

# *Environmental Services Department*

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**STEARNS COUNTY PLANNING COMMISSION MEETING**  
**Stearns County Service Center – Room 121(BCD)**  
**3301 County Road 138, Waite Park, MN**  
**Thursday, August 17, 2017**  
**7:00 P.M.**

## **AGENDA**

Pledge of Allegiance

### **Public Hearings**

1. To consider an **After the Fact conditional use permit** application for a **Major Shoreland Alteration** submitted by **Todd and Meghean Shea** of Excelsior, MN, according to the requirements of Sections 4.15, 4.15.2, 10.2.11 B. (3) (a), 10.2.14 B. (3) and 10.2.14 I. (1) (d) and (2) (c) of Stearns County Land Use and Zoning Ordinance #439 to keep as constructed After the Fact, retaining walls and a paver patio more than four feet in cumulative height for ornamental purposes. In addition, they are proposing to place natural fieldstone rock riprap along the shoreline, excavate an area to create a level space in the lawn, construct a fieldstone boulder retaining wall behind the excavated area and construct two new stairways. The property under consideration is located at 21128 Elmway Rd., Richmond, MN 56368 on Lot 4 and part of Lot 5, Block 1 of Flyaway Beach, Section 35, T123N, R31W, Munson Township.

**ACTION TAKEN: The Planning Commission **tabled** the request. This item will be re-noticed when it is ready to be placed on the agenda.**

2. To consider a request for a **conditional use permit** submitted by **New Munich Solar LLC**, Radnor PA on behalf of **AG-GRO INC**, Melrose MN according to Sections 4.8, 6.51 and 9.2.5T of Stearns County Land Use and Zoning Ordinance #439 to construct a 1MW community solar garden on approximately 10 acres in the Agricultural 80 zoning district. The property under consideration is part of the SW1/4 NE1/4, Section 7, lying west of State Highway 237 and north of Riverview Road, Oak Township (125/32).

**ACTION TAKEN: The Planning Commission **recommended approval** (6-1 vote; Ken Massmann voted against the motion) with the following conditions:**

- A. A qualified engineer shall certify that the foundation and design of the solar panels is within accepted professional standards prior to issuing a construction site permit.
- B. Manufacturer's specifications for the equipment shall be submitted prior to issuing a construction site permit.

- C. A financial guarantee in the form of a letter of credit meeting the County letter of credit requirements in the amount \$20,000 shall be submitted prior to issuing a construction site permit to ensure proper decommissioning of the solar garden.
- D. The applicant shall install and establish ground cover meeting the beneficial habitat standards consistent with Minnesota Statutes, section 216B.1642 and guidance as set by the Minnesota Board of Water and Soil Resources. A letter of credit meeting the County letter of credit requirements in the amount of 125% of the cost to vegetate the project area is required for the life of the project. The Solar Site Pollinator Habitat Assessment Form shall be completed to show that the beneficial habitat standard is met and submitted with the construction site permit application.
- E. Vegetative screening shall be added on the north, east and south sides of the solar garden in accordance with the plan submitted with the application. A financial guarantee in the form of a letter of credit meeting the County letter of credit requirements in the amount of 125% of the cost to implement the screening plan shall be submitted.
- F. A written agreement with Oak Township shall be submitted in regards to the maintenance of Riverview Road. This shall be submitted prior to issuing a construction site permit.

3. To consider a **rezoning** request submitted by Bryan Brophy, St. Joseph MN on behalf of **Alan & Rebeka Ressemen**, Reva VA to rezone approximately 71 acres from the Agricultural 40 zoning district to the Commercial zoning district in accordance with Section 4.10 of Stearns County Land Use and Zoning Ordinance #439. The property under consideration is part of the W1/2 SE1/4, in Section 35, lying north of County Rd 6, St. Joseph Township (124/29).

**ACTION TAKEN:** The Planning Commission voted 4-3 to **recommend denial** of the rezoning request. Ken Massmann, Shawn Blackburn, Jeff Bertram and Jody Kapphahn voted for the motion. John Krehbiel, Mike Proell and LeRoy Gondringer voted against the motion.

4. To consider a request for a **conditional use permit** submitted by Bryan Brophy, St. Joseph MN on behalf of **Alan & Rebeka Ressemen**, Reva VA according to Sections 4.8, 6.38 and 9.10.5R of Stearns County Land Use and Zoning Ordinance #439 to operate a light manufacturing business, including office and showroom, in the Commercial zoning district. The property under consideration is part of the W1/2 SE1/4, in Section 35, lying north of County Rd 6, St. Joseph Township (124/29).

**ACTION TAKEN:** Due to the rezoning being recommended for denial, the Planning Commission **tabled** the request for a conditional use permit.

5. To consider a **rezoning** request submitted by **Daniel and Marie Bullert**, Avon MN to rezone approximately 22 acres from the Agricultural 40 zoning district to the Residential 5 zoning district in accordance with Section 4.10 of Stearns County Land Use and Zoning Ordinance #439. The property under consideration is Lot 2 Block 1 Two Rivers Addition, in Section 6, lying south of Two Rivers Road, Avon Township (125/30). Property address is 18703 Two Rivers Rd, Avon.

**ACTION TAKEN:** The Planning Commission **unanimously recommended approval**.

6. To consider a **rezoning** request submitted by **A+ Custom Homes**, Richmond MN to rezone approximately 50 acres from the Agricultural 40 zoning district to the Residential 10 zoning district in accordance with Section 4.10 of Stearns County Land Use and Zoning Ordinance #439. The property under consideration is part of the SE1/4 of the SE1/4 Section 19, part of the E1/2 of the NE1/4 and part of the NE1/4 of the SE1/4 Section 30, lying southwest of Frostview Road, east of Fortress Road, west of Frostview Court and north of Zumwalde Lake, Wakefield Township (123/30).

**ACTION TAKEN: The Planning Commission unanimously recommended approval.**

7. Minutes of July 20, 2017.

**ACTION TAKEN: The Planning Commission unanimously approved the minutes.**

8. Discussion related to findings of fact.

**ACTION TAKEN: None**