

# SHERBURNE C O U N T Y



*Sherburne County  
Planning Advisory Commission Meeting Minutes  
January 21, 2021  
6:00pm*

The Sherburne County Planning Advisory Committee met in the Board Room, with the Board Chair present at the Sherburne County Government Center in Elk River, Minnesota and the remaining members joining via phone (due to Covid-19) on January 21, 2021 to hold a public hearing for all unincorporated areas of Sherburne County in which the County has zoning and land use authority, along with the Township of Big Lake, the Township of Baldwin and the Township of Livonia, to consider the evening's agenda and other planning and zoning related topics.

Chairperson Bryan Lawrence called the meeting to order and roll was taken.

The following members were present via phone:

Roger Nelson, Blue Hill Township; Lila Spencer, Livonia Township; Steve Demeules, Palmer Township; Bryan Adams, Orrock Township; Terrance Vandereyk, Clear Lake Township; David Jehoich, Santiago Township; Mike Pesch, Haven Township and County Commissioner; Tim Dolan.

Present in the Board Room was Chairman, Bryan Lawrence, Baldwin Township and the following staff members; Zoning Administrator, Nancy Riddle; Assistant Zoning Administrator, Lynn Waytashek, Senior Planner, Marc Schneider; Planner, Mitch Glines; Secretary, Carrie Winter and Assistant Public Works Director/Deputy County Engineer, David Roedel.

Lawrence stated that each vote will occur with a roll call due to members attending via phone call.

Lawrence stated that the meeting was being recorded and announced that the Planning Commission is a recommending body. Items recommended for approval by the Planning Commission will be heard by the County Board of Commissioners on February 16, 2021 at 9:00am.

Nelson made a motion to approve the Public Hearing agenda for January 21, 2021. Demeules seconded. Motion carried and the Public Hearing agenda for January 21, 2021 was approved.

Spencer made a motion to approve the minutes from the December 17, 2020 Public Hearing. Nelson seconded. Motion carried and the minutes were approved for the December 17, 2020 Public Hearing.

**Agenda:**

1. **Election of 2021 Planning Advisory Commission Officers**
2. *(No Public Hearing Required)* **Sumser Farm** (Property owner Gregory & Karen Sumser): Requesting final plat approval consisting of (4) lots.
3. **Buck Run** (Property Owner Gregory & Karen Sumser): Request for revised preliminary and final plat approval consisting of (15) lots with a 38.81 acre Outlot A.
4. **Country Oak Meadows** (Property owner JDA Builders LLC): Request for preliminary plat approval consisting of (6) lots.
5. **Lindquist Acres North** (Property owner David Gruhlke & S Angstman Trust): Request for preliminary and final simple plat approval consisting of (3) lots.
6. **Hunter Estates** (Property owner Jethro Carpenter): Request for preliminary plat approval consisting of (5) lots.
7. **Karl Kalahar**: Requesting a Conditional Use Permit for Seasonal Storage.
8. **Benson Estates** (Property owner Trilogy Properties of MN LLC): Request for preliminary and final simple plat approval consisting of (2) lots.

**Agenda Item #1-6:10pm**

**Election of 2021 Planning Advisory Commission Officers**

Lawrence stated the current officers are Chair; Bryan Lawrence, Vice-Chair; Bruce Aubol and Secretary; Carrie Winter.

Lawrence then opened the elections for 2021.

Nelson moved to keep the current officers in current positions, Jehoich seconded.

The motion carried with a roll call vote, all in favor (Adams, Jehoich, Pesch, Spencer, Nelson, Demeules and Vandereyk) and the current officers were elected to continue their current roles for the 2021 calendar year.

## Agenda Item #2 -6:12pm

**Sumser Farm** (Property owner Gregory & Karen Sumser): Request for final plat approval consisting of (4) lots.

PID # 01-019-3300. Address: Not assigned, 19, Twp 35, Rge 26, Baldwin Township. 40 acres in the General Rural District.

Marc Schneider, Senior Planner, presented the request to the Planning Commission including the board packet, attachments and comments.

### PLANNING COMMISSION PACKET ATTACHMENTS:

- A. Aerial Photo
- B. Preliminary Plat drawings (revision date 01/11/2021)
- C. Final Plat (received 10/26/2020)
- D. Final Grading and Drainage Plans (revision date 12/03/2021)

**BALDWIN TOWNSHIP COMMENTS** (Received December 21, 2020): Approved with Township Engineer review Right of Way easement and drainage easement. See Planning Commission Comments:

- 1) Comment from Wes Davis, Engineer for Baldwin Twp
- 2) Cul-de-sac should be paved according to township standards and have a 66' easement around the cul-de-sac.
- 3) 294<sup>th</sup> goes to the property line.
- 4) Bituminous wearing course should be a mixture of SPWEA340C.

**Bogart Pederson & Associates (Wes Davis), Baldwin Township Engineer** (received on December 17, 2020) – All prior comments have been addressed and therefore would recommend approval.

### DEPARTMENT/AGENCY COMMENTS:

**David Roedel, Deputy County Engineer** (6/26/2020)

- 1. Sherburne County Public Works Engineering has no concerns with the preliminary Plat Application.
- 2. When future development of the property occurs, note that the Public Works access guidelines must be met. No street access directly to CSAH 9 will be allowed. Driveway spacing to CSAH 9 will be permitted to one shared driveway located at 660' minimum spacing to the nearest adjacent street or driveway.
- 3. Public Works will require \$3,200 in park fees for four (4) new lots.

**Russ Heiling, County Surveyor** (10/30/2020) All comments have been addressed

**Bonnie Jacobs, County Auditor's Office** (05/04/2020) No Comment.

**Mike Lindenau, Co Ditch Inspector** (05/06/2020) – No issues.

### PLANNING & ZONING STAFF COMMENTS:

- 1. The proposed project consists of four (4) new lots consisting of 11.5 acres from a 40-acre parcel. The remaining property will meet the minimum acreage of (20) to be left as a metes and bounds parcel.

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2. The developer is dedicating 66ft of Right of Way for the extension of 294th Ave, Baldwin township will require the builder to pay for the extension of 294<sup>th</sup> Ave.
3. The property to be developed is a vacant farm field.
4. This proposed project will disturb more than one acre of land and the developer has requested an NPDES permit for this project.

**RECOMMENDED CONDITIONS IF APPROVED:**

1. Public Works will require \$3,200 in park fees for four (4) new lots.
2. The remaining portion of PID 01-019-3300, will be a metes and bounds parcel, a new legal description will need to be prepared and recorded at the same time as the plat. The new legal description, with total area of the remaining parcel identified, shall be recorded in the form of a deed or such other form as may be approved by the County Attorney's Office.
3. Builder Pay for Extension of 294<sup>th</sup> Ave
4. ~~Evaluation of north/south traffic flows must be completed prior to final plat and submitted to Baldwin Township.~~
5. Must obtain driveway access permits from Baldwin Township prior to driveway construction.
6. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.
7. ~~If it is determined that an NPDES permit is required, this must be obtained before final plat approval.~~

**Planning Commission Discussion Followed:**

Howard Triggs, Developer, was present and had no additional comments.

Schneider stated that the applicant had complied with two (2) of the seven (7) recommended Conditions, leaving five (5) recommended Conditions of approval.

Nelson made a motion to recommend approval of the final standard plat of "Sumser Farm" with the (5) recommended Conditions. Demeules seconded.

**Conditions:**

1. Public Works will require \$3,200 in park fees for four (4) new lots.
2. The remaining portion of PID 01-019-3300, will be a metes and bounds parcel, a new legal description will need to be prepared and recorded at the same time as the plat. The new legal description, with total area of the remaining parcel identified, shall be recorded in the form of a deed or such other form as may be approved by the County Attorney's Office.
3. Builder Pay for Extension of 294<sup>th</sup> Ave
4. Must obtain driveway access permits from Baldwin Township prior to driveway construction.
5. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.

*The motion carried with all members voting via roll call in favor (Adams, Jehoich, Pesch, Spencer, Nelson, Demeules and Vandereyk) and the final standard plat for “Sumser Farm” is recommended for approval by the Planning Advisory Commission to the County Board.*

### **Agenda Item # 3-6:16pm**

**Buck Run** (Property owner Gregory & Karen Sumser): Request for revised preliminary and final plat approval consisting of (15) lots with a 38.81 acre Outlot A.

PID# 01-019-1200 Sec 19, Baldwin Township on 80.49 acres in the General Rural District and within the Natural Environment Shoreland District of Unnamed Lake #710054.

Mitch Glines, Planner, presented the request to the Planning Commission including the Board Packet, attachments and comments.

#### **PLANNING COMMISSION'S PACKET ATTACHMENTS:**

- A. Aerial Photo
- B. Revised Preliminary Plat (date stamped January 4, 2021)
- C. Final Plat 1-3 (date stamped January 4, 2021)
- D. Final Grading and Drainage Plans (date stamped January 4, 2021)

**BALDWIN TOWNSHIP COMMENTS** (received on December 14, 2020) – Recommended approval subject to the following:

- 1) Turn lane in construction plans
- 2) Verify if there is room for a by-pass lane
- 3) (2) lots on 138<sup>th</sup> to come off cul-de-sac
- 4) Aggregate to meet township standards
- 5) 66' easement around cul-de-sac
- 6) (2) lots on 136<sup>th</sup> to have shared driveway
- 7) Cul-de-sac to be paved to township standards

#### ***(Updated Township comments per revised drawings received on January 5, 2021) –***

The Baldwin Town Board, at their regular meeting held January 4, 2021, discussed the Buck Run revised final plat and had the following answers to your questions:

- 1. Discussion if the ponds were to be split and how would the drainage work. Engineer commented that they are building basins now and cannot make it one big basin and will have a culvert connecting the two. They will be installing a culvert for future driveway. Supervisor Lawrence had a question on Lot 5 wondering if that lot needs a culvert off the street and if it does have access. The engineer replied 'yes'. Supervisor Lawrence questioned if there was enough easement off of 138<sup>th</sup> Street for a possible future turn lane. The engineer replied, 'should work'. Supervisor Lawrence commented that Wes (Davis, Bogart Pederson) did not say we needed any more. Supervisor Lawrence commented that we made sure 138<sup>th</sup> Street is part of Outlot A and it shows and has access to 301<sup>st</sup> Avenue.
- 2. Supervisor Lawrence stated that the township is the drainage authority and they have drainage easements going through middle of lots. That may be the start of having problems but the lay of the land is not feasible. The engineer stated that they will have culverts that will be going in. Supervisor Lawrence stated that Wes (Davis, Bogart, Pederson) did not see much else. The plat has been finalized with us and this is a true revision.
- 3. The Town Board agreed that the proposed driveway locations look okay.

A motion was made by Supervisor Lawrence to approve the revisions to Buck Run and to include comments to the county as well as the final comments from the engineer (township).

**Bogart Pederson & Associates (Wes Davis), Baldwin Township Engineer** (received on December 17, 2020) – All prior comments have been addressed and therefore would recommend approval.

***(Updated Township Engineer comments per revised drawings received on January 4, 2021) -***

After review of the provided documents, the following comments are made:

Aggregate shouldering should be called out as material class 6B that is in accordance to the MNDOT Standard Specifications for Construction.

Provided that this comment and any additional comments made by the Township Board are addressed, I would recommend approval of the Plat Buck Run. *(Comment about aggregate addressed in plans)*

#### **DEPARTMENT/AGENCY COMMENTS:**

**David Roedel, Deputy County Engineer** (July 1, 2020) –

1. No concerns with the Standard Preliminary plat application. Not on a County Road.
2. The Sherburne County Public Works Department will require park dedication fees for the 14 new lots at \$800 per lot, totaling \$11,200. The lot with the existing house does not require park dedication fees. Park fees must be paid prior to the Public Works Department signing the plat mylars.

**Russ Heiling, County Surveyor's Office** (December 15, 2020) – All comments have been addressed.

***(County Surveyor's Comments about revised drawings received on January 5, 2021) -*** The lack of dedication of ROW for the stub road will not affect my preliminary plat comments

#### **PLANNING & ZONING STAFF COMMENTS:**

1. This proposed preliminary plat consists of fifteen (15) lots on 80.49 acres. The remainder of the land will be Outlot A consisting of 38.81 acres. The preliminary has been revised to not include a road right of way for 138<sup>th</sup>. The property that was to be right of way will be part of Outlot A. No roads or turn lanes will be constructed for phase I.
2. One (1) house (Lot 5, Block 2) and four (4) accessory buildings (Lots 4,5,7 Block 2) are proposed to be removed from the property. A) Removal of the buildings will require receipts from a licensed landfill. B) The existing well will need to be sealed per the Minnesota Department of Health requirements. C) The existing septic system will need to be pumped and abandoned per the Minnesota Pollution Control Agency standards. All the above must be completed and proper documentation submitted to the Zoning Office before Zoning will sign the mylars.
3. There is a field road on the west portion of the property that is proposed to be removed.
4. All of Lot 1, Block 1 and portions of Lot 2, Block 1 are in the Shoreland Overlay District of Unnamed Lake ID 710054.
5. County Staff has concerns with the drainage and utility easements on Lots 1 & 4, Block 1 and Lots 1,2 3,6,7,8 & 9, Block 2. Future owners may be unaware of the easements and alter them affecting the proposed drainage.
- ~~6. One new road (138<sup>th</sup> St) is proposed to be installed with the grading of Phase I. The Township will have to approve the grading and completion of the road if access is to be taken from it for Lot 5, Block 1 & Lot 1, Block 2.~~
7. The EAW has been completed and conditions have been added based on comments received during the EAW comment period.



**RECOMMENDED CONDITIONS IF APPROVED:**

1. Park dedication fees for 14 lots at \$800 per lot, totaling \$11,200. Park fees must be paid prior to the Public Works Dept signing the plat mylars.
2. A) Removal of the five (5) buildings will require a razing permit from Zoning along with a copy of the form “*Notification of Intent to Perform Demolition*” that must be submitted to the MPCA. The County also has a “*Pre-Determination Items of Concern Checklist*” that will also be required to be completed and submitted to the Zoning Department prior to a razing permit being issued. Receipts from a licensed landfill will also be required. B) The existing well will need to be sealed per the Minnesota Department of Health requirements. C) The existing septic system will need to be pumped and abandoned per the Minnesota Pollution Control Agency standards. Zoning will not sign the mylars until all documents have been submitted to the Zoning Department for the removal of the house and buildings, sealing of the well and abandonment of the septic system.
3. In response to the State Archeologist and Historic Preservation Office, at a minimum, the developer should provide all contractors with information on what to look for and requirements if archeological artifacts or human remains are found during the processes of construction of roads, stormwater pond construction, home or septic system construction. If anyone discovers an ancient cemetery or artifacts, they are required by law to immediately stop work and call local law enforcement first and the state archaeologist second.  
Information can be found at: <https://mn.gov/admin/archaeologist/the-public/resources/faqs/>
4. No drainage and utility easement, on any lot, can be altered without written township board approval.
5. Must obtain driveway access permits from Baldwin Township prior to driveway construction.
6. An NPDES permit must be submitted to the Zoning Department prior to being scheduled for final plat approval.
7. A Stormwater and Erosion Control Permit application is required to be submitted to the Zoning Department prior to being scheduled for final plat approval. No ground disturbance may begin prior to the Zoning Department issuing the Stormwater & Erosion Control Permit.
8. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.
9. ~~The plat shall include the culvert drawing for Lot #4.~~ **(Easement removed)**
10. The plat shall include lot #7 & #8 with combined driveways.
11. ~~It Lot 9 & 10 are to remain on 136<sup>th</sup> they must use a shared driveway.~~ **(Township ok with Lot 10 to access 299<sup>th</sup> per comments received).**

**Planning Commission Discussion Followed:**

Glines stated that two (2) Recommended Conditions, # 9 and # 11, have been stricken due to receiving revised plans and comments from the Township.

Lawrence stated that this preliminary plat was approved previously, and revisions have been made; the Commission will be voting on the revised preliminary plat and the final plat.

Lawrence stated that there is one correction that he wants to make; there is one turn lane on 301<sup>st</sup> St, approaching 136<sup>th</sup> St and that turn lane is still to be constructed.

Glines asked Lawrence to clarify.

Lawrence stated that the township talked with their engineer; there was a turn lane on 138<sup>th</sup> which has an easement for future turn lane construction. The turn lane that remains to be constructed with this plat is on 301<sup>st</sup> St and 136<sup>th</sup>.

Glines confirmed that this turn lane is still in the drawings. The main issue was on 138<sup>th</sup>; road construction and turn lane will no longer be.

Waytashek asked Lawrence to clarify if that turn lane needs to be constructed now with that plat.

Lawrence answered, "Yes."

Waytashek clarified that the only thing that is being constructed in the Road Right-of-Way is the turn lane.

Lawrence confirmed.

Glines stated that there were 2 turn lanes and now there is 1 turn lane.

Sam Deleo, 13 11<sup>th</sup> Ave N, St Cloud, came forward as the applicant's representative and stated that they are square on all of the Conditions and ready to go.

Lawrence confirmed that the applicant understood the Conditions.

Deleo confirmed.

Lawrence opened the Public Hearing. Two (2) Public Comments were received for the record. The comment from Donna Kriesel (no address received) was forwarded to the Planning Commission via email. Glines summarized that this is stating that there are considerable marsh and pond areas causing great concern for groundwater contamination, adding 15 lots on a parcel which only has enough high ground to build on. Glines stated that this is false, a majority of the parcel is buildable.

Glines then read in full, a Public Comment received earlier that day from an Anonymous member of the Public:

*"Hello,*

*I am submitting comments regarding the "Buck Run" plat approval.*

- *If Sumser farm continues to operate its grain dryers, it would be a good service to the neighbors, to upgrade the dryers with noise reduction. Now when the dryers run, there is a high pitched whine that runs day and night.*
- *If plots of farmland are not farmed with a crop, please plant a cover crop. This last year part of the normally farmed area (on 142nd Street) was left to weed. The weed seed blew, grew and reseeded extensively all along the roads, yards and areas within a large area.*
- *How is the water checked for availability and quality for more and more wells?*
- *Is there any preserved spaces for habitat for the displaced wildlife in this proposed areas?*

*Thank you for addressing these concerns,*

*Anonymous”*

Lawrence stated that there are 15 lots and one lot does not need a park dedication fee, even though the house will be removed, is this because there is a house on the lot?

Roedel stated that the aerial that was provided with the application had a home on it and therefore, with a structure being on there, park dedication fees would be excluded.

Glines confirmed that he had discussed this with Roedel and since there is a house there now, it is excluded.

Lawrence asked, even though they will be tearing it down and putting another one up?

Glines confirmed.

Nelson made a motion to close the Public Hearing. Adams seconded. The motion carried and the Public Hearing was closed.

Adams asked if it could be repeated what intersection will have a turn lane to be constructed?

Lawrence confirmed that this is on 301<sup>st</sup> St as it approaches 136<sup>th</sup> St; this is in the Northeast corner of the development.

Nelson commented on the letter that was read, stating that the dryers are over .5 miles away with trees in between so this should not be an issue.

Jehoich made a motion to recommend approval of the revised preliminary and final standard plat of “Buck Run” with the (9) recommended Conditions. Nelson seconded.

**Conditions:**

1. Park dedication fees for 14 lots at \$800 per lot, totaling \$11,200. Park fees must be paid prior to the Public Works Dept signing the plat mylars.
2. A) Removal of the five (5) buildings will require a razing permit from Zoning along with a copy of the form “*Notification of Intent to Perform Demolition*” that must be submitted to the MPCA. The County also has a “*Pre-Determination Items of Concern Checklist*” that will also be required to be completed and submitted to the Zoning Department prior to a razing permit being issued. Receipts from a licensed landfill will also be required. B) The existing well will need to be sealed per the Minnesota Department of Health requirements. C) The existing septic system will need to be pumped and abandoned per the Minnesota Pollution Control Agency standards. Zoning will not sign the mylars until all documents have been submitted to the Zoning Department for the removal of the house and buildings, sealing of the well and abandonment of the septic system.
3. In response to the State Archeologist and Historic Preservation Office, at a minimum, the developer should provide all contractors with information on what to look for and requirements if archeological artifacts or human remains are found during the processes of construction of roads, stormwater pond construction, home or septic system construction. If anyone discovers an ancient cemetery or artifacts, they are required by law to immediately stop work and call local law enforcement first and the state archaeologist second.  
Information can be found at: <https://mn.gov/admin/archaeologist/the-public/resources/faqs/>
4. No drainage and utility easement, on any lot, can be altered without written township board approval.
5. Must obtain driveway access permits from Baldwin Township prior to driveway construction.
6. An NPDES permit must be submitted to the Zoning Department prior to being scheduled for final plat approval.
7. A Stormwater and Erosion Control Permit application is required to be submitted to the Zoning Department prior to being scheduled for final plat approval. No ground disturbance may begin prior to the Zoning Department issuing the Stormwater & Erosion Control Permit.
8. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.
9. The plat shall include lot #7 and #8 with combined driveways.

*The motion carried with all members voting via roll call in favor (Adams, Jehoich, Pesch, Spencer, Nelson, Demeules and Vandereyk) and the revised preliminary and final standard plat for “Buck Run” is recommended for approval by the Planning Advisory Commission to the County Board.*



**Agenda Item # 4-6:27**

**Country Oak Meadows** (Property owner JDA Builders LLC): Request for preliminary plat approval consisting of (6) lots.

PID# 01-010-3400 Sec 10, Baldwin Township on 20.19 acres in the General Rural District

Mitch Glines, Planner, presented the request to the Planning Commission including the Board Packet, attachments and comments.

**PLANNING COMMISSION’S PACKET ATTACHMENTS:**

- A. Aerial Photo
- B. Preliminary Plat (date stamped December 16, 2020)
- C. Preliminary Grading and Drainage Plans (date stamped December 16, 2020)

**BALDWIN TOWNSHIP COMMENTS** (received on December 14, 2020) – Recommended approval subject to rectifying issues of concern by Township Engineer, Wes Davis in his letter and subject to:

- 1) To provide preliminary grading plan for review
- 2) Provide soil boring report for review
- 3) Indicate 100-yr elevation in low areas to show how lowest opening elevations were set
- 4) For Lot 4, Block 1, it is recommended to provide at least 140 feet of separation from driveway entrance to 310<sup>th</sup> Avenue.
- 5) Also, from Board Wind River estates mailbox concerns

**Bogart Pederson & Associates (Wes Davis), Baldwin Township Engineer** (received on December 17, 2020) – All prior comments have been addressed and therefore would recommend approval.

**DEPARTMENT/AGENCY COMMENTS:**

**David Roedel, Deputy County Engineer** (November 10, 2020) –

- 1. No concerns with the Standard Preliminary plat application. Not on a County Road.
- 2. The Sherburne County Public Works Department will require park dedication fees for the 6 new lots at \$800 per lot, totaling \$4,800. Park fees must be paid prior to the Public Works Department signing the plat mylars.

**Russ Heiling, County Surveyor’s Office** (December 15, 2020) – All Staff comments have been addressed.

**Mike Lindenau, County Ditch Inspector** (November 2, 2020) – I have no issues. Does not benefit from County Ditch #4.

**PLANNING & ZONING STAFF COMMENTS:**

- 1. This proposed preliminary plat consists of six (6) lots on 20.19 acres.
- 2. No new roads will be constructed.
- 3. The easement to the north of the property is an ingress/egress easement and not a dedicated right of way. If it ever is dedicated as right of way, structures may not meet the 67’ setback to the Township right of way.
- 4. There are no existing structures or septic systems on the property.

**RECOMMENDED CONDITIONS IF APPROVED:**

1. Park dedication fees for 6 lots at \$800 per lot, totaling \$4,800. Park fees must be paid prior to the Public Works Dept signing the plat mylars.
2. Must obtain driveway access permits from Baldwin Township prior to driveway construction.
3. An NPDES permit must be submitted to the Zoning Department prior to being scheduled for final plat approval.
4. A Stormwater and Erosion Control Permit application is required to be submitted to the Zoning Department prior to being scheduled for final plat approval. No ground disturbance may begin prior to the Zoning Department issuing the Stormwater & Erosion Control Permit.
5. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.

**Planning Commission Discussion Followed:**

Todd Olin, Landform Professional Services, 9464 193<sup>rd</sup> Ave SW, Becker, came forward to represent the applicant.

Lawrence opened the Public Hearing. Glines summarized the four (4) Public Comments received, which had been emailed in full to the Planning Commission members prior to the meeting:

Ray Hawkinson, 31034 115<sup>th</sup> St, Princeton who shared concern of the roads, additional traffic with County Rd 2 and 116<sup>th</sup> and if the roads are in good condition. Glines spoke with Roedel about County Rd 2 and this is scheduled for resurfacing in 2021 so this concern will be addressed this year. Glines stated that 116<sup>th</sup> is a Township Rd so he does not have information on that.

Patricia Martin, 11739 306<sup>th</sup> Ave, Baldwin Township, after a 4 year search, Martin found a house that she liked in the neighborhood to the South (of the proposed development). She loves living hear with the various wildlife that the semi-rural area affords. She is opposed to further new construction in this area due to the encroachment on the currently remaining habitat necessary to accommodate existing wildlife. Continued displacement of wildlife in an already sufficiently developed area is disturbing and unnecessary. Please take these concerns into consideration.

Wind River Estates Homeowners Association is concerned about the additional mailboxes, garbage routes and slowing down the township road. Lawrence added that if he remembered correctly, they were concerned about the traffic speed on the road.

Steven Wetrosky, 30845 116<sup>th</sup> St, Princeton emailed in questions, which Glines has responded to, wondering if this was single family homes, will each lot have own sewer or septic, to which Glines responded yes. He also asked if he would need to pay more for property tax, Glines responded that there are no public improvements but to contact the County Assessor's Office. He asked if the wetlands were being taken care of. Glines said that they were being delineated, there will be easements, Glines did not hear back from Wetrosky.

Waytashek added that all of these emails were forwarded to the Planning Commission members, so they all did receive these concerns in their entirety prior to the meeting and Glines was summarizing.

Lawrence stated that a resident did attend the Town Board meeting which was prior to the development, not because of the development and they were concerned about speed on the roadway. They have since done a speed study with the Sheriff's Department and have posted additional signage in that area to help alleviate some of the speed. There were a couple of outrageous (speeders) like they always find, but in general speed limits were not being drastically exceeded. This was a safety concern that came before the Town Board, it didn't have reference to the development, but Lawrence wants the Planning Commission to be aware because it's the same street and houses are being added to it.

Adams made a motion to close the Public Hearing. Pesch seconded. The motion carried and the Public Hearing was closed.

Adams asked if there was any consideration on combining driveways as they appear to be pretty close together.

Lawrence stated that this did come up at the Planning Meeting and it was decided that it met enough separation and it was not necessary. He then deferred to the applicant.

Odin stated that this was discussed at the Town meeting during the course of review and based on the number of homes and the capacity of the road, the location in relation to intersections, separated adequately, and according to the rules and regulations, they kept the individual driveways the way that they are.

Adams asked for clarification if the County required 600 ft increments.

Roedel added that access spacing guidelines on the County Roads vary from 330 ft for a local County Road to 660ft for a larger scale. This would be for any access point, whether it be a driveway or road. Without knowing the volume of traffic on this road, he cannot tell us whether it should be greater than 330ft.

Lawrence asked if there is a greater distance if it is closer to an intersection.

Roedel replied that the access spacing guidelines are the same with intersections and the guidelines vary from .25 mile to .5 mile from a true intersection, not a driveway.

Adams asked if the County Engineer has an issue with this driveway layout.

Lawrence stated that this is a township road and he would defer to the township.

Roedel confirmed that he will defer to recommendation of the township board.

Lawrence thanked Adams for bringing this up as it was something that the township discussed, it also came up that by combining driveways, you are not limiting the traffic. You still have the same amount of cars



that are exiting, hopefully not at the same time, they did not feel that the 3 additional access points made that much of a difference, not to mention, it can become a challenge for the homeowners to share a driveway.

Demeules asked what the speed limit is on this road?

Lawrence stated that it varies with the distance of the road, but on this stretch of road and it's either 45mph or 55 mph, he can't recall exactly, but on the North end of this road it's 55 mph and then reduced towards the South.

Demeules suggested a reduced speed limit for all of these driveways.

Lawrence said that he would take this comment back to the township and maybe ask for a speed study to reduce that.

Nelson made a motion to recommend approval of the preliminary standard plat of "Country Oak Meadows" with the (5) recommended Conditions. Demeules seconded.

**Conditions:**

1. Park dedication fees for 6 lots at \$800 per lot, totaling \$4,800. Park fees must be paid prior to the Public Works Dept signing the plat mylars.
2. Must obtain driveway access permits from Baldwin Township prior to driveway construction.
3. An NPDES permit must be submitted to the Zoning Department prior to being scheduled for final plat approval.
4. A Stormwater and Erosion Control Permit application is required to be submitted to the Zoning Department prior to being scheduled for final plat approval. No ground disturbance may begin prior to the Zoning Department issuing the Stormwater & Erosion Control Permit.
5. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.

*The motion carried with all members voting via roll call in favor (Adams, Jehoich, Pesch, Spencer, Nelson, Demeules and Vandereyk) and the preliminary standard plat for "Country Oak Meadows" is recommended for approval by the Planning Advisory Commission to the County Board.*

## Agenda Item # 5- 6:40pm

**Lindquist Acres North** (Property owner David Gruhlke & S Angstman Trust): Request for preliminary and final simple plat approval consisting of a (3) lots.

PID# 01-021-3300 Sec 21, Baldwin Township on 11.78 acres in the General Rural District and within the Natural Environment Shoreland District of Unnamed Lake #710042.

Mitch Glines, Planner, presented the request to the Planning Commission including the Board Packet, attachments and comments.

### PLANNING COMMISSION'S PACKET ATTACHMENTS:

- A. Aerial Photo
- B. Final Plat 1-2 *(date stamped January 20, 2021)*
- C. Preliminary Plat *(date stamped January 20, 2021)*

**BALDWIN TOWNSHIP COMMENTS** (received on December 14, 2020) – Recommends approval. Park fee collected in lieu of easement and subject to:

- 1) Reconciliation of driveway ordinance having 150' between driveways with obstructions in right of way on CR 9.
- 2) To consider that it is in the best interest for park committee to get \$800 per lot in lieu of any property exchange.

### DEPARTMENT/AGENCY COMMENTS:

**David Roedel, Deputy County Engineer** (November 13, 2020) –

- 1. Upon further review and discussion, Public Works will allow Lots 1 and 2 to share an access. Lot 3 access to CSAH 9 shall be as close to the east line as is practical and constructible. An Access Permit (driveway) will be required prior to the access construction and according to Public Works Engineering Standards.
- 2. The Sherburne County Public Works Department requests the western 75' of Lot 1 as park dedicated in lieu of the \$2,400 fee for 3 new lots at \$800 per lot. ***(email received 12/22/2020 from David Roedel to developer that the west 40.5' as proposed by the developer is acceptable for park dedication as opposed to the 75' originally requested from Public Works.)***

**Russ Heiling, County Surveyor's Office** (December 15, 2020) – All Staff comments have been addressed.

**Mike Lindenau, County Ditch Inspector** (November 3, 2020) – Property does not benefit from a county ditch. No issues here.

### PLANNING & ZONING STAFF COMMENTS:

- 1. The proposed preliminary and final plat consists of three (3) lots on 11.78 acres.
- 2. No structures or septic systems exist on the property.

### RECOMMENDED CONDITIONS IF APPROVED:

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1. The Sherburne County Public Works Department requests the western 40.5' of Lot 1 as park dedicated in lieu of the park fees.
2. An Access Permit will be required prior to the access (driveway) construction and according to Public Works Engineering Standards.
3. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.

#### **Planning Commission Discussion Followed:**

Michael Trunk, Land Surveyor, 306 7<sup>th</sup> Ave S, Princeton, phoned in to represent the applicant. He stated that Glines presented the information very well. At first, they didn't want to dedicate any park land because there is the already existing trail going through, Deer Trail to the East, which then curves around through that subdivision and then connects to an existing trail going North. They met with Roedel and Ritter in Public Works and discussed the future proposal for the trail going through there and since Gruhlke also owns land to the South, it seems that the intersection area of 293<sup>rd</sup> and 128<sup>th</sup> seems to be the safest area to place a crossing for the trail, if they do go North, they would be requesting the land instead of the monetary funds. Developer has no objections to splitting the driveway with shared access for Lot 1 and Lot 2, then the separated lot would be as far East as possible for Lot 3. This will put this close to an existing driveway.

Lawrence opened the Public Hearing. No one from the Public Spoke nor were any comments received for the Public Hearing.

Lawrence added to Trunk's comment about the easement to the East, the Railroad bed has been built all the way up to Livonia Township to Zimmerman, from Elk River, this would be a continuation, all though there is quite a stretch before you get to this location. Baldwin township did discuss this extensively and they are not opposed to the dedication at this point in time. Be aware that Baldwin did have a developer come in and offer to build a trail that does connect 293<sup>rd</sup> with 45, just to the East of this location, about a Block, Block and half from this location. 128<sup>th</sup> has wider shoulders and was revamped for this. If the Developer and the County Engineer have come to an agreement on this, Baldwin Township is okay with this and realizes that this is one of the only chances to add property there. Baldwin Township and Engineer know that there are several properties to the North that are privately owned and will need to be dealt with.

Lawrence read the (3) Conditions and confirmed that the applicant understood the Conditions. Applicant had no objections.

Demeules made a motion to close the Public Hearing. Spencer seconded. The motion carried and the Public Hearing was closed.

Nelson made a motion to recommend approval of the preliminary and final simple plat of "Lindquist Acres North" with the (3) recommended Conditions. Vandereyk seconded.

**Conditions:**

1. The Sherburne County Public Works Department requests the western 40.5' of Lot 1 as park dedicated in lieu of the park fees.
2. An Access Permit will be required prior to the access (driveway) construction and according to Public Works Engineering Standards.
3. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.

*The motion carried with all members voting via roll call (Adams, Jehoich, Pesch, Spencer, Nelson, Demeules and Vandereyk) and the preliminary and final simple plat for "Lindquist Acres North" is recommended for approval by the Planning Advisory Commission to the County Board.*

## **Agenda Item #6-6:49**

**Hunter Estates** (Property owner Jethro Carpenter): Request for preliminary plat approval consisting of (5) lots.

PID# 01-029-1100 Sec 29, Baldwin Township on 38.35 acres in the General Rural District and within the Natural Environment Shoreland District of Unnamed Lake #710042.

Mitch Glines, Planner, presented the request to the Planning Commission including the Board Packet, attachments and comments.

### **PLANNING COMMISSION'S PACKET ATTACHMENTS:**

- A. Aerial Photo
- B. Preliminary Plat (date stamped December 16, 2020)
- C. Preliminary Grading and Drainage Plans (date stamped December 16, 2020)

**BALDWIN TOWNSHIP COMMENTS** (received on December 29, 2020) – Recommend approval. Town Board would like Township Engineer to look at Lot 1 to ensure that it is okay for a typical septic system.

**Bogart Pederson & Associates (Wes Davis), Baldwin Township Engineer** (received on December 21, 2020) – There are no comments at this time and would recommend approval of the preliminary plat.

### **DEPARTMENT/AGENCY COMMENTS:**

**David Roedel, Deputy County Engineer** (December 11, 2020) –

- 1. Public Works Engineering approves the access locations along County Road 45 as shown, subject to approvals for the northerly access location meeting wetland setback requirements.
- 2. Public Works Engineering approves access to County State Aid Highway (CSAH) 9 as shown. Access shall be shared as noted. Access to existing house will be removed.
- 3. An Access Permit (driveway) will be required prior to the access construction and in accordance to Public Works Engineering Standards.
- 4. The Sherburne County Public Works Department will require park dedication fees for the 4 new lots at \$800 per lot, totaling \$3,200. The lot with the existing home is exempt from the Park dedication fee requirement.

**Russ Heiling, County Surveyor's Office** (December 15, 2020) – All Staff comments have been addressed.

**Mike Lindenau, County Ditch Inspector** (November 2, 2020) – I have no issues. Does not benefit from County Ditch #4.

### **PLANNING & ZONING STAFF COMMENTS:**

- 1. This proposed preliminary plat consists of five (5) lots on 38.35 acres.
- 2. No new roads are proposed to be constructed.
- 3. There is an existing house (built in 1910 per County records) with three (3) existing accessory buildings. The existing septic system has had a septic compliance completed and is compliant.

4. The house and one (1) accessory building are located in the 150' lake setback and 70' road right of way setback and are considered legal non-conforming structures. If these structures are destroyed by more than 50%, they must be rebuilt to meet the required setbacks.

**RECOMMENDED CONDITIONS IF APPROVED:**

1. Park dedication fees for 4 lots at \$800 per lot, totaling \$3,200. Park fees must be paid prior to the Public Works Dept signing the plat mylars.
2. An Access Permit will be required prior to the access construction and according to Public Works Engineering Standards.
3. Existing driveway to Lot 2, Block 1 is required to be removed per Public Works comments received.
4. The house and one (1) accessory building are located in the 150' lake setback and 70' road right of way setback and are considered legal non-conforming structures. If these structures are destroyed by more than 50%, they must be rebuilt to meet the required setbacks.
5. An NPDES permit must be submitted to the Zoning Department prior to being scheduled for final plat approval.
6. A Stormwater and Erosion Control Permit application is required to be submitted to the Zoning Department prior to being scheduled for final plat approval. No ground disturbance may begin prior to the Zoning Department issuing the Stormwater & Erosion Control Permit.
7. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.

**Planning Commission Discussion Followed:**

Jethro Carpenter, 1384 211<sup>th</sup> Ave, Oak Grove came forward as the applicant.

Carpenter thanked Glines for his efforts in this process.

Lawrence confirmed that Carpenter understood the Conditions.

Carpenter stated his understanding.

Lawrence asked the applicant to confirm that the driveways had been worked out with the County Engineer.

Carpenter confirmed.

Lawrence opened the Public Hearing. No one from the Public Spoke nor were any comments received for the Public Hearing.

Nelson made a motion to close the Public Hearing. Pesch seconded. The motion carried and the Public Hearing was closed.

Demeules made a motion to recommend approval of the preliminary standard plat of "Hunter Estates" with the (7) recommended Conditions. Spencer Seconded.

**Conditions:**

1. Park dedication fees for 4 lots at \$800 per lot, totaling \$3,200. Park fees must be paid prior to the Public Works Dept signing the plat mylars.
2. An Access Permit will be required prior to the access construction and according to Public Works Engineering Standards.
3. Existing driveway to Lot 2, Block 1 is required to be removed per Public Works comments received.
4. The house and one (1) accessory building are located in the 150' lake setback and 70' road right of way setback and are considered legal non-conforming structures. If these structures are destroyed by more than 50%, they must be rebuilt to meet the required setbacks.
5. An NPDES permit must be submitted to the Zoning Department prior to being scheduled for final plat approval.
6. A Stormwater and Erosion Control Permit application is required to be submitted to the Zoning Department prior to being scheduled for final plat approval. No ground disturbance may begin prior to the Zoning Department issuing the Stormwater & Erosion Control Permit.
7. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.

*The motion carried with all members voting via roll call in favor (Adams, Jehoich, Pesch, Spencer, Nelson, Demeules and Vandereyk) and the preliminary standard plat for "Hunter Estates" is recommended for approval by the Planning Advisory Commission to the County Board.*

**Agenda Item #7-6:55pm**

**Karl Kalahar** Requesting a Conditional Use Permit for Seasonal Storage

PID 25-012-1400 Sec 12, Twp 35, Rge 30 Haven Twp, 39.49 ac, in Agricultural District.

Mitch Glines, Planner, presented the request to the Planning Commission including the Board Packet, attachments and comments.

**PLANNING COMMISSION’S PACKET ATTACHMENTS:**

- A. Aerial Photo
- B. Business Description
- C. Site Plan (1-2)
- D. Security Camera View
- E. Site Photos (1-4)

**HAVEN TOWNSHIP COMMENTS** (received December 28, 2020): Positive Comment. No use of the fully open sided (25’ x 40’) building.

**DEPARTMENT/AGENCY COMMENTS:**

**County Attorney Office:** No comments received.

**David Roedel, Public Works Department:** No comments received.

**PLANNING & ZONING STAFF COMMENTS:**

1. The three existing buildings that were formerly used for farming operations will be converted to use as seasonal storage.
2. The building with no side walls is proposed to be used as seasonal storage. Staff does not consider this an enclosed structure and should not be used for seasonal storage.
3. The items and equipment proposed to be stored in the structures are boats, campers, ice fishing houses, snowmobiles, motorcycles, etc.
4. The seasonal storage is proposed to be in use January through December 24/7. Storage will be available by appointment/phone call.
5. The applicant has a security camera (attachment D) that has visual on one building.
6. There will be no public access to the buildings, unless escorted by the owner or their agent.

**RECOMMENDED CONDITIONS IF APPROVED:**

1. There shall be no exterior storage except for the personal storage of the applicant.
2. If the buildings used for the seasonal storage are damaged or destroyed beyond 50% of their value, as determined by the Building Official, they may be rebuilt for the purposes of seasonal storage but must be in accordance with the Minnesota State Building Code.
3. Lessees may not use the premises for any unlawful use. Lessees may not store any items outside of the building including but not limited to cars, trailers, mechanical equipment or parts, appliances, wood, any construction materials, any demolition materials, any equipment (other than farming) or solid/hazardous waste of any kind or nature. There shall be no storage or allowance of any type of



waste stream inside the building nor allowed on the lands. The buildings shall not be used for any living or residential use whether short or long term, including but not limited to residing in travel trailers, campers, tents.

4. The seasonal storage is proposed to be in use January through December 24/7. Storage will be available by appointment/phone call.
5. The building that does not have any side walls cannot be used for the seasonal storage business.
6. The public shall not have individual access to the storage facilities. All access shall be gained by the owner, employees or agents of the storage facility.
7. Any signage would have to meet the requirements un the Zoning Ordinance Sec 17, Subd 1.

**Planning Commission Discussion Followed:**

Karl Kalahar phoned in as the applicant and stated that the use of the open building was a wish list, the other buildings will work out perfectly.

Lawrence asked Kalahar if he understood the (7) Conditions.

Kalahar stated his understanding.

Lawrence opened the Public Hearing. No one from the Public Spoke nor were any comments received for the Public Hearing.

Pesch made a motion to close the Public Hearing. Spencer seconded. The motion carried and the Public Hearing was closed.

Pesch made a motion to recommend approval of the Conditional Use Permit for Seasonal Storage with the (7) Conditions. Adams Seconded

**Conditions:**

1. There shall be no exterior storage except for the personal storage of the applicant.
2. If the buildings used for the seasonal storage are damaged or destroyed beyond 50% of their value, as determined by the Building Official, they may be rebuilt for the purposes of seasonal storage but must be in accordance with the Minnesota State Building Code.
3. Lessees may not use the premises for any unlawful use. Lessees may not store any items outside of the building including but not limited to cars, trailers, mechanical equipment or parts, appliances, wood, any construction materials, any demolition materials, any equipment (other than farming) or solid/hazardous waste of any kind or nature. There shall be no storage or allowance of any type of waste stream inside the building nor allowed on the lands. The buildings shall not be used for any living or residential use whether short or long term, including but not limited to residing in travel trailers, campers, tents.
4. The seasonal storage is proposed to be in use January through December 24/7. Storage will be available by appointment/phone call.
5. The building that does not have any side walls cannot be used for the seasonal storage business.

6. The public shall not have individual access to the storage facilities. All access shall be gained by the owner, employees or agents of the storage facility.
7. Any signage would have to meet the requirements un the Zoning Ordinance Sec 17, Subd 1.

**FINDINGS:**

*No Conditional Use Permit shall be approved or recommended for approval by the County Planning Commission unless said Commission shall find:*

*Glines read the Findings and Pesch provided a response.*

1. That 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 diminish and impair property values within the immediate vicinity. **YES** or **NO** **WHY?**

***Yes, the proposed use is seasonal storage and it is not anticipated to diminish or impair values within the immediate area. The Seasonal Storage Business meets the condition of being established after January 3, 2006 and is located on a minimum of twenty acres of land. It is not located on a residentially platted parcel.***

2. That 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. **YES** or **NO** **WHY?**

***Yes, being used for vehicle storage; the proposed use will be used as seasonal storage.***

3. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. **YES** or **NO** **WHY?**

***Yes, the applicant is not requesting additional utilities beyond what is normal.***

4. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. **YES** or **NO** **WHY?**

***Yes, the property is 39.49 acres and has more than enough room for off-street parking.***

5. That adequate measures have been or will be taken to prevent or 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. **YES** or **NO** **WHY?**

***Yes, the things that are being housed are not anticipated to cause offensive odor, fumes, dust, noise and vibration to the immediate area. If it does it will be dealt with to resolve it.***

*The motion carried with all members voting in favor via roll (Adams, Jehoich, Pesch, Spencer, Nelson, Demeules and Vandereyk). The CUP for Seasonal Storage is recommended by the Planning Commission to the County Board for approval.*

**Agenda Item #8 -7:06pm**

**Benson Estates** (Property owner Trilogy Properties of MN LLC): Request for preliminary and final simple plat approval consisting of (2) lots.

PID# 30-024-1104 Sec 24, Livonia Township on 15.07 acres in the General Rural District and within the Shoreland District of public water 71002700 a Natural Environment Lake

Marc Schneider, Senior Planner, presented the request to the Planning Commission including the board packet, attachments and comments.

**PLANNING COMMISSION’S PACKET ATTACHMENTS:**

- A. Aerial Photo
- B. Preliminary Plat (received 11/23/2020)
- C. Final Plat (revision date 11/23/2020)

**LIVONIA TOWNSHIP COMMENTS** (received on November 24, 2020) Recommends approval.

**DEPARTMENT/AGENCY COMMENTS:**

**David Roedel, Deputy County Engineer** (November 2, 2020)

Sherburne County Public Works Engineering has no concerns with the preliminary and final Plat Application. The proposed lot split is not on a County Road.

**Russ Heiling, County Surveyor’s Office** (November 25, 2020) All preliminary plat survey items have been addressed.

**Mike Lindenau, County Ditch Inspector** (October 20, 2020) – Property does not benefit from a county ditch. No issues here.

**James Bedell, Area Hydrologist, MN DNR** (October 22, 2020) I have reviewed this proposed plat and it appears to meet dimensional requirements for a riparian lot on a Natural Environment basin. I would like to convey that public water 71002700 does extend all the way through parcel 30-024-1104 and partially through 30-024-1102, 30-024-1108 and 30-024-1205.

**PLANNING & ZONING STAFF COMMENTS:**

1. This proposed preliminary and final plat consists of two (2) lots on 15.03 acres.
2. The property is located within a shoreland district of a Natural Environment Lake. Both lots have nearly 5 acres of land above the Ordinary High-Water Level.
3. The property had a house well and septic that have been razed, all records and receipts for this work has been provided to the Planning and Zoning Department.
4. It should be noted that the developer has resolved a significant violation of the County Solid Waste Ordinance and has provided receipts for the removal of over **52** dumpsters of waste removed from this property.

**RECOMMENDED CONDITIONS IF APPROVED:**

1. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.

**Planning Commission Discussion Followed:**

Craig Wensmann, Bogart, Pederson and Associates, 13076 1<sup>st</sup> St Becker came forward as the representative of the applicant.

Lawrence opened the Public Hearing. No one from the Public Spoke nor were any comments received for the Public Hearing.

Dolan expressed appreciation to the developer for cleaning up the solid waste on this property.

Demeules made a motion to close the Public Hearing. Pesch seconded. The motion carried and the Public Hearing was closed.

Spencer made a motion to recommend approval of the request for preliminary and final simple plat approval of "Benson Estates" consisting of (2) lots, with the (1) recommended Condition. Nelson seconded.

**Condition:**

1. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.

*The motion carried with all members voting via roll call in favor (Adams, Jehoich, Pesch, Spencer, Nelson, Demeules and Vandereyk) and the preliminary and final simple plat for "Benson Estates" is recommended for approval by the Planning Advisory Commission to the County Board.*

**Closing:**

Pesch made a motion to adjourn the meeting. Nelson seconded. The motion carried and the meeting was adjourned at 7:12pm.

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Submitted by Carrie Winter, Secretary