

**SHERBURNE COUNTY
PLANNING ADVISORY COMMISSION MEETING
MINUTES**

February 15, 2018

The Sherburne County Planning Advisory Commission met at the Sherburne County Government Center in Elk River, Minnesota on February 15, 2018 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.

Lawrence called the meeting to order at 6:00 PM and advised that the Planning Advisory Commission is a recommending body to the County Board of Commissioners which will hear the agenda items on March 13, 2018 in this same location at 4:45 PM. He also went over the meeting procedures and noted that the hearings are being recorded.

Roll call was taken. The following members were present: Chairperson Bryan Lawrence, Baldwin Township; Roger Nelson, Blue Hill Township; Lila Spencer, Livonia Township; County Board Commissioner Ewald Petersen; Bruce Aubol, Big Lake Township; Bryan Adams, Orrock Township; Jeff Schlingmann, Haven Township; Terrance Vander Eyk, Clear Lake Township;

Members Absent: Stephen Demeules, Palmer Township; David Jehoich, Santiago Township

Staff present: Zoning Administrator Nancy Riddle; Assistant Zoning Administrator Lynn Waytashek; County Planner Marc Schneider; County Attorney Kathleen Heaney; Secretary Judy Weber.

Schlingmann moved and Spencer seconded to approve the agenda for February 15, 2018. The motion carried unanimously.

Nelson moved and Adams seconded to approve the minutes of the December 21, 2017 Public Hearing. The motion to approve carried.

6:00 PM ELECTION OF 2018 PLANNING COMMISSION OFFICERS

Nelson moved and Spencer seconded to nominate the same Officers as 2017 which includes:

Bryan Lawrence as Chairperson
Jeff Schlingmann as Vice-Chairperson
Judy Weber as Secretary

The motion carried unanimously to approve the same Officers as last year.

1. 6:00 PM A public hearing was held at the request of **DONALD E. AND MARY PROM** for Residential Preliminary and Final Simple Plat approval of "PROM ADDITION" consisting of 1 lot with an existing residence Property address: 782 55th Ave SE, St. Cloud Legal Desc: Pt of

NE1/4 (full legal on file) Sec 3, Twp 35, Rge 30 Haven Township 7 acres Agricultural District

Marc Schneider presented the request to the Planning Commissioners along with the following Packet Attachments, Comments and Recommended Conditions:

BOARD'S PACKET ATTACHMENTS:

- A. Aerial Photo
- B. Preliminary & Final Plat
- C. Letter from the Applicant.

HAVEN TOWNSHIP COMMENTS: The Township recommended approval with the following condition:

- If the applicants, their heirs or successors sell as separate parcels the lot or their west 40 acres , they must provide an ingress, egress and utility easement across the lot of at least 33 feet in width for access to the west 40 acres . The 33 foot width is to prevent anyone from asking the town to establish a cartway access to the west 40 acres.

OTHER DEPARTMENT/AGENCY COMMENTS:

- David Roedel – Assistant Public Works Director (November 16, 2017) Lot 1 Block 1 does not abut County Highway 62. However, it does utilize a shared access that connects to County Highway 62. No new access will be approved to County Road 62.
- Amy Rowan: Property Tax Manager (November 17, 2017) I do not see any issues with this plat.
- Russ Heiling, County Surveyor: (December 7, 2017) – All of concerns have been addressed for preliminary plat review.

STAFF COMMENTS:

1. The applicants are requesting to subdivide the existing home with 7 acres from a 67-acre parcel. The remaining 60 acres are not part of this plat and will remain metes and bounds.
2. The house on this property has road access to Tee to Green Street, but will continue to use the existing driveway to County Road 62 over the remaining 60-acre parcel, which is owned by the applicant.
3. There are three accessory buildings located on this parcel totaling roughly 5,300 sq. ft. The County's Zoning Ordinance restricts the total square footage of accessory building on platted parcel to 3,000 sq. ft. If approved this parcel will become nonconforming with ordinance limiting total accessory building size and will be governed by the County and State nonconformity rules.
4. The septic for the existing home was found to be in compliance on 11/10/2017.
5. There is a Conditional Use Permit for a Manufactured Home on this parcel. The manufactured home was removed in the late 1990s and the CUP is no longer needed. The applicant has submitted a request to revoke this CUP from this property.

RECOMMENDED CONDITIONS IF APPROVED:

1. Existing access to County Road 62 may remain but a new access will not be approved to County Road 62.
2. If the applicants, their heirs or successors sell as separate parcels the lot or their west 40 acres, they must provide an ingress, egress and utility easement across the lot of at least 33 feet in width for access to the west 40 acres. The 33 foot width is to prevent anyone from asking the town to establish a cartway access to the west 40 acres.
3. The applicant must revoke Conditional Use Permit Number 3543 Doc # 239783 at the same time the plat is recorded.
4. 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.

Adams questioned why the applicant is not being asked to have a 33' wide easement to the east of the plat similar to what is being requested to the west.

Schneider explained that was discussed early on. This parcel would have direct access to Tee to Green Street however, it was the township that expressed concern with creating an easement to the western 40 acres.

Adams asked what happens if the eastern acreage is sold off to someone other than the family. Will this proposed lot have to come off the road to the north?

Schneider explained that there is not enough land to do another split therefore, any kind of transaction with the property would involve the full 60 acres. He said the County is not recommending an easement across the eastern property to access Co Rd 62.

Lawrence suggested that if the 60 acres is ever sold out from the family, this proposed lot would have the option to directly access Tee to Green Street.

Riddle said at that point, they would have to create an easement if they wanted to continue to use that driveway to access Co Rd 62.

Aubol asked if the utilities that currently serve the proposed lot, run alongside of the existing driveway.

Charles Prom, 950 55th Ave SE, St. Cloud, representing Don Prom, replied that the utilities do come up the driveway and will remain, unless the lot is ever sold to someone outside of the family, at which time they would have to determine whether or not the easement should be relocated.

Discussion followed regarding the existing private easements that are located on the 60 acres.

Eyk asked why the utility easements are not shown on the property.

Heaney explained that there are two different types of utility easements, one that is dedicated to the public which is required to be shown on the plat, and then there are private easements between the landowner and the utility company. She said she has had a discussion with the

Proms regarding cleaning up that piece of the title. If the lot is ever sold in the future, there will have to be a disclosure in the sale about where those utilities are coming in and how they are going to be handled.

Adam asked if those easements should be cleaned up now so that we know how they are going to be taken care of upfront.

Heaney said it would be logical to do that now to ensure the easement is of record to service this new lot.

Lawrence noted that the proposed easement documentation should be a condition that is added.

Chuck Prom said their intention is to have his dad live on the seven acre farmstead and he would purchase the remaining 60 acres which will continue to be rented out for farming.

Lawrence opened the public hearing.

There was no one present. Nelson moved and Schlingmann seconded to close the public hearing. The public hearing was closed.

Schlingmann moved and Adams seconded to approve the request for Residential Simple Plat approval of "Prom Addition" consisting of 1 lot with an existing residence and with the four recommended conditions plus an additional fifth condition to read as follows:

1. *Existing access to County Road 62 may remain but a new access will not be approved to County Road 62.*
2. *If the applicants, their heirs or successors sell as separate parcels the lot or their west 40 acres, they must provide an ingress, egress and utility easement across the lot of at least 33 feet in width for access to the west 40 acres. The 33 foot width is to prevent anyone from asking the township to establish a cart way access to the west 40 acres.*
3. *The applicant must revoke Conditional Use Permit Number 3543 Doc # 239783 at the same time the plat is recorded.*
4. *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.*
5. *Place on the record an easement for utilities located to the east of the proposed lot and presently serves the proposed lot, and is codified with the execution of the plat and is recorded with the plat.*

The motion carried unanimously and is recommended to the County Board for approval.

2. 6:30 PM A Public Hearing was held at the request of **BIG LAKE INDEPENDENT SCHOOL DISTRICT 727 / ANDERSON-JOHNSON ASSOCIATES INC:** (Property owner is **Big Lake Independent School District 727**) to Amend existing I.U.P. # 56040 (Doc # 838676) for a Recreational Activity (Recreational Athletic Fields for Use by the Big Lake 727 School District) by eliminating the requirement to install curbing at the gravel parking lot and by

allowing the use of a portable public address system Legal Desc: NE1/4 of NE1/4 (full legal on file) Sec 20, Twp 33, Rge 27 40 acres Big Lake Township General Rural District

Marc Schneider presented the request to the Planning Commissioners along with the following Packet Attachments, Comments, the Existing Conditions and the Staff's Recommended Amended Conditions:

BOARD'S PACKET ATTACHMENTS:

- A. Site Plan
- B. Copy of Minute from 04/20/2017 Planning Commission
- C. Photos of site.

BIG LAKE TOWNSHIP COMMENTS:

The Board sees no reason to install curbing around the gravel parking lot and fields and the use of a portable, public address system is appropriate for the current use of the area. The Town Board recommends amending the current IUP so curbing is not required and the use of a portable P/A system is allowed.

OTHER DEPARTMENT/AGENCY COMMENTS: None

STAFF COMMENTS:

1. When this permit was originally heard by the County Board on 05/02/2017, the Board added three additional permit conditions to the Planning Commission's recommendations. Staff understood those additional conditions to be a reiteration of the responses made by the applicant to a neighbor's letter of concern and the discussion held at the public hearing.
2. A requirement of curbing around the parking lot was added to make sure that parking did not overflow into areas that were not designated for that purpose. Subsequently, County staff did recommend cement curb stops in lieu of installing full curbing, since the parking lots were going to be gravel. The applicant should describe more definitively how they will keep parking limited to the designated parking areas.
3. The County Board also added that there was to be no permanent or portable public address system allowed since that topic was of concern to the neighbor, the issue was discussed at the hearing, and the applicant stated they were not currently planning on having a PA system. Since the applicant is now asking for the ability to use a public address system, the hours of operation should be discussed and clearly defined if allowed.
4. After the original IUP permit was approved there was a lot of construction traffic on the east property line through an entrance that was not approved through the permit or in the approved site or construction plan. To ensure that those field roads are not used as a fast exit out of a school event, the applicant should identify how they will ensure that those exits will not be used by the public. If permanent barriers cannot be used, are temporary barriers an option.

5. The applicant is requesting to amend the existing Interim Use Permit to remove the following conditions:
 8. Install curbing around the edge of the parking lot.
 10. No use of a permanent of portable Public Address System.

On October 11, 2017 Steve Westerberg, Superintendent of Big Schools provided the following comment to support their request:

- 1) *There is no immediate plan to install field lighting on the new fields by Liberty. I would not want to project the location of light poles. [I]f lighting is installed in the future.*
- 2) *The district would install some type of barrier to prevent vehicles to be driven on the new fields; however, the cost of providing curbing is estimated at over \$75,000. The delineation between the fields and the parking lot is very evident to those who visit the site.*
- 3) *The district uses the site for an annual cross country meet. A portable PA system is used during this event. It is also very possible the youth associations for soccer, lacrosse, football, etc. will want to use a portable sound system when hosting tournaments. There is no plan to install a permanent sound system at this time; however, that may be something the community would want to do in the future. As noted in #1 above, there isn't a plan to install lighting at this point; however, the existing restrictions would prevent the district or community from doing so in the future.*

EXISTING CONDITIONS FOR IUP RECREATIONAL ATHLETIC FIELDS FOR USE BY THE BIG LAKE 727 SCHOOL DISTRICT. (Approved by County Board May 2, 2017):

1. All access to property must be from the west through the existing school parking lot access. No access will be permitted from the north to 205th Ave NW.
2. No wetland fill is proposed. A stormwater pond is proposed between the existing wetlands. The Wetland Technical Evaluation Panel will require that the property owner obtain a no loss certificate through the wetland conservation act. This may be obtained by contacting Zach Guttormson in the County Zoning Department.
3. Must obtain a Storm Water and Erosion Control Permit from the County Zoning Department prior to commencing work on the site.
4. Must provide the County Zoning Department with a copy of the NPDES permit prior to commencing any work on the site.
5. Excessive noise, glare, odors, traffic or other nuisances may be justification for the County to revoke or modify the terms of the IUP.
6. The IUP holder and/or property owner shall permit the County to inspect the property during normal working hours.
7. Adequate restroom provisions and garbage pick-up services shall be provided by the school district.
8. Install curbing around the edge of the parking lot.
9. No lighting allowed.

10. No use of a permanent or portable Public Address System.

Brian Lawrence read into the record the letter received today from Scott Adcock, 17533 205th Ave NW, Big Lake, Mn 55309, regarding the request by the Big Lake School District to amend the existing conditions of their I.U.P.

Lawrence invited the applicant to come forward.

Steve Westerberg, Superintendent of the Big Lake School District came forward to address the Commissioners. He reiterated that they would like to modify their I.U.P. to allow the use of a portable sound system and also to eliminate the requirement to install curbing around the parking lot, due to the great expense to the district and because it was not part of the original plan. As far as the sound system, he further explained that the school district has a cross-country meet each year and a sound system is typically used to run the event. He also noted that at some point, various association and youth groups will be using that field and could possibly request to have a sound system while they run their tournaments. He said he did not have an idea how often that could be.

Ewald said he objects to the portable sound system.

Adams asked why the change from the last time he came before board because he was pretty adamant they would not be needing a PA system.

Westerberg said the cross-country meet has been held for years and he did not remember that at the last meeting.

Schlingmann asked Staff if we have a provision in the ordinance for special events, which would allow the use of a PA system.

Riddle replied there is an I.U.P. called "Occasional Special Events"

Schlingmann asked who was there first, the school or the surrounding residential area. If the School came into an already established area, they should realize that they have a responsibility in a residential neighborhood to be a good neighbor.

Westerberg replied that the school was built in 2003.

Aubol noted that there were houses to the west and also on the eastern edge of the school property at the time the school was built.

Lawrence asked if this parcel was acquired after the school was built.

Westerberg said the school has owned this parcel from the beginning, it was just never developed.

Aubol explained his experience with the cross-country meet is that the business area is generally

held on the edge of the forest which is very near the school building and is west and outside of the parcel asking for the I.U.P. Mr. Adcock lives on the far eastern end of the new field.

Schlingmann commented if the main area of the meet is within the city limit area of the school grounds, you should be able to continue to use the PA system within those city limits.

Westerberg said he did not know where the starting point is located for those meets.

Aubol said that traditionally they start along the woods and then loop around the property, possibly using the new fields. He said that the broadcasting has traditionally been on the city property.

Adams pointed out that one of the issues with the construction appears to be that they did not follow the condition to mitigate excessive noise, dust and other construction nuisances. He said that is apparent according to the letter from Mr. Adcock.

Westerberg said unfortunately, this letter just arrived today and it did not give him a chance to have the people who were doing the work, come and speak for themselves. He said the township was notified and gave permission to use the lane. As far as the dust issue, he said it ended the day it was brought to his attention.

Adams asked if there were any issues with the wetland, he assumed they avoided it.

Westerberg replied that they did not disturb the wetland.

Riddle said she disagreed, because there was disturbance to that wetland.

Schneider said there were violations to the wetland that were documented during the construction of the field. He said basically 205th Ave was accessed without approval from the County, and there were dust issues, along with the wetland impacts. Once the County was notified they contacted the School District and the project was stopped for over a week. The violations were corrected.

Riddle asked the applicant who will be monitoring these conditions. She also noted that the School District should be listed first as the applicant since the I.U.P. is for the school and it should be attached to the owner of the property and not to the contractor doing the work.

Westerberg replied that he will be monitoring the permit, not the contractor.

Schlingmann said he understood the rationale for not putting in curbing in the parking lot. He said using curb stops could be a logical alternative.

Riddle explained that the County Board did add the condition for curbing, but later discussed the option of using curb stops to keep people in the general parking area.

Lawrence asked if it would be fair to say “anything that breaks the barrier between the grass and

the parking area”, whether it be wood posts with a cable between them, or woods posts every 4 feet, etc. He said his opinion is that we should not be so concerned that someone parks on their fields, although he did see a safety issue for kids.

Westerberg said that would be the position of the School Board.

Watashek made the suggestion that as a half way point on the parking issue, possibly there could be a requirement to add curb stops along the north side of the parking lot to prevent parking from impacting the wetlands and infringing upon the stormwater pond that was constructed on the property. She said it seemed obvious that they would not want to allow parking on their new athletic field.

Waytashek asked if the farm field access onto 205th, on the east side of the property that directly abuts Mr. Adcock’s property, has been removed and obliterated as was stated as a condition?

Aubol said it now has two posts with a chain across to restrict the access.

Lawrence commented that these two requests are very different issues and he recommended dealing with them with two separate motions.

Lawrence proceeded to read the Staff recommended conditions that reflect the proposed changes.

STAFF RECOMMENDED CONDITIONS IF APPROVED:

~~Stricken~~ = language to be deleted.

Underline = language proposed language.

1. All access to property must be from the west through the existing school parking lot access. No access will be permitted from the north to 205th Ave NW. The District will put some sort of barrier or signs so that the public does not exit events though the field roads that access 205th.
2. No wetland fill is permitted proposed. ~~A storm water pond is proposed between the existing wetlands. The Wetland Technical Evaluation Panel will require that the property owner obtain a no-loss certificate through the wetland conservation act. This may be obtained by contacting Zach Guttormson in the County Zoning Department.~~
3. The applicant must maintain compliance with the Stormwater and Erosion Control Permit until final vegetation has been established and approved by the Planning & Zoning Department. ~~Must obtain a Storm Water and Erosion Control Permit from the County Zoning Department prior to commencing work on the site.~~
4. The applicant must maintain compliance with their NPDES permit and provide the Planning & Zoning Department with the notice of termination once construction activity has ceased and final vegetation has been established. ~~Must provide the County Zoning Department with a copy of the NPDES permit prior to commencing any work on the site.~~
5. Excessive noise, glare, odors, traffic or other nuisances may be justification for the County to revoke or modify the terms of the IUP.

6. The IUP holder and/or property owner shall permit the County to inspect the property during normal working hours.
7. Adequate restroom provisions and garbage pick-up services shall be provided by the school district.
8. The applicant shall determine a method prohibiting vehicles from parking outside of designated area. Install curbing around the edge of the parking lot.
9. No lighting allowed.
10. The use of a portable public address system may be used or allowed during athletic sporting events Monday thru Friday 3pm to sunset and Saturday 8am to sunset. No use of a permanent or portable Public Address System.

Lawrence noted that condition # 8 allows the applicant to come up with ideas, but in the end we want to see prevention.

Riddle stated that she would prefer to require the applicant to tell us the specific method they are going to use for prevention so that it can be easier to regulate. If this Board can discuss now and come up with a decision, then the County Board does not have to spend their time doing that.

Adams asked if # 8 requires an approved plan or do they just need to notify the Zoning Office that they have a plan.

Heaney said the difficulty without having a specified plan, in the future if problems should arise, it gives her office nothing to enforce. It doesn't work to simply say that they need to come up with something.

Riddle agreed and she asked Westerberg if the idea of posts with cables would be something the School Board could work with.

Westerberg asked why the County would want to dictate regulations regarding their parking lot.

Lawrence said that the County's main concern is with the wetland and ponding area.

Waytashek noted that was just her suggestion as a half-way point. At the very least, the stormwater pond and wetland area along the northern edge of the parking lot, which also coincides with the area being closest to the gentleman that wrote the letter, needs to be protected.

Lawrence asked if a condition needs to be added specifying that the primary applicant is the School District.

Heaney said that we need to simply recognize that the I.U.P. goes to the ownership of the property itself and not to the contractor.

Riddle reminded that even though we are only discussing the southern half of the property, the I.U.P. and its conditions apply to the entire 40 acre parcel. An example is that you could have people parking in the irrigated farm field at some point in the future.

Heaney added that when you are talking about a portable sound system, it could be literally anywhere on the property if no restrictions are put in place.

Westerberg asked if this Board would have an issue if a PA system were to be located on the school property within the City limits.

Lawrence explained that this Board has no jurisdiction with what the City allows within their limits.

Waytashek asked if they could get a response regarding curbing verses cable and posts.

Westerberg said the School District will deal with this parking issue and he asked if this is the role of the County to dictate how they choose to manage their parking lot.

Heaney replied that since they are asking for this I.U.P., it is the role of the County to identify where the parking is located. She pointed out that there have been many cases, such as churches, special events or businesses where the County has identified specific parking areas, it is their prerogative.

Aubol asked how the county fair handles their overflow parking.

Heaney replied that there is a fenced in open field area that does not include curb stops.

Lawrence opened the public hearing.

There were no comments from the public aside from the letter that Lawrence read into the record earlier from Mr. Adcock.

Nelson moved and Adams seconded to close the public hearing. The public hearing was closed.

Lawrence continued by reading the Findings of Fact from Sec 18, Subd 6, Item 4 of the Zoning Ordinance into the record.

Nelson asked if the School District has a long range plan, and do they intend to come back in another 8 months asking for lighting. He suggested they should have come in all at once with their plan.

Westerberg said that lighting is simply not in the plan at all.

Schlingmann agreed that since these are two separate issues, they be handled with separate motions.

Schlingmann moved and Adams seconded to recommend approval of the Staff's amended conditions of I.U.P. # 56040 Doc 838676 #1 thru #9 with the change to # 8 regarding the parking area to read: "The applicant shall prohibit vehicles from parking outside the designated area."

Schlingmann commented how they prohibit vehicles is their own business. The Staff can monitor and if there is parking outside of the designated area then it is a violation of the permit.

Heaney said that is something they could enforce.

Westerberg asked if we put up a barrier and cars parked in places where they do not belong are we in violation of the permit.

Schlingmann replied that yes, you would be in violation because it is your responsibility to make sure that the parking area is secured to prevent people from parking outside of it.

Westerberg asked if that is a reasonable expectation. He said the community will also be using that area far more than the school will be. He asked if it is still up to them to monitor the parking in those cases.

Schlingmann explained that the property owner is responsible for the actions of anyone you allow onto your property.

Westerberg asked who is responsible for the fairground parking.

Schlingmann replied that the fairgrounds are not subject to an I.U.P. and they are monitored by the City of Elk River. He said the request here was to eliminate the permanent curb, and this condition does that. It will now be up to the School District to keep the people parking in the designated area.

Aubol said he felt that enforcement is onerous if the applicant puts up a fence posts and a cable and someone chooses to go around it. He suggested adding the words “make an attempt” to prohibit them. It is difficult to control the behavior of people who do not adhere to acceptable means.

Schlingmann stated if you are on someone else’s property and you are not complying with the rules and regulations of that event, you can be asked to leave.

Lawrence asked if that is necessarily the school’s responsibility.

Aubol said he understands but he thinks this goes beyond the spirit of the intention. It would be another expense for the School District to hire someone to enforce these conditions.

Schlingmann stated they have been granted special permission to do something and if it is too onerous, then they do not need to have the I.U.P.

Aubol said he was going to vote in favor of this motion with the hope that the enforcement is not too rigorous. He said he is hoping for a good outcome.

Schneider explained that it is very common for our Use Permits to have designated parking

areas. Many times signs are put up that state where parking is prohibited. He noted that the School District has paid a lot of money for the new turf, and they do not want people parking on it. There are practical ways to enforce this and the condition leaves the applicant some flexibility and also allows the County to act if we see continuous violations. Schneider added there are special concerns with the stormwater pond and the protected wetlands and the School District has invested a lot of money on this infrastructure. He also noted that he would like to reference the site plan B1 in the packet which was provided by the applicant that shows the designated parking.

Lawrence asked Schlingmann and Adams if they would like to add the Site Plan B1 as a friendly amendment. They both agreed.

The amended motion on the floor is as follows:

Schlingmann moved and Adams seconded to recommend approval of the Staff's amended conditions of I.U.P. # 56040 Doc 838676 #1 thru #9 with the amended change to # 8 regarding the parking area to read: "The applicant shall prohibit vehicles from parking outside the designated area as noted on Packet Attachment B1 which was provided by the applicant." The conditions shall read as follows:

- 1. All access to property must be from the west through the existing school parking lot access. No access will be permitted from the north to 205th Ave NW. The District will put some sort of barrier or signs so that the public does not exit events though the field roads that access 205th.*
- 2. No wetland fill is permitted.*
- 3. The applicant must maintain compliance with the Stormwater and Erosion Control Permit until final vegetation has been established and approved by the Planning & Zoning Department.*
- 4. The applicant must maintain compliance with their NPDES permit and provide the Planning & Zoning Department with the notice of termination once construction activity has ceased and final vegetation has been established.*
- 5. Excessive noise, glare, odors, traffic or other nuisances may be justification for the County to revoke or modify the terms of the IUP.*
- 6. The IUP holder and/or property owner shall permit the County to inspect the property during normal working hours.*
- 7. Adequate restroom provisions and garbage pick-up services shall be provided by the school district.*
- 8. The applicant shall prohibit vehicles from parking outside the designated area as noted on Packet Attachment B1 which was provided by the applicant.*
- 9. No lighting allowed.*

Westerberg asked if "no parking" signs could be adequate.

Schneider responded by saying that this Board is recommending leaving the decision up to the School District's discretion. If you find that the signs were not adequate, it may require more prevention measures.

Schlingmann reminded that this applies to all 40 acres of property covered by this permit.

Lawrence said they will trust that Staff will give suggestions or ideas that have worked elsewhere in similar situations.

The motion carried with one in opposition and is recommended to the County Board for approval.

Schlingmann moved and Adams seconded to recommend denial of the request for the use of a portable or a permanent public address system within the area that is governed by the I.U.P.

Heaney said, just to make it clear, this only applies to the land that is governed by the county and does not apply to land that is governed by the city.

The motion carried with one in opposition and is recommended to the County Board for denial.

7:15 PM Nelson moved and Spencer seconded to adjourn.
Meeting Adjourned.

Respectfully Submitted by:

Judy Weber, Secretary