

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, September 21, 2017
6:00 P.M.

AGENDA

Pledge of Allegiance

Public Hearings

1. To consider a **conditional Use Permit** application for a Major Shoreland Alteration submitted by **Jeffrey and Pamela Gooding** of Sartell, MN, according to the requirements of Section 10.2.14 D., 10.2.14 I. (1) (d) and 10.2.14 J. (1) of Stearns County Land Use and Zoning Ordinance #439 to excavate the slope to the Mississippi River, to construct fieldstone boulders to retain the excavated area and to place sand within the floodplain. The property under consideration is located at 2854 Winnebago Rd., Sartell, MN 56377 on Lots 12 and 13, Block 1 of Winnebago Addition, Section 10, T125N, R28W, LeSauk Township.

ACTION TAKEN: The Planning Commission unanimously recommended approval with the following conditions:

- a) Applicants could maybe research a different docking/lift system that could enable easier transitioning over the riverbank in lieu of disturbing the stable riverbank contour.
- b) If approval for the project is gained, silt barrier must be constructed along the river after excavation to ensure sediment does not enter the river and must remain in place until vegetation is established on the excavated area.
- c) The disturbed areas must be dormant seeded and covered with double sided erosion control blanket, sodded or hydroseeded within 5 days of project commencement and this must occur by November 3, 2017.

SAND BLANKET PORTION OF THE REQUEST IS DENIED

2. To consider a **conditional use permit** application for a Major Shoreland Alteration submitted by **Jerry Konz** of JK Landscape and Construction LLC on behalf of **Gary and Lori Kloos** of Richmond, MN, according to the requirements of Sections 10.2.11 B. (3) (a), 10.2.14 B. (3), 10.2.14 D. and 10.2.14 I. (2) (b) of Stearns County Land Use and Zoning Ordinance #439 to place natural fieldstone rock riprap along the shoreline, construct a new stairway to the lakeshore, excavate for subsurface soil corrections and

to construct retaining walls more than four feet in cumulative height to replace existing walls that are failing. The property under consideration is located at 18578 Cedar Lane, Richmond, MN 56368 on Lot 4, Block 2 and Outlot A of Cedar Island Park, Section 31, T123N, R30W, Wakefield Township.

ACTION TAKEN: The Planning Commission unanimously recommended approval with the following conditions:

- a) Silt fence shall be installed downslope of all disturbed areas immediately after completion of authorized rock riprap work.
- b) Proposed new stairway cannot exceed 4 feet in width.
- c) All disturbed areas created by the project shall be hydro-seeded within 22 days of project commencement.
- d) Project shall be complete and all disturbed areas stabilized with seed and double sided erosion control blanket, sod or hydro-seeded by November 3, 2017.

3. To consider a **conditional use permit** application for a Major Shoreland Alteration submitted by **D.H. Blattner and Sons Inc.** of Avon, MN, according to the requirements of Section 10.2.14 D. of Stearns County Land Use and Zoning Ordinance #439, to cut, fill and construct stormwater facilities on 32.9 acres. The property under consideration is located at 16767 County Road #9, Avon, MN 56310 on 51.80 acres of Government Lot 2 in Section 34, T125N, R30W, Avon Township.

ACTION TAKEN: The Planning Commission unanimously recommended approval with the following conditions:

- a) All Best Management Practices must be implemented and maintained as designed by AECOM engineering firm.
- b) All stabilization recommendations designed by AECOM must be followed – no deviations.
- c) Site grading and stabilization to be complete by November 10, 2017.
- d) Approval is conditional upon the Department approving the Stormwater Management Plan.
- e) A culvert needs to be installed under the access road to Pond #2.
- f) No land disturbance on neighboring properties without consent.

4. To consider an **After the Fact conditional use permit** application for a Major Shoreland Alteration submitted by **Joshua and Sarah Trisko** of Sauk Centre, MN, according to the requirements of Sections 4.15, 4.15.2, 10.2.11 B. (3) (a) and 10.2.14 I. (2) (b) of Stearns County Land Use and Zoning Ordinance #439 to leave as constructed, four natural fieldstone boulder retaining walls and a sand blanket along the shoreline. In addition, the applicants are requesting to place natural fieldstone rock riprap along the shoreline according to Section 10.2.14 B. (3). The property under consideration is located at 16621 Carnelian Rd., Kimball, MN 55353 on the Southerly 10 feet of Lot 5 and Lot 6 of First Addition to Hentges Lake Shore Lots, Section 24, T122N, R29W, Maine Prairie Township.

ACTION TAKEN: The Planning Commission unanimously recommended approval with the following conditions:

- a) If After the Fact work is recommended for approval, payment of \$525 After the Fact fee is to be submitted by October 9, 2017.
- b) Project shall be complete and all disturbed areas stabilized with seed and double sided erosion control blanket, sod or hydro-seeded by November 3, 2017.

5. To consider a **conditional use permit** request to amend the planned unit development "Stonegate on the Lake" submitted by **Benjamin Stockinger** of Scenic Specialties Landscape Professionals on behalf of **Staloch Properties LLC**, Austin TX, according to Stearns County Subdivision Ordinance #230 and Sections 4.8 and 10.2.22 of Land Use and Zoning Ordinance #439. Specifically, the amendment is to reconfigure the dock layout and do landscaping along the shoreline. The property is described as Stonegate on the Lake, lying southerly of Old Lake Road and northerly of Lake Koronis in Section 34 of Paynesville Township.

ACTION TAKEN: The Planning Commission unanimously recommended approval with the following conditions:

- a) Obtain a shoreland alteration permit prior to beginning work on the property.
- b) An amended subdivision agreement shall be recorded with the approved dock layout.
- c) All other conditions of CUP P-006456 shall remain in full force and effect.
- d) One entrance sign up to 32 square feet and setback 10' from the road right-of-way is allowed.

6. To consider a **conditional use permit** application for a Major Shoreland Alteration submitted by **Benjamin Stockinger** of Scenic Specialties Landscape Professionals on behalf of **Staloch Properties LLC** of Austin, TX, according to the requirements of Sections 10.2.11 B. (3) (a), 10.2.14 D., 10.2.14 I. (2) (c) and 10.2.14 J. (1) of Stearns County Land Use and Zoning Ordinance #439 to construct a new staircase down to the shoreline, excavate the near shore area to create flat spaces for recreation, construct six new fieldstone boulder retaining walls and to create a sand beach blanket in the floodplain. The property under consideration is located at 14835 Old Lake Rd., Paynesville, MN 56362 on Outlots A, B and D of Stone Gate Lodge, Section 34, T122N, R32W, Paynesville Township.

ACTION TAKEN: The Planning Commission unanimously recommended approval with the following conditions:

- a) Silt barrier shall be constructed downslope of all disturbed areas prior to earth moving work commencing and must remain functional and in place until disturbed areas are vegetated.
- b) All disturbed areas created by the project shall be seeded and covered with erosion control blanket, sodded or hydroseeded within 21 days of project commencement.
- c) Applicant shall provide financial guarantee in the form of a letter of credit, cash deposit or bond in favor of the County equal to 125% of site erosion/sediment control costs.

7. To consider a request for a **conditional use permit** submitted by **James Kuechle**, Kimball MN according to Sections 4.8 and 9.8.2A of Stearns County Land Use and Zoning Ordinance #439 to expand a general contracting business by adding a storage building in the Rural Townsite zoning district. The property under consideration is part of Government Lot 1 in Section 10 and part of the NE1/4 NE1/4 in Section 9, lying southwesterly of County Road 8, Maine Prairie Township (122/29).

ACTION TAKEN: The Planning Commission unanimously recommended approval.

8. To consider a request for a **conditional use permit** submitted by **Capricornus Community Solar Garden, LLC**, Edina MN on behalf of **Fountain Hills Investments, LLC**, Hastings MN according to Sections 4.8, 6.51 and 9.3.5U of Stearns County Land Use and Zoning Ordinance #439 to construct a 1MW community solar garden on approximately 11 acres in the Agricultural 40 zoning district. The property under consideration is part of the SW1/4, Section 4, lying easterly of 293rd Avenue, Paynesville Township (122/32).

ACTION TAKEN: The Planning Commission unanimously recommended approval 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) A financial guarantee in the form of a letter of credit meeting the County letter of credit requirements in the amount \$25,000 shall be submitted prior to issuing a construction site permit to ensure proper decommissioning of the solar garden.
- c) 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.
- d) Wetland impact is limited to 50 square feet unless a wetland replacement plan is approved.
- e) Obtain approval from the Department of Natural Resources to cross the Glacial Lakes Trail for access to the solar garden.

9. To consider a request for a **conditional use permit** submitted by **Canopus Community Solar Garden, LLC**, Edina MN on behalf of **Bill Bagley**, Belgrade 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 12 acres in the Agricultural 80 zoning district. The property under consideration is part of the SW1/4 SW1/4, Section 27, lying easterly of 343rd Avenue and northerly of County Road 178, Lake Henry Township (123/33).

ACTION TAKEN: The Planning Commission unanimously recommended approval 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) A financial guarantee in the form of a letter of credit meeting the County letter of credit requirements in the amount \$25,000 shall be submitted prior to issuing a construction site permit to ensure proper decommissioning of the solar garden.
- c) 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.

- d) Obtain an approach permit from the County Highway Department.
- e) Vegetative screening shall be planted in accordance with the approved plan. 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.

10. To consider a request for a **conditional use permit** submitted by **Stearns Solar I LLC**, Radnor PA on behalf of **Joan M. Bredeck Revocable Trust**, Albany MN according to Sections 4.8, 6.51 and 9.3.5U of Stearns County Land Use and Zoning Ordinance #439 to construct a 1MW community solar garden on approximately 10 acres in the Agricultural 40 zoning district. The property under consideration is part of the SE1/4, Section 10, lying westerly of County Road 10 and easterly of the Wobegon Trail, Albany Township (125/31).

ACTION TAKEN: The Planning Commission unanimously recommended approval 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) 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.
- c) 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.

11. To consider a request for a **conditional use permit** submitted by **Bryan Brophy**, St. Joseph MN 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). **Application was withdrawn by applicant.**

12. Minutes for August 17, 2017.

ACTION TAKEN: The Planning Commission unanimously approved the minutes.