



Le Sueur County, MN

Thursday, March 10, 2016

Regular session

Item 1

Approved 2-11-16 Planning Commission Minutes

Staff Contact: Kathy Brockway or Michelle Mettler

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
February 11, 2016

MEMBERS PRESENT: Don Reak, Jeanne Doheny, Don Rynda, Shirley Katzenmeyer, Doug Krenik, Al Gehrke, Betty Bruzek, Pam Tietz

MEMBERS ABSENT: Steve Olson, Chuck Retka

OTHERS PRESENT: Kathy Brockway, Commissioners King and Connolly

The meeting was called to order at 7:00 PM by Chairperson, Jeanne Doheny.

ITEM #1: TRAXLER CONSTRUCTION, PAT TRAXLER, (APPLICANT) LE CENTER, MN; BETTY ANN MOLLENHAUER C/O RALPH & EVA FIX, (OWNER) EDINA, MN: Request that the County grant a Conditional Use Permit to allow mineral extraction of 50 acres of a 76.63 acre parcel in an Agriculture "A" District, in the Mineral Resources "MR" Overlay District and the Airport Zoning "AZ" Overlay District. Property is located in the S half of the SE1/4 and the E half of the SE1/4, Section 11, Ottawa Township. The application was tabled at the June 11, 2015 meeting for a Mandatory Environmental Review. The 30-day public comment period for the Mandatory Environmental Assessment Worksheet ended on January 6, 2016. A recommendation to approve the adequacy of this document and recommend a negative declaration on this project. Concluding that any potential environmental effects, which may result from this project, have been addressed. *No public comment will be taken at this meeting*

Kathy Brockway presented the power point presentation. Patrick Traxler, Chantill Kahler-Royer and Kirsten Pauley were present for application.

Discussion was held regarding; Kirsten Pauley updated the Planning Commission on the process of reviewing the environmental documents, responding to the comments, and preparations for the conditional use permit process.

Motion was made by Don Reak to approve the Environmental Assessment Worksheet with the recommendation of a negative declaration for an Environmental Impact Statement and to continue with the Conditional Use Permit process. Seconded by Doug Krenik. Motion approved. Motion carried.

ITEM #2: DANIEL HANLON, ST PAUL, MN, (APPLICANT): JMH PARTNERSHIP LLC, ST PAUL, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to establish and operate a self-serve storage facility in an Agriculture "A" District. Property is located in the NE 1/4 NE 1/4, Section 6, Derrynane Township.

Kathy Brockway presented the power point presentation. Daniel Hanlon was present for the application.

TOWNSHIP: No comments, notified through the application process. **DNR:** N/A **LETTERS:** Theresa and Steve Ruhland, read into the record (see file).

PUBLIC COMMENT: No comments.

Discussion was held regarding: access, drainage, commercial use within the Agricultural District, property in family since 1861, number of buildings, plans of expansion in the future, size of buildings, maintenance of property, weed control, lighting, security, possibility of fencing outdoor storage, signage, material movement on site, stockpiling of excess material, traffic, dust control, personal storage of renters, storage of hazardous materials, security cameras, demand of storage units, screening from highway 19, time frame for project, access roads gravel or asphalt. Kathy Brockway read a letter from the Ruhlands into the record opposing the request.

Findings by majority roll call vote:

1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity. Agreed 6-2
2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. Agreed 5-3
3. Adequate utilities, access roads, drainage and other facilities are being provided. Agreed.
4. Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use. Agreed.
5. Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. Agreed. 5-3

Motion was made by Doug Krenik to approve the application with the following conditions:

- Construct 3 buildings per application submitted;
- Abide by Section 19, Subdivision 9, Nuisance Control of the Le Sueur County Zoning Ordinance;
- No outside storage;
- Excess topsoil to be removed from the site, therefore no stockpiling of material onsite;

Seconded by Betty Bruzek. Motion approved 6-2. Shirley Katzenmeyer does not feel we are adhering to the goals and policies allowing commercial uses within the agricultural zoning district, preserve prime farm land. Pam Tietz quoted page 1, Goal 1 of the County Land Use Goals and Policies to preserve prime agricultural land within Le Sueur County. Motion carried.

ITEM #3: KAMP DELS, WATERVILLE, MN, (APPLICANT); POPE PROPERTIES, WATERVILLE, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant an expansion to an of an existing campground to relocate 7 existing sites and create an additional 4 sites in an Agriculture "A" District. Property is located in the NW 1/4 SE 1/4, Section 23, Waterville Township.

Kathy Brockway informed the Commission that she had a conflict of interest with the application; and that she would present the application as submitted and answer questions pertaining to the Ordinance.

Kathy Brockway presented power point presentation. Tobin Pope, co-owner of Kamp Dels was present for application.

TOWNSHIP: Notification through the application process. DNR: N/A LETTERS: N/A

DISCUSSION: due to a pool expansion applicant is requesting to relocate 7 sites from Tier 1 to area around the pond in Tier 5 and adding an additional 4 sites, new sites will meet current site regulations, full hook up sites, demand for additional sites, family campground, security, discussed future expansion, under a state permit for sewage, in the process of municipal sewage with the City of Waterville due to their new sewage treatment facility, no complaints on file with the County, traffic, current State Permit has been approved to allow the additional seasonal sites.

PUBLIC COMMENT: Mike Clemons, adjoining property owner, losing the peace and quiet of his property, concerns with loud music, loud speaker not being used just for emergency situations, creating noise pollution, cleaning up his property to move there in the future, property in the family since 1955, spending more and more time there, trying to be good neighbors.

Findings by majority roll call vote:

1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity. Agreed.
2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. Agreed.
3. Adequate utilities, access roads, drainage and other facilities are being provided. Agreed.
4. Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use. Agreed.
5. Adequate measures have been taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. Agreed.

Motion was made by Al Gehrke to approve the application as submitted. Seconded by Don Reak. Motion approved. Motion carried.

Motion was made by Doug Krenik to approve the minutes from the December 10, 2015 meeting by Seconded by Pam Tietz. Motion approved. Motion carried.

Motion to adjourn meeting by Al Gehrke. Seconded by Betty Bruzek. Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,
Shirley Katzenmeyer
By Kathy Brockway

Approved March 10, 2016

*Tape of meeting is on file in the
Le Sueur County Environmental Services Office*