

WRIGHT COUNTY PLANNING COMMISSION

Meeting of: NOVEMBER 20, 2025

MINUTES

The Wright County Planning Commission met on Thursday, November 20, 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: Jeanne Holland, Ken Felger, Charlie Borrell and Dan Bravinder. Absent was Sandy Greninger & Pat Mahlberg. Brian Wold, Assistant County Attorney, was the legal counsel present. Barry Rhineberger, Planning & Zoning Administrator, represented the Planning & Zoning office.

Chairman Mol informed the public that the agenda for the meeting is substantial and requested that public comments be limited to approximately three minutes, with an absolute maximum of four minutes, in order to prevent the meeting from extending too late into the evening.

ACTION ON OCTOBER 23, 2025, MINUTES

Bravinder motioned to adopt the minutes for the October 23, 2025 meeting as printed. Seconded by Holland.

VOTE: CARRIED UNANIMOUSLY

PUBLIC HEARINGS:

1. GEORGE & DEBRA HATFIELD – Cont. 10/23

LOCATION: xxxx 80th St NW and Baker Ave NW – Part of the SE1/4 of the SE 1/4 in Section 23, Township 121, Range 26, Wright County, Minnesota. (Maple Lake Twp.) Tax #210-100-234404, 210-100-234405, 210-100-234407. Property Owner: GEORGE P & DEBRA A HATFIELD

Petitions to rezone the properties from Suburban Residential-a (R2-a) to Suburban Residential (R-2), as regulated in Sections 155.028, 155.050 & 155.051, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: George and Debra Hatfield

- A. Rhineberger reminded the Commission that this item had been continued from the last meeting for a site inspection, which has now been conducted. Since the last meeting, two additional comments were received: one from the Soil and Water Conservation District (SWCD) and another from a neighboring residence. Both are included in the staff report. Rhineberger displayed the map, noting possible wetland boundaries as well as the proposed concept plan.
- B. The applicants had no additional comments.
- C. Public Comment.
 - Tonya Austin reiterated her strong opposition to the proposed rezoning. She explained that they relocated to the area with the understanding that the zoning would remain as it currently exists and that they chose the area for its rural environment. She also submitted written comments. Their primary concern is the wetlands, and she asked whether an environmental impact study had been completed or would be considered. Mol confirmed that the Commission conducted a site visit but that an environmental study had not been done; such studies are addressed by the County Board. Rhineberger explained that several pathways exist to initiate an environmental study and that such studies are rarely completed. He noted that an Environmental Assessment Worksheet (EAW) falls into two categories, mandatory or petition based. This property does not meet the mandatory criteria, and he is not fully familiar with the petition process, though ultimately the County Board determines whether an EAW is required. Austin then asked whether, if an environmental study is not

performed, there are protective measures for the environment and wetlands. Rhineberger explained that such measures are part of the subdivision process, during which the Commission can impose conditions. He also noted that wetlands are governed by SWCD with extensive state regulations. Austin confirmed that these items would be reviewed in the next phase of the process.

- D. Rhineberger displayed the SWCD wetland map and reviewed the approximate wetland boundaries, noting that an actual delineation has not yet been done and would be required during the subdivision phase. Mol asked about building setback requirements from wetlands. Rhineberger explained that while there is no specific setback distance, structures and fill are not permitted within wetland boundaries. SWCD enforces those rules, and Planning & Zoning reviews land alterations near wetlands to ensure boundaries are respected. Because the proposed lots are small, a platted development will be required, which in turn requires a wetland delineation and corresponding drainage and utility easements. These easements have additional rules governing permitted activities.
- E. G. Hatfield stated that there are already three lots and the request seeks two more. Rhineberger displayed the proposed site plan, highlighting the existing and proposed lot lines. Rhineberger noted that the wetland report indicates that only one property would not contain any wetlands. He also explained that standing water alone does not determine the presence of a wetland. Borrell reminded the Commission that what is shown is not a true delineation but rather SWCD's best estimate. G. Hatfield asked what a delineation is. Borrell explained that it defines wetland boundaries precisely and determines associated regulations. Rhineberger added that delineated wetland areas become part of drainage and utility easements, allowing necessary maintenance. County ordinance requires 10 feet from a side property line and 20 feet from common boundaries.
- F. Felger asked about septic setbacks from wetlands. Rhineberger stated he believes the required distance to the treatment area is 50 feet. Felger asked to see a topography map. D. Hatfield indicated that the septic areas are marked with blue boxes on the proposed plan. After viewing the topography map and the SWCD map, Felger confirmed that the blue boxes represent both primary and secondary septic sites.
- G. Bravinder asked whether the referenced easement would need to be shown on the plans and how that would be done before a delineation is completed. Rhineberger stated that all platted subdivisions require a wetland delineation and that such wetlands must be placed within drainage and utility easements. All of those details are required to be shown on the plat plans.
- H. Mol expressed concerns about the property and the area in question. As it stands, the property already has two building entitlements. He noted that the existing lot sizes would allow 4,000 sq. ft. accessory buildings, and if divided into 2.5-acre lots, they would allow 3,200 sq. ft. accessory buildings plus two additional homes. Most nearby lots are at least 5 acres, with only one smaller exception and the distant lakeshore properties. He questioned whether the request fits the area and whether the zoning is appropriate and proper planning. Mol also noted that the top lot, with potential wetland impacts, road setbacks, and steep topography observed during the site visit, presents significant challenges. He emphasized that through the Board of Adjustment he frequently sees variances requested for road and garage setbacks and does not want to create lots that would require variances. Holland agreed, noting the difficulty of the proposed top lot.
- I. Bravinder stated that access to the top lot could be feasible from the south side if it does not affect the wetland. However, the lot remains challenging. Mol added that room must be available for a house, garage, and accessory structures without variances. Rhineberger stated that the southwest lot may present even more difficulty with required setbacks. With the aerial site plan displayed, Rhineberger noted that a line adjustment could reduce the buildable area to roughly 6,000 sq. ft. He explained a rough drawing illustrating setbacks and buildable area. He reminded the Commission that building locations are not required until the subdivision phase, as rezoning must occur first. Although a building site appears possible, it would be very limited, especially for accessory structures. Mol agreed

and reiterated that accessory buildings must fit without variances. Mol questioned whether the proposed rezoning fits the area's existing pattern. Bravinder noted the lack of detailed feedback from the Township despite their 3-0 recommendation. Mol wondered whether the Township was aware of the Commission's evaluation criteria. G. Hatfield recalled that the Township had focused on approval of the Baker Ave. driveway. He also stated that the southwest lot is already a lot, and the proposed home site mirrors the likely existing building area.

- J. Borrell noted that the proposed southwest lot includes a lot-line adjustment that makes it more limiting than the current configuration. He asked whether, if rezoning is approved, boundaries could later be adjusted. Mol responded that minor adjustments may be possible, but reduced lot sizes affect setbacks and building size limits. He feels the presented concept plan should resemble the final plan and noted that wetlands will not change with zoning. Borrell asked whether the applicants should further evaluate the challenges before proceeding. D. Hatfield stated that other 2.5-acre lots exist nearby. Mol stated that the Commission is reviewing rezoning and must determine whether creating smaller lots for two more homes and four accessory buildings fits the area. Most nearby lots are 5 acres or larger, with only one exception. Borrell suggested that professional assistance, such as from a surveyor, could help address the concerns. Mol noted that subdivision requests have evolved from dividing 40 acres to 10, and now from 10 to 5. Borrell added that this area is not comparable to areas requiring 40-acre minimums. Rhineberger explained that staff helps applicants create plans meeting minimum requirements to avoid unnecessary survey costs before rezoning approval. This is why the plans are conceptual, and the wetland delineation is not yet completed. The Commission could require details before making a decision. If rezoning is approved, subdivision details may still change.
- K. Felger stated that the existing configuration includes three viable buildable lots. If rezoning is approved and the wetland delineation subsequently renders lots unbuildable due to wetland boundaries and setbacks, the northern and southwest lots could become unbuildable or undesirable. The result could be the same three lots that already exist. He believes the existing 5-acre lots fit the neighborhood better, and for these reasons he opposes the rezoning.
- L. Borrell asked what would happen if rezoning is approved and the issues Felger raised occur. Felger replied that the applicants would need to return with three or four parcels. Mol noted that the rezoning would already be in place. He asked whether, under the requested zoning classification, smaller lots would be possible. Rhineberger confirmed that R-2 zoning requires a minimum lot size of 2.5 acres.
- M. Mol asked how the Commission wished to proceed and asked the applicants whether they wanted time to review options. D. Hatfield said they followed the process and staff indicated the proposal meets requirements. She explained the intent is for each of their four children to receive a parcel while retaining the original home site. G. Hatfield discussed the steep drop-off on Baker Ave. and noted that the Township previously discussed filling that area, though it has never occurred. He agreed the area is steep and problematic. D. Hatfield stated that although it feels steep when driving, it appears fairly flat when standing on the site. Mol summarized the Commission's comments and offered the applicants the options of continuing the item to gather more information, withdrawing the request, or proceeding to a vote. G. Hatfield requested a continuation to obtain a wetland delineation. Rhineberger explained that delineations take time and may not be feasible at this time of year. He recommended dismissal and reapplication rather than a long continuation, because denial would impose a waiting period before reapplying. Dismissal would allow time to complete a delineation and prepare a professional concept plan including home locations, soil borings, wetlands, and easements. He also noted that the proposed northern parcel shows a septic area within the possible wetland area. Mol agreed that the Commission needs more precise information. G. Hatfield asked whether a longer continuation could be granted rather than dismissal. Rhineberger stated that statutory limits apply and does not recommend long continuances. Hatfield asked for a continuation to the December meeting.
- N. Borrell stated that this issue discussed requires professional expertise, beyond what staff can address. Holland agreed. Rhineberger asked for clarification on what the Commission expects from the applicants. Mol stated that the Commission wants to see whether the northern lot has a buildable area that meets setbacks for a house and septic

without variances. The same applies to the southwest lot, with room for a 3,200-sq.-ft. accessory building. He emphasized that the Commission does not want to create lots that lead to variances.

- O. D. Hatfield stated that they are present for a rezoning request and are now being asked to provide building plans and a survey. Mol noted that the SWCD information shows only estimated wetlands and that the proposed septic location for the northern parcel falls within a possible wetland area. Rhineberger explained that staff overlaid the soil-boring maps onto the aerial, marking septic areas with blue boxes. He noted that the northern parcel may have extremely limited buildable area with possibly only enough for the minimum 800-sq.-ft. home. G. Hatfield stated he believes the wetland boundaries may be inaccurate and agreed that a delineation would be helpful. He requested time to check into the delineation process and acknowledged the option to withdraw prior to the December meeting.

- P. Bravinder moved to continue the item to the December 18th meeting. Motion seconded by Holland.

DISCUSSION: Bravinder asked the applicant to speak with the Township and request an explanation of why they recommended approval. This would be helpful to him. D. Hatfield stated she would like to downsize and build a smaller home, which aligns with the concerns raised. Bravinder noted nothing is forever and that once rezoned, the change is permanent.

VOTE: CARRIED UNANIMOUSLY

2. **EMILY NEUHARTH – US Solar** – Cont. 10/23

LOCATION: xxxx County Rd 8 NW – PRT OF N1/2 OF NW1/4 in Section 08, Township 120, Range 26, Wright County, Minnesota. (Maple Lake Twp.) Tax #210-000-082300. Property Owner: JOHN M & LOIS J WURM REVTR

Petitions for an Interim Use Permit to allow the construction of a 3 MW solar energy farm, as regulated in Sections 155.031, 155.048, 155.057 & 155.108, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Emily Neuharth

- A. Rhineberger reminded the Commission that the item was continued from the previous meeting for a site inspection, which has now been completed. An additional public comment was received and is included in the staff report, along with a comment from the Highway Department stating that no direct access to County Road 8 will be allowed and that access must be from 45th Street.
- B. Neuharth stated she appreciated the site visit and feels the Commission was able to get a good understanding of the site. She read through the staff report and wanted to address some comments and concerns. At the prior meeting, concerns were raised regarding property values, and she reiterated that numerous studies and data available online show no indication that solar farms impact property values, either positively or negatively. Another concern was related to wildlife in the area, as the property sits between two lakes. She stated that animals are very adaptable, and with the agricultural-style fence being 8 feet tall, she has no concerns about wildlife finding a way around it. Since native species will be planted beneath the solar panels, there will likely be more insects, pollinators, and food sources for birds and wildlife. She anticipates that wildlife will be able to coexist with the solar garden. She explained that she has had extensive conversations with the Howard family and has visited them at their home. She acknowledged their concerns and emphasized that they want to be good neighbors and want communication to continue moving forward, especially regarding the construction period. She concluded by reminding the Commission that the property owners have owned the land for several generations and have the right to use it in a way that is permitted by the County. Properties that are suitable for agriculture are often suitable for solar, and because this property is triangular, it is difficult both to lay out solar panels and to farm. The project meets all ordinance requirements, and Maple Lake Township has provided a positive recommendation.
- C. Bravinder stated he is satisfied with the drainage plan and believes problems on the property will be addressed. However, he did not see in the narrative or proposed motion any comment regarding repairing tile if it is disrupted. Neuharth stated this is noted in the landowner lease, and she has been discussing with the Howards and the engineers the need for a tile locate study, which they hope to complete in the next few months. They have learned that if tile exists, it was likely installed in the 1950s, and no one is certain of its presence. Neuharth confirmed that if tile is discovered and damaged, they do intend to repair it and, of course, avoid it where possible. Rhineberger reminded the Commission that the ordinance requires the development agreement to include a statement addressing this concern and the surety can be used for tile repair.

Public Comment – Mol asked the public to keep comments to 3–4 minutes and avoid repetition.

- Mike Loch stated he understands this is farmland and that the owners should be able to use the land as they choose. His concern is that old farms often have leftover buildings so with this he wants to know if there is a plan and funds set aside to ensure that after the solar farm's life cycle, the land can be farmed again. He also wants assurance that if the company goes out of business, funds will still be available to restore the property. Rhineberger explained that an escrow account is required based on the size of the system, as well as a decommissioning plan. Part of the decommissioning requirement is to restore the property to agriculture within 30 years. If the developer fails to do so, the escrow funds will be used. Loch stated he wants to ensure the property continues to be properly maintained.

- Scott Fox, from Stockholm Township and a resident of the City of Annandale, asked whether there is a risk of soil contamination from the solar panels. He noted that the panels have a life cycle and asked how they are disposed of once they are no longer functional.
 - Tara Howard, owner of the adjacent property, confirmed that Neuharth had visited her home and that they had a productive conversation. She noted that Neuharth was able to view the property from a different perspective than what was seen during the site visit. Howard explained that her family has invested significantly in their property so they can enjoy hunting, four-wheeling, gardening, and allowing their children to play outside. Their concern is the visual impact of seeing 1,000 feet of solar panels from their kitchen window. She did note that Neuharth discussed a good neighbor agreement and addressed many of their concerns. Howard understands the request meets the ordinance requirements, but she asked the Commission to consider several items if the project is approved. She requested reasonable construction hours, that tile be located prior to construction, and a reassessment of the visual barrier. She discussed the current proposal for a single row of trees and suggested that staggering the trees along County Road 8 may be a better option. She also noted that SWCD determined the proposed tree species is not ideal for the soil on the property. She asked that they have input on tree placement and distance from the property line, so their property is not negatively affected. They also discussed the northern row of solar panels, which appears on the site plan to be placed right up against their shed, something she said would be visually intense and a long-term impact. Lastly, she requested that the solar company provide contact information for use during construction and throughout the life of the solar farm.
- D. Neuharth explained that the decommissioning plan is very robust and included as part of the application, and that it is available for review by the Commission and the public. She stated that solar panels are made of materials similar to those used in cell phones and other everyday electronics. They are designed to withstand harsh environments, and testing has found that the most common panels pose very little risk of leaching during operation, removal, or disposal. After 30 years, many components of the panels are recyclable. Although not many solar projects have yet been decommissioned and the recycling market is still developing, they anticipate a higher demand for panel recycling in 25–30 years. She stated it was beneficial to meet with the Howards and walk their property. She reiterated that flexibility in adjusting the vegetative plan, as Howard requested, would be valuable for either adding rows of trees or removing sections to better meet the neighbors' needs. She also emphasized their commitment to conducting a tile assessment so any existing tile can be properly identified and addressed. Neuharth requested consideration for flexibility in the vegetative plan, including the evergreen trees along the western border. She asked for the opportunity to consult their vegetative expert to determine whether the proposed trees are the best choice or whether substitutions would be appropriate. Regarding the proximity of the panels to the Howards' shed, she noted that any removal of panels from the plan would likely be addressed before applying for the building permit. Finally, she confirmed that contact information will be provided, with signs posted and a 24-hour contact available who can reach the construction crew, along with her own number. She proposed a pre-construction meeting open to all neighbors. She concluded by reiterating their desire to be good neighbors and their need for flexibility to make reasonable adjustments.
- E. Borrell stated that he has a solar farm across from his own property, and if the alternative were a housing development, he would prefer solar. He reiterated that a solar farm is often the best neighbor to have. If this request were denied, the owners could annex the property into the City of Maple Lake for a housing development that the Commission would have no authority over. He believes the proposed solar project is beneficial. He stated that his concern with drainage is not about water leaving the property but rather if drainage is blocked in a way that causes flooding on another property. He supports locating the tile but is not personally concerned about drainage.

- F. Holland agreed with member Borrell. During the site visit, they observed the property for drainage concerns, and she felt the property was well-sloped and drained effectively. She appreciates that the applicant is willing to work with the neighbors.
- G. Felger questioned Neuharth's comment regarding the need for flexibility with screening, noting that the proposed motion does not appear to allow for such flexibility. Rhineberger suggested using the motion as a base, with an added requirement that any amendments to tree plantings must be approved by Soil and Water and submitted to Planning and Zoning prior to permit issuance. Based on the discussion, he believes that any changes would involve reducing panel numbers or adjusting tree placement. Neuharth asked whether changes to vegetation or panel layout would require a land use permit. Rhineberger stated he does not foresee the need for a new permit, but that any changes would need to be evaluated to determine whether they are substantial or reasonable.
- H. Bravinder moved to approve an interim use permit to locate a 2.75 MW solar farm in accord with the plans and narrative on file with the following conditions: 1) Panels to be mounted using the existing landscape conditions. Service roads are limited to what is shown on the plan. Noting all internal roads will be created in a fashion to meet the standards of Subsection 155.108 (C) (12) of the Wright County Code of Ordinances; and minimize impacts needed to return the property back to a similar condition and use at the end of project life; 2) The applicant must follow the Vegetative Management Plan, as submitted and approved by the Wright County SWCD. Any amendments to tree planting or vegetative management plan must be approved by the SWCD and submitted to Planning & Zoning prior to building permit issuance; 3) Proper building permits, along with any required State permits, are obtained prior to work being started on the site; 4) Construction hours will be limited to 7:00 am to 7:00 pm each day to limit noise; 5) Access to County Road 8 is prohibited. Permits to access 45th St. NW must be obtained from Maple Lake Township and submitted to the Planning and Zoning Office prior to the issuance of any building permits on the property; 6) Property must conform to all setbacks, noting that current plans show it meets the setback requirements; 7) An agreement must be entered into with Wright County for decommissioning and financial security in accord with Subsection 155.108 (14)(C) (a), (b), (c), and (d) of the Wright County Ordinances, which must include an approved decommissioning plan in accord with 155.108 (15)(g), and the decommissioning security is on file with the Wright County Office of Finance and Tax Payer Services, prior to any construction activity taking place and prior to building permit issuance; 8) The agreement shall take into consideration any potential access road easement damages or Highway damages; 9) The interim use permit for the Solar Energy Farms shall expire at the same time as the Solar Energy Farm lease, but in no case shall it exceed 30 years. At that time, the land must be returned to agricultural land; 10) The pole number and configuration on the plan must meet the requirements of one pole per 1 MW and one overall general on-site utility pole; 11) On-site internal power and communication lines shall be buried underground; 12) The applicant is responsible for assuring all final utility interconnection approvals are obtained and followed for this project, and before obtaining a building permit; 13) Tree plantings for screening are required, as generally noted on the plans submitted. Dead or diseased trees must be immediately replaced; 14) Township to review in one year, with subsequent reviews at an interval established by the Township; 15) If there are substantial changes to the plans submitted and approved, a new interim use permit hearing will be required; 16) The interim use permit shall expire, and all infrastructure shall be removed within 30 years, no later than 11/20/2055. Motion seconded by Holland.

VOTE: CARRIED UNANIMOUSLY

3. **MICHAEL LOCH** – New

LOCATION: 446 72ND ST NW & 7414 BAKER AVE NW – PART THE SOUTHEAST QUARTER OF THE NORTHWEST WITH PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND PART THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER in Section 25, Township 121, Range 26, Wright County, Minnesota. (Maple Lake Twp.) Tax #210-100-252400, 210-100-254204, & 210-100-253200. Property Owner: MICHAEL & JULIE LOCH & BRUCE L SCHUT & JANET M SCHUT

Petitions for a Conditional Use Permit for a two-lot unplatted subdivision that alters property lines of two different previously approved unplatted subdivisions, one approved in 2023, the other approved in 2025, as regulated in Sections 155.029, 155.047 & 155.057, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Michael Loch

- A. Rhineberger stated that the request is in Maple Lake Township and is essentially considered a lot line adjustment. With the proposed site plan on display, Rhineberger explained that there are two parcels involved in the request, and they are part of two different recently approved unplatted subdivisions. Because of this, the request is to allow a two-lot unplatted subdivision with no new lots created. Simply put, this is more of a lot line adjustment between two unplatted subdivisions. All parcels involved are zoned Agriculture/Residential (A/R). Maple Lake Township approved the request, and no other comments were received.
- B. Loch had no comments.
- C. Mol questioned ownership, with Loch explaining that he owns all parcels in question.
- D. Bravinder stated that he feels this is a beneficial alteration that would address access around the wetland.
- E. There were no comments from the public.
- F. Mol confirmed with Rhineberger that currently there is no landlocked parcel. Rhineberger went on to explain that part of the proposed conditions includes requirements to combine specific tax parcels into a single tax parcel to avoid having a landlocked parcel sold separately. Mol stated that his concern is that this area was rezoned and developed within the last year, and if approved, this will create a larger parcel that could potentially be divided into additional 10-acre lots. Bravinder asked how road frontage would be obtained, with Rhineberger stating that a public road would be required.
- G. Felger moved to approve a Conditional Use Permit for a two-lot unplatted subdivision, in accord with the survey completed by Bogart, Pederson & Associates, Inc., File No. 25-0406.00, dated 9/30/25; with the following conditions: 1) Access permits, if required, must be approved by Maple Lake Township prior to any construction activity or earthmoving taking place; 2) There are wetlands on the property, which must either be avoided or proper approval for wetland disturbance is approved by the Wright County SWCD, prior to the disturbance taking place; 3) What is shown as Parcel B on survey must be retransferred or the two portions combined, resulting in one tax parcel; 4) Parcel A must be combined with Parcel I, under one tax parcel number, due to Parcel A not being a buildable lot and having no public road frontage. Motion seconded by Borrell.

VOTE: Holland, Borrell, Felger, Bravinder NAY: Mol

MOTION CARRIED

Chairman Mol called for a 5 minute break at 7:56 p.m.

4. **CHRISTINA CLARK** – New

LOCATION: 17483 64TH ST SW– PART OF GOV'T LOT 1 AND 2 IN SECTION 06, TOWNSHIP 118, RANGE 28, Wright County, Minnesota. (Stockholm Twp.) Tax #218-000-064200. Property Owner: VIRGIL & ALICE SCHLOTTE
REV TR

Petitions to rezone 4.50 acres of the property referenced as Tract A on a survey completed by Northstar Surveying, Job No. 2025107, from General Agriculture (AG) with a Residential-Recreational Shorelands District Overlay (S-2) to Commercial-Recreational Shoreland District (S-3), as regulated in Sections 155.028, 155.048 & 155.057, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

No representative present.

- A. Rhineberger explained that the applicant and their representatives were not able to attend and therefore requested a continuation of the item. He recommended that public comment be taken from residents in attendance.
- B. Public Comment – Mol asked the public to keep comments to 3–4 minutes and noted that the Commission likely would not have many comments at this time.
 - Gregory Hallberg stated he has letters from neighbors who object to the project but were not able to be present tonight; these were submitted to staff. He said the applicant attended the township meeting but was not clear on her intentions or plans. He questioned how rezoning could occur if the intended use is unknown. He feels that when he speaks with the applicant, the plan keeps changing. Rhineberger noted that a rezoning hearing is based on what is possible under the zoning district. In situations such as this, it is about the uses that are allowed; it cannot be evaluated on a specific use, as that would be a separate request made after rezoning. Rezoning is evaluated based on all potential uses and whether any of those uses could exist on the property. Exact specifics would be required at a later stage, if the rezoning is approved. This hearing only concerns the rezoning, not the end use.
- C. While waiting for additional public comment, Rhineberger displayed a diagram showing the 4.5 acres with buildings, indicating that this is the portion of the property the applicant is requesting to rezone. It was noted that they are not seeking to rezone the entire 39 acres, only the 4.5 acres.
- D. Public Comment
 - Dawn Johnson stated she is speaking on behalf of her sister, Holly Erickson, who owns property two parcels down from the location. She is strongly opposed to the rezoning, as it would affect all neighbors on the dead-end road as well as the County Park, which already uses the lake access. She said the lake is very fragile and has had fish kills in recent years. She expressed concern about the increased activity on Rhoades Ave. associated with the campground and stated this request would bring in even more people. Johnson submitted a written statement to Rhineberger.
 - Scott Elmquist stated he lives on 64th St. with his wife Nancy, who was also present. They live directly across from the proposed site on a 10-acre lot they purchased 26 years ago. They moved to the country for quiet and serenity. They have a history of being very accommodating to neighbors, including Alice Schlotte, who used to run events on the property; they even allowed parking on their field. He feels the proposal is completely incompatible with any rezoning. The initial proposal included up to 165 parking spots, and in his research one would need 1.5–2 acres to accommodate that many cars. The idea of a commercial use at this location, on a dead-end road with substantial frost heaves that last into May or even June, does not make sense. Public safety is also a concern. He stated that after living there for 25 years, there have been many times when

entering the road is dangerous. As a financial advisor, he is familiar with property values and believes this proposal would have a substantial and detrimental effect on theirs. He added that the request does not address the increased traffic on Rhoades Ave. or the impact on the lake. While they do not live on the lake, they visit regularly and believe the lake already faces environmental concerns that additional use will worsen. The lake already has three public accesses. For these reasons, he and his wife are strongly opposed to the request. He expressed disappointment with how the Township Board handled the matter, stating that the process and financial implications should not have been approached by just “shooting from the hip.” He plans to submit a letter and follow up at the next meeting.

- Scott Fox, from Stockholm Township, stated he lives roughly 5 miles from the site. He expressed concern about the condition of the road, although he had not recently inspected it. He recalled that Paul Yates, the applicant’s father, is a reputable man. He noted the Township meeting was very contentious. He was not sure whether the Township voted only on the concept of the S3 zoning and is waiting for more information to establish rules. He reiterated that the meeting had been contentious.

E. Mol asked the Commission how they would like to proceed.

F. Bravinder moved to continue the matter to the December 18th meeting, at the applicant’s request, and to include a site inspection. Motion seconded by Felger.

VOTE: CARRIED UNANIMOUSLY

5. **RYAN NELSON** – New

LOCATION: xxxx 127th St NW – 40.77 AC NE OF NE & 45.25 AC LOT 2 EXC E 80 RDS & LOT 3 & portions of Lot 2 and Lot 1 along with part of the NW 1/4 of the SE 1/4 in Section 35 & 36, Township 122, Range 26, Wright County, Minnesota. (Silver Creek Twp.) Tax #216-100-351100, -362100 & -361301. Property Owner: NELSON ACRES LLC

Petitions to amend an existing Conditional Use Permit for a 1-per-40 cluster that was approved in 2022 that allowed the creation of three lots to allow the transfer of a single residential building “entitlement” from a Nelson Acres LLC parcel in Section 35 to a Nelson Acres LLC parcel in Section 36 of Silver Creek Township to create a fourth lot, as regulated in Sections 155.029 & 155.048, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Ryan Nelson

- A. Rhineberger displayed the property maps and the proposed new lot drawing. This request is to amend a previously approved 1-per-40 entitlement cluster granted in 2022. He noted that the properties in question are contiguous and explained the movement of entitlement between parcels using the concept plan, which shows the new lot located west of those approved in 2022. Rhineberger stated that in 2024 the Commission approved a rezoning of the wooded portion and the division of a small area from tax parcel #216-100-361301 to the parcel ending in -363104 and noted that this transfer has not yet been completed. If the current request is approved, staff recommends including a condition requiring that transfer to be finalized. Silver Creek Township approved the request.
- B. Nelson had no additional comments.
- C. No public comments.
- D. Bravinder pointed out that there was a statement from Silver Creek Township regarding going below the 300-ft. road-frontage requirement, and he was unsure what that referred to. Rhineberger explained that the southern portion of the property would not meet the required amount of road frontage if the road were ever used as the dividing line. If Mr. Nelson were to split the parcel using the road as a boundary, a variance would be required because the southern parcel would have less than 300 ft. of frontage. As it exists, the entire property is divided by the road but is still considered one large parcel. Technically, the parcel has public road frontage, but if the road were used to create a separate southern parcel, a variance would be necessary.
- E. Bravinder moved to approve amending the condition use permit for 3 lot 1 per 40 cluster, granted in 2022, to include the entitlement from tax parcel 216-100-351100, creating a 4 lot cluster; with the following conditions: 1) Subject to survey, soil borings, and deed restriction filed with the Office of Planning and Zoning; 2) The adjustment granted in 2024, attaching the western portion of 216-100-361301 to parcel 216-100-363104, be completed, in accord with the conditions noted in PZ file #PR20240002111, prior to the new lot being transferred; 3) Access permits, if required, must be approved by Silver Creek Township prior to any construction activity or earthmoving taking place; 4) New lot is limited to no more than 2.5 acres in size. Motion seconded by Holland.

VOTE: CARRIED UNANIMOUSLY

6. **FRED MISCHE** – New

LOCATION: 13617 GROVER AVE NW – PART SE1/4 OF NW1/4 IN SECTION 25, TOWNSHIP 122, RANGE 27, Wright County, Minnesota. (Clearwater Twp.) Tax #204-100-252402. Property Owner: FREDERICH MISCHE & AMANDA CHOWEN

Petitions to amend an existing Interim Use Permit to allow a Commercial Agricultural Tourism use to offer wine sales every Saturday year-round from the hours of noon to 4 p.m. at the existing farm winery, as regulated in Sections 155.003(25), 155.031, 155.048 & 155.109, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present – Fred Mische

- A. Rhineberger explained that the request is to amend the hours of a recently granted commercial agricultural tourism permit. The applicant is seeking to add year-round sales on Saturdays, while keeping the existing hours unchanged. Clearwater Township recommended approval, and one neighbor submitted a letter in support of the request.
- B. Mische stated that the reason for the request is due to delays related to federal and state government actions, which resulted in an overstock of inventory. They would like the flexibility to sell this inventory to offset the financial impact of those delays.
- C. No comments from the public.
- D. Mol asked the Commission how they would like to proceed, with Holland stating that she was prepared to make a motion.
- E. Motion made by Holland to approve a new interim use permit for a commercial agricultural tourism use for a winery operation that includes a vineyard and bottle sales in accord with the plans and narrative submitted and the discussion at the hearing, with the following condition: 1) Sales to be allowed year-round, on Saturdays only, from noon to 4 p.m.; 2) The use shall be allowed three events per year, and limited to no more than 50 people per event, with hours being limited to 10:00 a.m. to 10:00 p.m.; No alcohol consumption related to bottle sales, operations, or events allowed on the property; 3) Parking for sales and events must be on the property. Parking on the township road is prohibited; 4) All proper State and County licenses be obtained prior to operations commencing; 5) Township to review in one year, with subsequent reviews at an interval established by the Township; 6) This permit shall immediately and automatically expire upon transfer, termination of any lease agreement, or change in business operations or ownership. Motion seconded by Borrell.

VOTE: CARRIED UNANIMOUSLY

7. **SHAWN JENSEN** – New

LOCATION: 7369 & 7289 160th St NW – Part of the NE 1/4 of the NE 1/4 of Section 14, Township 122, Range 27, Wright County, Minnesota. (Clearwater Twp.) Tax #204-100-141202 & 204-100-141200. Property Owner: SHIRLEY M SPODEN TR & SHAWN L JENSEN REVTR

Petitions for a Conditional Use Permit for a two-lot unplatted subdivision that alters property lines from a different previously approved unplatted subdivision, approved in 2016, as regulated in Sections 155.029 & 155.047, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Shawn Jensen

- A. Rhineberger displayed the proposed site plan and noted that the request involves two adjacent properties with the goal of reconfiguring the previously approved unplatted subdivision. The proposal is essentially to attach 3 acres from the western parcel to the eastern parcel. The Township provided approval, and no other comments were received.
- B. Jensen had no comments.
- C. No comments from the public.
- D. Bravinder stated the request is straightforward.
- E. Borrell moved to approve a Conditional Use Permit for a two-lot unplatted subdivision, in accord with the survey completed by True Point Land Surveying, Project No. 2110-001, held on file; with the following conditions: 1) Portion to be added to parcel 204-100-141202 must be combined under one tax parcel number. Motion seconded by Holland.

DISCUSSION: Rhineberger reminded the applicant that the 3 acres must be combined with the existing acreage so that it results in a single Tax ID. He advised that the applicant can discuss the process with the Recorder's Office. Jensen agreed.

VOTE: CARRIED UNANIMOUSLY

8. **LEONARD E LUEDKE** – New

LOCATION: 11093 COUNTY ROAD 17 SE – THE NORTH 447.15 FEET OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 118, RANGE 25, Wright County, Minnesota. (Franklin Twp.) Tax #208-200-362105. Property Owner: LEONARD E LUEDKE

Petitions to rezone from Agricultural/Residential (A/R) to Suburban Residential-a (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: Leonard Luedke

- A. Rhineberger explained that the property is 11.63 acres located along County Road 17, south of Delano, in Franklin Township. The request is to rezone the parcel to Suburban Residential (r-2a), which is currently zoned Agricultural Residential (A/R). This zoning was established in 1999, with an associated subdivision that did not take place until 2022. The request is to rezone the 11.63 acres to R-2a with a concept plan creating two lots between 5.5 and 6 acres. Comments from the Highway Department stated they would require a shared access along the common property line, and any existing accesses would need to be removed and replaced with that shared access. No other comments were received. He spoke with a representative from the Township who stated that they did not make a recommendation at their last meeting but would be addressing it at the next meeting.
- B. Luedke stated that at the Township meeting they were going to take a neutral position and leave the decision to the County, but someone suggested that the only guidelines they had to follow came from the County, and they did not feel they had the authority to override those guidelines. They were going to look into what their options were, as they were unsure how to proceed. They did not seem opposed to the request. Luedke noted that the reason he would like to subdivide is to provide his two children with their own parcels.
- C. Mol stated that the Commission typically likes to hear the Township's recommendation, and since they are planning to discuss it at their next meeting, he asked the applicant if he was comfortable allowing time for the Township to respond. Luedke stated he would do whatever is needed. Borrell asked why, if the Township seemed to want the issue "punted," they should require the applicant to return just to force the Township to say something. Mol responded that if the Township wanted to punt, he would be fine making a decision, but what Rhineberger conveyed is that the Township planned to discuss it at their next meeting, and he did not want to take that opportunity away from them. Rhineberger stated that the Township board member he spoke with had indicated that because the item reached the Township for review, they thought the County was already supportive of the request. He explained that no such determination is made prior to a meeting and that the Commission relies heavily on the Township's recommendation. Their response was that they would be discussing it at the next meeting, so he agreed that allowing them time to review is appropriate.
- D. No public comments.
- E. Bravinder stated that he reviewed the minutes from 2000, when they attempted to split the property and remove it from the A/R district. The minutes stated that at the time, the property was designated for A/R, and it was intended to remain that way, so the request was denied. He noted that the surrounding area is much different now than it was in 2000. At that time, many properties were zoned General Agriculture, but now there are many smaller properties. He emphasized that a lot has changed in the area since 2000.
- F. Mol asked the Commission if they had any additional questions or comments, or if they wished to continue the matter with a site inspection.
- G. Bravinder moved to continue the matter to the December 18, 2025, meeting to allow time for township review and to conduct a site inspection. Motion seconded by Holland. VOTE: CARRIED UNANIMOUSLY

9. **MBE, INC.** – New

LOCATION: xxxx State Hwy. 25 N & 50th Street NE– Part of SW ¼ of SW ¼, Section 4, Township 120, Range 25, Wright County, MN. (Buffalo Twp.) Tax #202-000-043206 Owner: MBE Inc.

An Interim Use Permit to mine sand and gravel for approximately 10.7 acres and up to 348,300 yards, to include excavation, screening, washing, crushing of materials, stockpiling and processing of recycled materials, and fill for reclamation, to be used for fill and base material for public and private construction projects in the area, as regulated in Section 155.031, 155.048 & 155.100 of the Wright County Code of Ordinances.

Present: Bob Perry and Steve Stadler with MBE Inc.

- A. Rhineberger reminded the Commission that they should be fairly familiar with the property. The request is for a sand and gravel mining operation on 10.7 acres with up to 348,300 yards of material to be removed. The property sits at the northeast corner of County Road 113 and State Highway 25. All plans for the proposal have been provided in the staff report along with the required maps. The request is more of a borrow pit, where material will be removed and then brought back in and replaced. The request was originally submitted in 2021 and required an EAW, which halted and slowed the process. The EAW was completed, and the County Board determined that an Environmental Impact Statement was not needed. The Planning Commission heard this request at the end of 2023 and denied it at that time; the information and findings for denial are included in the staff report. Numerous responses from neighbors requesting denial and expressing concerns have been received and are included in the staff report. Another petition has been filed with the Minnesota Environmental Quality Board requesting an additional EAW. Because of that petition, the Commission cannot act on the request tonight, and the County Board must determine whether an EAW will be required. Staff therefore recommends holding discussion tonight, allowing public comment, but ultimately continuing the item to the December 18 meeting. The Township has requested denial at this time and is seeking further information.
- B. Stadler stated that in February 2024, when the denial was issued, the main concern was traffic and discussion regarding a roundabout. After that meeting, conversations occurred with the County Highway Department and MnDOT, and through grants and funding the community will receive their roundabout, which should address the traffic concerns. Stadler reiterated that the primary issue at the time of denial was traffic and the need for a roundabout. He stated another concern at the prior meeting involved potential delays to development in the area. He does not feel development will be delayed, as there is currently no development occurring from either the City of Buffalo or the City of Monticello. He feels now is the time to extract the aggregate so the property can be restored and prepared for future development, ensuring natural resources are not covered up. They would like to be ready for the Highway 25 project, as their business exports aggregate off the property. They would like to bid on the project but must have the permit in order to do so.
- C. Perry stated that some residents had concerns about a large 30-acre hole. He explained that the plan depicts a smaller footprint and that the operation will be phased. The site will remain small enough that they do not get too far ahead in the mining process, as the plan is to remove and then bring back material that is compactable, so the site is ready for building. The intention is to have the property ready for future development. Timing is important, and the process will be slow because of the quality of material being brought back in, as well as the need to mine as much material as possible before development reaches the area. He emphasized that this mining project is part of the development process and depends on the City of Buffalo's northern growth and annexation.
- D. Mol opened public comment and requested that speakers keep comments to 3–4 minutes.
- Michael White read directly from the email he had sent earlier in the day. White explained that he is in opposition to the mining operation and is speaking on behalf of himself and his wife. They are long-term residents of the Gilchrist Acre neighborhood and during this time they have witnessed significant changes in the community, particularly the expansion of gravel mining operations along Highway 25. Currently, there are six active mines within 5½ miles of 55th Street. Of these six mines, two are located within a half-mile of

his property. He feels that issuing a new permit will increase the number to three mines within that radius and would place an undue burden on the community. White explained that his objections relate to noise and dust. He did state that dust is not a problem except for the two mines within ½ mile of his home. The noise, however, is very real, and there are two levels of noise: the heavy machinery and rock-crushing operations, as well as the machinery moving gravel in and out of the pits. The noise is constant for most of the day. White stated that another issue is traffic and safety. Highway 25 is already overused, and at times it is difficult to get in and out of their neighborhood; they may be held up for minutes at a time. The highway is very busy with traffic moving at 60 mph. White feels it is the right of citizens to protect their homes and families from industrial encroachment and from threats to the health and safety of the community. He urged Planning and Zoning to deny the permit application.

- Jeff Byington lives on County Road 113, about a mile east of the proposed pit. He feels that many things occurring in the community are detrimental both to residents and to apple and bee populations. He believes there is a significant environmental concern. Byington explained that he reviewed both the prior meeting application and the application for this request and found 66 differences between the two documents. Some are significant, while others are clerical. He noted that the request changed from 32 acres to 10 acres and, as Mr. Perry stated, the operation will move through phases. Byington emphasized that once a footprint is allowed, it will continue to grow. Another item he found is that the new IUP states the operation will use water from the adjacent home, which Perry owns, although it is quite a distance from the pit. The previous applicant stated they would install a well on the property. He questioned whether using residential water in this manner is legally permissible. He stated that at the Township meeting, many questions went unanswered. The previous IUP stated no processing would occur on site, while the new application states that processing will occur below grade. He also pointed out that the frequency of truck trips changed between applications. He stated that the staff report indicates that although road improvements have not been completed, the applicant would like the pit properly permitted so they can begin work. At the Township meeting, he questioned how the pit could begin operating before the roundabout is built and where trucks would be routed. The reply was that trucks would likely use County Road 113 when Highway 25 is closed. Byington stated that the applicant does not know whether they will receive the road bid or when that bidding process even opens, noting he has heard the roundabout might not be completed until the end of next year. He feels there are many unknowns and that the permit was denied in the past, with nothing having changed since.
- Anne Neumann, representing the Township, requested that Rhineberger read the Township's response. Rhineberger read: *Buffalo Township disapproves of the request because safety concerns regarding traffic, intersection of Highway 25 and County Road 113, along with the vague description of the turn lanes are bypass lane on County Road 113 entrance into gravel pit, potentially adding 2,880 trucks/ loads per week to an already busy area when previous traffic study was completed was during COVID shutdown and prior to new government center being built. Our recommendation would be to conduct a new traffic study once roundabout is completed and school is in session. Also, a better timeline of how many years total it will operate, including any extensions.* Neumann stated that this was a synopsis of the Township meeting. They are very concerned about safety at the intersection. She acknowledged discussion about Monticello and Buffalo growing closer together and extensive plans for the property. She understands the need for gravel and emphasized that no one is against gravel extraction; however, she believes the prudent approach is to wait roughly two years so a proper traffic study can be performed. Everyone knows traffic is heavy in the area, serving as a major route across town, including for high school students. She reiterated the importance of conducting a traffic analysis once the roundabout is installed and that the land's current use can continue for another year without affecting community development. While she understands the applicant wants to bid on the road project, she stated that other mines will also be bidding. Neumann asked the Commission to wait longer so more information is available.
- Gary Eckstein lives on County Road 113 almost directly across from the proposed property. He feels the proposed crushing operation is unreasonable due to constant noise levels. He is also concerned about dust. He pointed out that the gravel pit to the north generates visible dust clouds from crushing operations, and unlike that pit, this one would have homes on both sides. He feels the local apple orchard will be affected. Eckstein

reiterated that noise levels will be far too high for the number of residents in the area. He believes the property should remain agricultural or be converted into large-lot residential parcels, which would match the surrounding neighborhood. He emphasized that a gravel pit with crushing operations is inappropriate and will impact too many people.

- Lori Cassidy lives about ½ mile from the property. She stated that her family has lived in the area for years and has witnessed significant growth and change. Her primary concern is safety. They used to walk the road comfortably, but now they often feel nervous simply pulling onto the road due to traffic volume. Cassidy visited the site and reviewed the roundabout staking and markings. She feels that the planned roundabout appears to be located directly where the existing church entrance and proposed pit access are positioned. She explained that Knife River previously had access onto County Road 113 on the west side of Highway 25, but it was closed in 2007 due to traffic issues, noise, dust, and similar concerns. She feels the east side of Highway 25 now has even more traffic, and Knife River was twice as far from the highway as the proposed pit. She questioned how this new access would function safely. Cassidy also expressed concern about heavy use of County Road 113 by Buffalo High School traffic and as a general cut-through route. She believes a new traffic study is necessary and noted that multiple Highway 25 improvement projects have been proposed over the years but never completed. She concluded by saying she is not convinced the roundabout will be built or how it will function if it is.
- Tami Garvin, of Gilchrist Orchard on 50th Street, stated that in her research over several years, she has not found a single article, report, or study showing that a gravel pit is a good neighbor. She has seen many negatives and no positives. Reviewing agendas and minutes, she has seen neighbors repeatedly voice concerns, yet there is rarely meaningful remedy. Noise might be reduced temporarily but then rises again. She has observed pits change agreed-upon terms and expand repeatedly. She asked who sets standards for best management practices, who enforces them, and who monitors compliance. She noted that the mining industry frequently uses the word “mitigate” when referencing dust and noise control. She defined “mitigate” as meaning to make something appear less serious than it is or to lessen the severity of a harm, but not to eliminate it. The term does not describe what will be done, how it will be done, or who will enforce it. Garvin explained that their business is a flower farm and orchard designed intentionally to create a peaceful and quiet environment for visitors. She shared a story of a mother visiting their orchard to find peace among the flowers after a difficult personal loss, emphasizing how meaningful the quiet setting is to many people. She stated that people want to protect their homes, businesses, churches, and neighbors from what comes with a gravel pit. She said the Commission represents them and hopes Commissioners will speak on their behalf.
- Steve Garvin stated that the community began discussing this issue in Fall 2021 and still strongly believes that a gravel pit at this location will be harmful to the 500+ homes, neighborhoods, families, churches, and apple orchards that have existed there for more than 30 years. He recalled that at the January 11th Planning Commission meeting, the discussion focused heavily on the Land Use Plan. He agreed that the roundabout is important for safety but emphasized that the Land Use Plan is equally important. He referenced ordinances indicating that mining operations may not be injurious to neighborhoods. While acknowledging that a few items have changed on the new application, he stressed that nothing about the surrounding corner or area has changed. The roundabout has not yet been built and could be a year away. He argued that a new traffic study should be required because the previous study was completed during COVID, when school was not in session and before the new government building was constructed, making the traffic count inaccurate. He noted that the previous MBE application was for 36 acres and did not disclose ownership of an additional 20 acres to the north; since then, 13 more acres to the east were purchased. He believes the project will not be a short 5- to 10-year operation; he referenced the Knife River pit, which is over 37 years old and still active. Garvin warned that a quick approval to supply aggregate for the roundabout will leave the community living with dust and trucks for decades. He stated that proposed truck traffic is between 432 and 2,880 trips per week, not counting traffic from other pits, which he believes will cause severe congestion. He also pointed out that Commissioners, including Chairman Mol, Mahlberg, and Felger, previously stated the gravel pit did not comply with the Land Use Plan. The surrounding area is zoned Agricultural Residential, and the township intends to use it for residential growth. He argued that the desire for more gravel from a new operator does not

outweigh the rights of existing landowners. Finally, he noted that aggregate supply needs could be met by existing pits just a few hundred yards up the road.

- Chris Taylor stated that the Garvin's covered many of the points he intended to raise. He is an elder at Buffalo Free Church and spoke on behalf of the church and personally. He believes a gravel pit directly across the road will negatively impact church ministry, events, and activities, many of which occur outside of Sunday mornings. He stated that disadvantaged individuals who use the church services could face additional hardship due to increased truck traffic. Personally, he lives in the Eagle Ridge development along County Road 113 and frequently walks the road with his family. He described the road as dangerous, with no shoulders and many blind driveways. Although not all truck traffic will use County Road 113, he expects truck traffic to increase.
 - Tracye Bebeau, who lives on 50th Street NE about 600 feet from the proposed pit, reiterated that the original pit request was denied 4-1 on January 11, 2024. She stated that the minutes from that meeting reflect concerns not only about safety but also about the Land Use Plan, and none of those factors have changed. She cited Section 155.031, which requires the Commission to consider the effects of a proposed use on the health, safety, morals, and general welfare of surrounding occupants. She stated that traffic concerns have not been mitigated. This application seeks an IUP prior to installation of the roundabout, and she feels this alone should be grounds for denial. She noted that the request represents only Phase 1. If demand continues and because the applicant owns 60 acres, the pit could operate for 60 years, which would conflict with the existing Land Use Plan. She also noted that the intersection has been scheduled for improvements multiple times, but nothing has occurred. She believes the IUP should not be granted until the roundabout is actually in place. She also referenced Section 155.013(B)(2), requiring that the IUP not be injurious to adjacent agricultural and agricultural-residential uses. She explained that aside from Ag Tourism concerns, homeowners would be financially affected. She has worked in residential real estate for 29 years and stated that buyer interest in homes near gravel pits is extremely limited, resulting in seller losses. She urged the Commission to review the January 2024 minutes and reconsider the reasons for denial, asking whether anything has truly changed.
 - Joe Schroeder, of Woods Edge Apples, located kitty-corner from the proposed pit, said that many of his points had already been covered. He felt that at the last meeting there was meaningful discussion about the Land Use Plan and long-term planning. He encouraged the Commission to review previous meeting minutes. He asked Rhineberger whether crushing requires a separate permit. Rhineberger explained that because crushing is included in this application, it would be administered under a single permit. If crushing were not included, a separate permit application would be required. However, the Commission could choose to limit the permit to extraction only. Schroeder stated that he could elaborate on orchard impacts, but those concerns are already part of the record.
 - Dustin Lozinski, from Monticello Township, said he has lived in the area since 2004. He addressed the Minnesota Constitution, reminding the Commission that Article I, Section 1 of the Bill of Rights states that government exists for the security, benefit, and protection of the people. He emphasized that the Planning Commission exists for the same purpose. He stated that if a group of people experiences an injurious impact on their lives or rights, the Commission is obligated, and duty-bound, to respond according to the Constitution. He noted that ordinances are subordinate to the Constitution. Lozinski then read Article I, Section 8 of the Minnesota Constitution: *"Every person is entitled to a certain remedy in the laws for all injuries or wrongs which he may receive to his person, property or character, and to obtain justice freely and without purchase, completely and without denial, promptly and without delay, conformable to the laws."* He stated that in this case, the Constitution is the supreme law guiding the Commission's decision. He reminded Commissioners that their primary responsibility is the protection of the people.
- E. Mol asked the applicant to step forward to address comments and noted that staff recommends continuing the item so the applicant could prepare responses for the next meeting.

- F. Stadler stated that the property is zoned Agriculture and mining is allowed under the current zoning classification. He restated that the plan is to extract aggregate now, so the site is ready for future commercial use, which is consistent with the Land Use Plan. He stated that trucks will not run through neighborhoods or near Gilchrist Acres. Although they own surrounding properties, mining is not allowed there unless regulations change. He stressed that restoration is ensured through bonding requirements and that they intend to return the site to a condition similar to its current state. He will present additional comments at the next meeting.
- G. Bravinder asked about the change in access location from the original request. Stadler stated that both MnDOT and the Wright County Highway Department requested the currently proposed access location.
- H. Bravinder moved to continue the matter to the December 18, 2025, meeting for review of the EAW petition by the County Board and for further deliberation. Motion seconded by Holland.

VOTE: CARRIED UNANIMOUSLY

10. ACTION TO ACCEPT THE FINAL PLAT OF ZB ACRES

- A. Rhineberger explained that this plat was approved by the Commission in December of 2024. The plat meets all of the requirements and conditions specified by the Commission as part of the preliminary plat approval. Therefore, Staff recommend a motion to approve the final plat of ZB Acres and authorize the Chairman's signature.
- B. Borrell moved to approve the final plat of ZB Acres and authorize the Chairman's signature. Motion seconded by Holland.

VOTE: CARRIED UNANIMOUSLY

SITE INSPECTION

The Commission scheduled a site inspection for Monday December 8th, with the Commission to meet at 8:30 a.m. at the Government Center.

Meeting adjourned at 9:47 p.m.

Respectfully submitted,



Barry Rhineberger
Planning & Zoning Administrator
BR:sd

cc: Planning Commission, Twp. Clerks