

Polk County
Planning Commission
April 25, 2014

Call to Order: 9:00 A.M.

Members in Attendance: Kerry Winkelmann, Donovan Wright, Rolland Gagner, Osmund Moe, Dennis Yell, Robert Franks, Don Diedrich, Courtney Pulkrabek, Arlet Philips and Mike Powers.

Members Absent: Wayne Melbye

Also Present: Polk County Environmental Services' staff: Josh Holte & Michelle Erdmann

Minutes: A motion was made to approve the minutes from March 28, 2014 by Powers. Second by Moe. All in favor.

Public Hearing: Conditional Use Permit R.J. Zavoral Parcel #40.00018.03

Winkelmann read the notice of the hearing and turned the meeting over to Holte.

Holte said that the applicant is requesting to continue operating a Contractor's yard in Section 4 of Huntsville Township. The applicant was issued an Interim Use Permit in 2010 which was valid for a period of 3 years and could be renewed annually thereafter. The applicant received a one year renewal in 2013.

The property is approximately 40 acres in size. The applicant has submitted a supplemental information packet and a plan of operations to Polk County Zoning. Instead of having to renew the IUP annually, the applicant and staff felt that it was a good idea to apply for a Conditional Use Permit.

The applicant has received a Conditional Use Permit in the past from Huntsville Township for this project and is looking at renewal of this permit from the Township as well. The applicant is licened/bonded.

Joyce Barrett, neighbor, submitted comments stating her objection to the site being used as a landfill or dumping ground.

Holte then went over slides showing the applicants location, property and operational plan. Staff is recommending approval of the CUP with the following conditions:

- 1) The CUP shall remain in effect for so long as the conditions agreed upon are observed, provided nothing shall prevent the board from enacting or amending official controls to change the status of the CUP.
- 2) Applicant shall obtain any necessary permits through Huntsville Township to operate the contractors yard and comply with all Township rules and regulations, as we have joint permitting with Huntsville Township.
- 3) Applicant is bound by all of the applicable rules in the Polk County Zoning ordinance and must maintain compliance with those rules and those special conditions listed above as well as all State and Federal laws applying to this type of business.
- 4) The contractors yard shall be operated in accordance with the plan of operation and supplemental information package submitted as part of this permitting process.
- 5) No illegal dumping, disposing of waste, or landfilling shall be allowed on site.
- 6) Dust control measures must be in place to control the spread of dust for the adjacent neighbors.
- 7) The CUP is subject to Annual Administrative Review by Polk County Planning and Zoning to ensure all conditions of the CUP are being met.
- 8) The CUP shall expire with a change of ownership, or if the approved use is inactive for one (1) year or longer as determined by the Zoning Administrator.
- 9) Upon expiration/termination of the CUP the site must be restored to its original state and all materials listed in the Site Storage List shall be removed from the site within three months of termination notice.

Winkleman asked if there were any questions from the Board? Yell asked about run off. Pete Zavoral stated that there is a retention pond on the SE corner with a dike around it to control run off. They have a yearly visit from MPCA in Detroit Lakes that reviews the entire yard and monitoring wells that are on site and are tested yearly.

Franks asked if the northern edge of the property was an old railroad bed? Zavoral said yes it was. Their biggest problem has been kids horsing around. Pulbrabek stated that the rules/jurisdiction for the CUP would be the same as the IUP, so basically there are no changes except for not having to renew it annually.

Pulkrabek made a motion to recommend approval to the County Board with staff conditions. Second by Powers. All in favor.

This will go before the County Board on May 6, 2014 for final approval.

Winkelman adjourned the meeting. Next meeting is May 23, 2014.