



Le Sueur County, MN

Thursday, June 8, 2017

Regular session

Item 1

Approved June 8, 2017 Meeting Minutes

Staff Contact: Kathy Brockway or Michelle Mettler

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
June 8, 2017

MEMBERS PRESENT: Jeanne Doheny, Don Rynda, Shirley Katzenmeyer, Doug Krenik, Al Gehrke, Pam Tietz, Commissioner Wetzel

MEMBERS ABSENT: Don Reak

OTHERS PRESENT: Kathy Brockway, Commissioner Connolly.

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

ITEM #1: WATERVILLE SOLAR HOLDINGS LLC, MINNEAPOLIS, MN (APPLICANT); JAY & BETSY CHAMBERS, MEDFORD, MN (OWNER): Request that the County grant an extension of an existing Conditional Use Permit #16089 for the establishment of a 5 megawatt solar garden in an Agriculture "A" District. Property is located in the SE 1/4 of the SE 1/4, Section 34, Waterville Township.

Kathy Brockway presented power point presentation. Jeff Paulson, representing Waterville Solar Holdings LLC, was present for application.

TOWNSHIP: Waterville Township-no objections to the extension. DNR: N/A LETTERS: Joshua Mankowski, LSC Resource Specialist (see file)

PUBLIC COMMENT: None.

Discussion was held regarding: time frame, closing on the parcel late this month, start construction with a completion by the end of 2017, but asking for the 1-year extension, interconnection agreements signed, working with Northern States Power Company and Xcel Energy.

Motion was made by Doug Krenik to approve a 1-year extension. Seconded by Al Gehrke. Motion approved. Motion carried.

ITEM #2: MIKE FINLEY, JANESVILLE, MN (APPLICANT\OWNER): Requests that the County grant a Conditional Use Permit to allow the applicant to replace three retaining walls within the bluff, bluff impact zone, and shore impact zone; grading, excavating and filling of approximately 103 cubic yards of material within the shore impact zone to replace stairs and construct a pervious patio in a Recreational Residential "RR" District and a Flood Plain Flood Fringe "FF" Overlay District on a Recreational Development Lake, Lake Frances . Property is located in the SW 1/4, Section 34, Elysian Township.

Kathy Brockway presented power point presentation. Wayne James, James Brothers Construction was present for application.

TOWNSHIP: Applicants notified through the application process. DNR: no comments
LETTERS: Joshua Mankowski, LSC Resource Specialist (see file)

PUBLIC COMMENT: None.

Discussion was held regarding: DNR issued a permit for the rip rap project below the ordinary high water level, project is necessary in order to stabilize the bluff, sloping down towards the lake, trees tipping into the water, current retaining walls have been in place for 50-60 years, failing, engineered retaining walls, tile drainage discussion at length, pervious patio placement vs. deck, placement of tile, replace existing stairways, make safer access to the lake, stone steps, types of equipment necessary for construction, parking.

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 have been 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*
6. *The Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance? Agreed*
7. *The Conditional Use Permit consistent with the Comprehensive Land Use Plan? Agreed*

Motion was made by Shirley Katzenmeyer to approve the application with the following conditions:

- **Work with Joshua Mankowski, LSC Resource Specialist regarding the best option for the patio or deck prior to June 27, 2017 County Board Meeting;**
- **Screening per Joshua Mankowski's letter.**

Seconded by Al Gehrke. Motion approved. Motion carried.

ITEM #3: TI ZACK CONCRETE INC, LE CENTER, MN (APPLICANT); STEVE RUTT, LE CENTER, MN (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to operate a construction company in an Agriculture "A" District. Property is located in the NE 1/4, Section 33, Lexington Township.

Kathy Brockway presented power point presentation. Steve Rutt was present for application.

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

PUBLIC COMMENT: Kathy Brockway indicated that she received 3 phone calls/office visits regarding the application, no one objected to the business however, stated that dust can be an issued.

Discussion was held regarding: Ordinance revision in 2013 to allow construction companies through the conditional use permit process within the Agricultural District, plans to add an additional shed on the property for storage, clean the property up, most work is within a 4-state region, employees commute from their homes, 5-office employees and 1 mechanic on-site daily, dust control, applied 600 ft. of dust control last year and again this year.

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 have been 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*
6. *The Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance? Agreed*

7. *The Conditional Use Permit consistent with the Comprehensive Land Use Plan?* Agreed

Motion was made by Al Gehrke to approve the application with the condition: Continue dust control methods. Seconded by Doug Krenik. Motion approved. Motion carried.

ITEM #4: WARRIOR DASH (RED FROGEVENTS LLC), CHICAGO, IL (APPLICANT); RANDY VOSS, LE SUEUR, MN (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to host a special event in an Agriculture "A" District, and a Mineral Resources "MR" Overlay District. Property is located in the NE 1/4, Section 30, Sharon Township.

Kathy Brockway presented power point presentation. John Beck representing Red Frogevents was present for application.

TOWNSHIP: Notified through the application process DNR: N/A LETTERS: None

PUBLIC COMMENT: Donna Kiewatt, questioned whether they were going to be utilizing their property this year.

Discussion was held regarding: date of event, annual event, miscommunications within their Chicago office as to permitting, no significant changes from the event held in 2016, 1-day event, hours of event, medical team on-site, parking, security, traffic, attendance 6000-8000 participants with a couple thousand spectators.

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 have been 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
6. *The Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?* Agreed
7. *The Conditional Use Permit consistent with the Comprehensive Land Use Plan?* Agreed

Motion was made by Shirley Katzenmeyer to approve the application with the following condition:

- ***Notification to the department in writing within 60-days of hosting the event each year (with date and times of the event);***
- ***The applicants shall be required to amend the conditional use permit if significant changes are made to the event such as but not limited to: number of days of event, vendors, property expansion, substantial increase in participants.***

Seconded by Pam Tietz. Motion approved. Motion carried.

Motion was made by Pam Tietz to approve the minutes from the May 11, 2017 meeting. Seconded by Don Rynda. Motion approved. Motion carried.

Election of Vice Chairperson: Doug Krenik nominated Shirley Katzenmeyer. Pam Tietz. Seconded. Motion approved. Motion Carried.

Election of Secretary: Shirley Katzenmeyer nominated Pam Tietz. Al Gehrke Seconded. Motion approved. Motion Carried.

Motion to adjourn meeting by Al Gehrke. Seconded by Don Rynda. Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,
Shirley Katzenmeyer by
Kathy Brockway

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