

Environmental Services Department

Administration Center Rm 343 • 705 Courthouse Square • St. Cloud, MN 56303
320-656-3613 • Fax 320-656-6484 • 1-800-450-0852

STEARNS COUNTY PLANNING COMMISSION MEETING
Stearns County Service Center – Room 121(BCD)
3301 County Road 138, Waite Park, MN
Thursday, December 21, 2017
7:00 P.M.

AGENDA

Pledge of Allegiance

Public Hearings

1. To consider a request to **amend the subdivision agreement** for “**Wildwood Park Addition**” submitted by **Wildwood Ranch LLLP**, St. Joseph, MN; **Doreen Honer**, St. Joseph, MN, **Myra and Thomas Schrup**, St. Joseph, MN and **Orchard Creek Properties LLC**, Sartell, MN according to Stearns County Subdivision Ordinance #230. The request is to remove the requirements to construct the road and stormwater facilities. “Wildwood Park Addition” is located in part of the NE1/4, lying southerly of County Road 51 in Section 18 of St. Joseph Township (124/29).
ACTION TAKEN: The Planning Commission unanimously recommended approval with the following conditions:
 - A. The revised plat shall not be recorded until the documents vacating Danielle Court and vacating the drainage and utility easement is recorded.
 - B. The revised subdivision agreement and transfer of development rights restriction shall be recorded immediately preceding the new plat that eliminates the need for the road and stormwater facilities.
 - C. If the above conditions are not met by January 9, 2019, then this approval to amend the subdivision agreement is null and void.
2. To consider a **conditional use permit** application for a Major Shoreland Alteration submitted by **Benjamin Drewes** of Sartell, MN, according to the requirements of Sections 10.2.11 B. (3) (a) and (b), 10.2.14 I. (2) (c) and 10.2.14 J. (1) (a), (b) and (c) of Stearns County Land Use and Zoning Ordinance #439 to construct three new natural fieldstone boulder retaining walls, construct a new landing and stairway and to place sand within the shore impact zone. The property under consideration is located at 17367 Big Fish Lake Rd., Cold Spring, MN 56320, on Lot 2, Block 1, North Sand Addition AND part of Lot 1, Block 1, North Sand Addition in Section 20, T124N, R30W, Collegeville Township.
ACTION TAKEN: The Planning Commission continued the request to the January 18, 2018 meeting.
3. To consider an **After the Fact conditional use permit** application for a Major Shoreland Alteration submitted by **Thomas Brummer** of Montrose, MN, according to the requirements of Sections 4.15, 4.15.2 and 10.2.14 I. (2) (c) of Stearns County Land Use and Zoning Ordinance #439 to leave as constructed, two concrete block retaining

walls. The property under consideration is located at 18586 Cedar Lane, Richmond, MN 56368, on part of Government Lot 3, Section 31, T123N, R30W, Wakefield Township.

ACTION TAKEN: The Planning Commission recommended approval 6-1 with the following conditions (Mike Proell voted against the motion):

- A. If After the Fact work is recommended for approval, payment of \$525 After the Fact fee is to be submitted by January 2, 2018.
- B. If After the Fact approval is not granted, complete restoration of the slope (wall removal, seed and blanketing of the slope) must occur by June 30, 2018.
- C. In order to maintain the upper retaining wall across the eastern property boundary, applicant must obtain a usage easement agreement with neighboring property owner. It must be notarized and recorded for the permit to be valid. Easement agreement must be recorded by March 1, 2018.

4. To consider a request for a **conditional use permit** submitted by **Innovative Power Systems**, Roseville, MN on behalf of **Dean and Karen Meyer**, 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 300KW community solar garden on approximately 3 acres in the Agricultural 80 zoning district. The property under consideration is part of the SE1/4 NW1/4, Section 29, lying westerly of State Highway 4 in Section 29 of Grove Township (125/33).

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 \$15,000 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 a minimum of 5 years. 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. An approach permit is required from the MN Department of Transportation prior to issuing a construction site permit.

5. To consider a request for a **conditional use permit** submitted by **Larry and Mary Gutknecht**, South Haven, MN according to Sections 4.8, 7.32.1 and 9.3.5T of Stearns County Land Use and Zoning Ordinance #439 to locate a driveway on land that has a land evaluation and site assessment (LESA) score of 65 or higher. The property under consideration is Government lot 2, lying west of 4th Ave E and east of Lynden Lake, in Section 20 of Lynden Township (122/27). Property address is 16475 4th Ave E, South Haven, MN.

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

- A. The property owner shall obtain a new 911 address from the County and work with the Township to obtain a new 911 sign.

B. Remove the northern culvert and approach and restore the northern driveway to agricultural land by June 1, 2018.

6. To consider a **rezoning** request submitted by **Verna & Arlen Salmela**, South Haven, MN on behalf of **Vanessa Salmela**, South Haven, MN to rezone approximately 5.44 acres from the Agricultural 40 zoning district to the Residential 1 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 NE1/4, lying north of County Rd 44 in Section 5 of Fairhaven Township (121/28). Property address is 5288 and 5290 County Rd 44, South Haven, MN.

No action was taken, as there was an error in the public notice. It should have indicated rezoning to Rural Townsite, not Residential 1. This will be re-noticed for the January 18, 2018 Planning Commission meeting.

7. To consider a **rezoning** request submitted by **Cindy Stelten** on behalf of the **Hurrle Family Trust** dated March 9, 2000, Clearwater, MN to rezone approximately 20 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 SW1/4 SE1/4, lying north of County Rd 146 in Section 2 of Fairhaven Township (122/28). Property address is 2606 County Rd 146, Clearwater, MN.

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

8. Recommendations for 2018 Planning Commission representative appointments to Platting Committee and Parks Commission.

The Planning Commission recommended Jeff Bertram serve on Platting Committee and Ken Massmann continue to serve on the Parks Commission.

9. Minutes of October 19, 2017.

ACTION TAKEN: The Planning Commission unanimously approved the minutes.

10. Minutes of November 16, 2017.

ACTION TAKEN: The Planning Commission unanimously approved the minutes.