years) to extract the remaining aggregates that were left by the previous mining operation, and continue reclamation as regulated in Section 155.031, 155.048(D) & 155.100 of Chapter 155, of Title XV Land Usage of Wright County Code of Ordinances.

No representative present

- A. Rhineberger - the applicant had contacted the Township, apparently there was a miscommunication somewhere in the process. The Township response indicated that the applicant was not present, and they tabled the item to their next meeting. As such, the applicant has requested a continuance to meet with the Township.
- B. Bravinder moved to continue the matter to the February 13, 2025 meeting at the applicant's request. Motion seconded by Mol.

VOTE: CARRIED UNANIMOUSLY

Meeting unanimously adjourned at 7:48 p.m.

Respectfully submitted,



Barry Rhineberger
Planning & Zoning Administrator

BR:am

cc: Planning Commission
Kryzer
Twp. Clerks