

# OTTER TAIL COUNTY PLANNING COMMISSION

Otter Tail County Government Services Center, 540 West Fir, Fergus Falls, MN 56537 218-998-8095

## April 20, 2005

Meeting of the Otter Tail County Planning Commission was held on April 20, 2005 at 6:30 P.M. in the Commissioner's Room, Government Services Center, Fergus Falls, Minnesota.

### **Roll Call:**

Members Present: Rod Boyer, Les Estes, Frank Lachowitz, Joe Maske, Bert Olson, Robert Schwartz, Richard Sha, David Trites, Rick Wilson and Leona Zimmerman.

Members Absent: None.

Nicole Hansen and Ryan Cheshire represented the County Attorney's Office and Bill Kalar represented the Land & Resource Management Office.

**Minutes of April 13, 2005:** It was determined by the Commission that the April 13, 2005 Minutes shall be considered at the May 11, 2005 Meeting.

### **Mark & Barb Lenius / Edna Township – Approved With A Condition:**

A Conditional Use Permit Application *as stated by the Applicant*. We are asking permission to finish the road on the dedicated roadway through Little McDonald Lake North Shore Estates and about 600 feet farther to a higher elevation for a supply of fill. This road begins near 911 address of 38051 and will end with a 120 foot cul-de-sac using about 2000 to 2500 cu. yds. of material. The property is described as NE ¼ ex trs & Lots 1 & 2 ex platted ex trs & dedicated rd bet Lots 4 Blk 1 & Lot 1 Blk 2 Little McDonald North Shore Estates, Section 3 of Edna Township; Little McDonald Lake (56-328), GD.

Mark & Barb Lenius represented the Application.

**Motion:** A motion by Sha to approve as presented provided the borrow area is restored and stabilized. **Voting:** All Members in favor.

### **U.S. Fish & Wildlife Service – Approved With Conditions:**

A Conditional Use Permit Application *as stated by the Applicant*. The U.S. Fish and Wildlife Service is seeking a Conditional Use Permit for development of a headquarters site. The property is described as N1/2 NE1/4 Ex Tr, Section 23 of Buse Township; Unnamed Lake (56-832), NE.

Kevin Brennan represented the Application.

**Motion:** A motion by Estes, second by Wilson to approve as presented, with the following Conditions: 1. Land & Resource monitors the erosion control. 2. The ash (material) from the burning of the trees must be removed from the site. 3. Will allow the work be done after September 1, 2005 provided it is completed by October 15, 2005. **Voting:** All Members in favor.

### **Charlie Grunewald – Approved With Conditions:**

A Conditional Use Permit Application *as stated by the Applicant*. To construct approximately 4,300 feet of road for ingress egress easement. The road will be constructed according to the minimum road standards of appendix 3 of Otter Tail County Subdivision Ordinances. The property is described as S1/2 NW1/4 Ex Tr, Part of N1/2 NW1/4...(71.78

AC), Section 8 of Dane Prairie Township; Unnamed Lake (56-626), NE & Unnamed Lake (56-623), GD.

Jim Peterson & Glenn Howe of Anderson Land Surveying represented the Application.

John Hatling requested to review the map and the proposed road.

**Motion:** A motion by Wilson, second by Sha to approve with the following conditions: 1. The recommendations of the Army Corps. of Engineers must be followed. 2. The unstable soil materials (i.e. wetland areas) must be removed from the site. 3. The Otter Tail County Highway Department must approve the approach, including the site distance. 4. Land & Resource Management must verify the non-existence of any wetlands between stations 800-1300. 5. Appropriate erosion control measures must be taken. **Voting:** All Members in favor.

**Naterra Land Inc. & Roderick & Genie Hendrick – Approved With Conditions:**

A Conditional Use Permit Application *as stated by the Applicant*. Construct 2,525 feet of roadway according to County & Township specifications to provide access to 8 parcels of land. There will be approximately 9,090 cubic yards of earth excavation and will require approximately 890 cubic yards of class 5. The property is described as Lots 5 & 6 ex flowage, Section 28 & N 554.3' of Lot 6 lying E of Highway, Section 29 & NW1/4 ex SW1/4 SW1/4 NW1/4, Section 33 of Friberg Township; West Red River (56-711), NE.

Scott Sealy (Naterra Land Inc. represented the Application.

Duane Mavis (Friberg Township) recommended a 100' landing area near CSAH 3 and indicated that the Township would not accept an easement (require the road to be dedicated to the public) as stated in their letter.

**Motion:** A motion by Sha, second by Boyer to approve with the following conditions: 1. The approach meets the approval of the Otter Tail County Highway Engineer. 2. The driveway for the existing farmstead must be eliminated from CSAH 3 and be relocated to connect to the proposed road. **Voting:** All Members in favor.

**Michael & Shannon Neustel – Approved With Conditions:**

A Conditional Use Permit Application *as stated by the Applicant*. Please consider this application a request for shoreline improvements. The improvements propose to remove an existing and failing stone retaining wall and storage structure which is contributing to a considerable amount of soil being exposed due to erosion along the shoreline. The design proposes to install new riprap along the waterline across the entire lot frontage as well as to install large boulder outcroppings complimented with select planting areas to protect the slope and reestablish a more natural and visually pleasing shoreline. With the implementation of ornamental clump grasses and other native plant materials we are able to provide a transition native in appearance and which blends well with the natural environment. The property is described as Sunlight Beach Lot 3 Block 1, Section 3 of Dunn Township; Pelican Lake (56-786), GD.

Mike Lloyd (contractor) represented the Application.

**Motion:** A motion by Schwartz, second by Lachowitzer to approve with the following conditions: 1. Within 2 weeks of starting the project, it must be completed. 2. Will allow a sand area just below the steps, between the riprap and the sidewalk. 3. Appropriate erosion control measures must be taken. 4. Land & Resource Management must be notified prior to starting the project. **Voting:** All Members in favor.

**Tom Gardner Et Al & Sverdrup Township – Denied:**

A Conditional Use Permit Application *as stated by the Applicant*. Construct 1800 feet of road. Construct 2400 feet of driveways. Abandon 1600 feet of road (273<sup>rd</sup> St). Total cut & fill in Shoreland Management Area is estimated at 10,000 yards. Construct a new road (28 foot top, gravel surface) 1800 feet in length to connect 330<sup>th</sup> Ave to Crappie Trail located approximately 1000 feet N of 273<sup>rd</sup> Street in Section 1 of Sverdrup Township, Otter Tail County, MN. This project also includes the construction of 2 private driveways to be shared by 6 property owners (combined length 2400 feet, gravel surface, 18 foot top). Upon completion of the new roadway, 273<sup>rd</sup> Street adjacent to East Lost Lake will be abandoned and removed from use. Not all of this project is within the Shoreland Management District. However, approximately 200 feet of the W portion and 500 feet of the E portion is within 1000 feet of the lake. Also, most of the driveway construction will occur inside the 1000 foot boundary to Public Water. This project will comply with MPCA Permit procedures. The long term benefit of this project is a safe roadway that does not conflict with the lake and shoreline environment. The property is described as Pt of GL 6 (Parcels A,B,C,D,E,F & G), Lot 9 ex 4.63 AC & portion of 273<sup>rd</sup> St., Section 1 of Sverdrup Township; East Lost Lake (56-378), RD.

Tom Gardner represented the Application.

Nelsene McGinn distributed a letter from Dale Graff (on file at Land & Resource Management) & expressed concerns regarding relocating 273<sup>rd</sup> St (increased traffic), no environmental study has been done, all property owners have not been kept informed & cost per land owners. Dan Stenoien (Sverdrup Township) indicated that the Township thought it would be a benefit to relocate the road, nobody will be denied access & that the Township thought it would be best if the landowners worked together on this. Tom Leuthner spoke in support of a cul-de-sac near their property and requested it be terraced. Jon McGinn indicated that the turn in the existing road can be lessened without being moved – could compromise to moving it and that he would like to see it on the ridge and not in the swamp; he expressed concerns regarding the cost of the project.

**Motion:** A motion by Sha, second by Maske to deny; reason being that the legal process for creating the road has not been completed. **Voting:** All Members in favor, except Olson and Schwartz.

**Break:** At 8:48 P.M., the Commission took a 12 minute break.

**Mike Haugrud – Approved With Conditions:**

A Conditional Use Permit Application *as stated by the Applicant*. Build up approx. 955 ft. of existing driveway easement 18” to 24” and place fieldstone rip rap to ensure minimal road erosion. (Map on file at Land & Resource Mgt. Office showing approximate yds of fill and class 5.) The property is described as Pt of GL 7 & pt of GL 8 ...(9 AC), Section 1 of Norwegian Grove Township; Grove Lake (56-952), NE.

Mike Haugrud, Barry Ahmann & Tom Olson represented the Application.

Harold Vorvick indicated that he did not have any objections as Mr. Haugrud needs his driveway; he expressed concerns regarding dust, safety & traffic & requested relocation near his property.

**Motion:** A motion by Schwartz, second by Wilson to approve the area marked in green (map dated 3/22/05); the area marked in yellow needs to be dealt with in another Permit, having the Township approve the project. The Applicant must work with Land & Resource Management. **Voting:** All Members in favor.

**Nidaros Township / East Battle Lake – Approved With Conditions:**

A Conditional Use Permit Application *as stated by the Applicant*: Reshape turn around at west end of Bush Hill Road to allow snow removal equipment to turn around and improve access to the end Lot 8 (45259 Bush Hill Rd). Up to 400 cubic yard of material to be excavated and hauled off site with a maximum cut of 2 feet. Construction to be done in conjunction with final grading of Greiner's property at 45299 Bush Hill Rd. Road and turn around will slope away from lake. Bluff to south will be avoided. Temporary and permanent erosion and sediment controls will be used. The property is described as West 200 feet of Bush Hill Road including easement over a portion of Lot 7 Bush Hill Country Bay, Section 2 of Nidaros Township; East Battle Lake (56-138), RD.

Jeff Stabnow (Project Engineer) represented the Application.

**Motion:** A motion by Trites, second by Maske to approve as presented with the following conditions: 1. There is appropriate erosion control measures taken on the Greiner property. 2. The road must slope away from the lake. **Voting:** All Members in favor.

**Nidaros Township /Clitherall Lake – Approved With A Condition:**

A Conditional Use Permit Application *as stated by the Applicant*: Install culvert and raise grade on existing township road to correct drainage and snow removal problems. Approximately 1,500 cubic yards of excavation/embankment will be utilized from within the right-of-way and adjacent borrow. Temporary and permanent erosion and sediment control measures will be used in all disturbed areas. 28' wide Nidaros Township cross section will be constructed. The property is described as Pt of GL 6, Section 1 of Clitherall Township and Section 6 of Nidaros Township & west ¼ mile of Erickson Road beginning at TH 210, Section 1 of Clitherall Township; extending north and east into Section 6 of Nidaros Township; Clitherall Lake (56-238), RD.

Jeff Stabnow (Project Engineer) represented the Application.

Beatrice Bakke had questions regarding the advantage of cutting the back slope.

**Motion:** A motion by Trites Second by Estes to approve as presented, allowing for additional softening of the slopes if approval is gained from Clitherall Township. **Voting:** All Members in favor.

**Discussion:**

**Per Diem & Mileage for Training:** Bill Kalar indicated that the County Board has authorized Planning Commission Members to receive per diem and mileage for attending training sessions.

**Green Cards:** Bill Kalar asked the Commission if the Green Cards (to be posted by Applicants) are still necessary now that the E-911 Addressing is available. The consensus of the Commission was to continue using them.

**Update on County Board's Guidance to Updating the Shoreland Management Ordinance:** Bill Kalar discussed with the Commission, that on April 19, 2005 the County Board (Board) held off on giving guidance regarding Shoreland Management Ordinance changes and on whether to extend the Moratorium on Cluster Developments (Commissioner Dennis Mosher was not present). The Board indicated that they want Bill Kalar to create an outline summarizing the comments (Shoreland Rules Revision Committee) & what issues should be addressed if a revision takes place. The Board will give their guidance on May 3, 2005 at which time they should have quorum.

**Adjourn:** At 10:26 P.M., Chairman Olson set the Meeting, the next Meeting is scheduled for 6:30 P.M. on May 11, 2005.

Respectfully submitted,

Marsha Bowman  
Recording Secretary