

Polk County  
Planning Commission  
January 22, 2016

Call to Order: 9:07 A.M.

Members in Attendance: Donovan Wright, Robert Franks, Rolland Gagner, Len Vonasek, Mike Powers, Paul Jore, Courtney Pulkrabek, and Don Diedrich.

Members Absent: Wayne Melbye, Arlet Phillips, Dennis Yell

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

Minutes: A motion was made to approve the Planning Commission minutes from December 11, 2015 by Gagner. Second by Wright. All in favor.

Election of Chairman:

Powers called for nominations for Chairman.

Gagner nominates Powers.

Powers called 3 times for nominations.

Gagner asks that nomination cease and that unanimous ballot be cast for Powers to serve as Chairman.

Second by Pulkrabek. All in Favor. Powers is Chairman for 2016.

Election of Vice Chair:

Powers called for nominations for Vice Chairman.

Gagner nominates Franks.

Powers called 3 times for nominations.

Gagner asks that nomination cease and that unanimous ballot be cast for Franks to serve as Vice Chairman.

Second by Wright. All in Favor. Franks is Vice Chairman for 2016.

Old/New Business: Holte handed out to the members information regarding "rules of business" as a guideline along with Order and Dialogue for Chairing meetings for both the BOA and PC. He asked all members to review these and more discussion will take place at the next meeting. Along with these forms, we are also going to have a sign in sheet for all members and the public attending these meetings.

Powers asked about the need for a roll call for each vote taken during a meeting except for approval of minutes. Holte said he would look into this.

It was noted that the Agenda listed the first public hearing as EGF Rod and Gun Club followed by Kurt Larson. Erdmann stated that there was a mix up and based on the times on the notices mailed out and published, the first hearing would be Larson, followed by EGF Rod and Gun Club.

**Public Hearing:      CUP                      Kurt Larson                      Parcel #32.00188.06**

Powers read the notice, waiving the full legal reading, and turned the hearing over to Holte.

Holte stated that the applicants are requesting a Conditional Use Permit (CUP) to move in a 40' x 80' storage building that would contain 16 self-storage units on a 12.76 acre parcel of land located in the Agricultural Zoning District of Grove Park Township.

Holte read the PCZO sections 13.700 and 13.4240 that apply to this request.

Holte went over the pertinent facts and stated that the applicant owns a 12.76 acre parcel of land in the Ag zoning district of Grove Park Township. The property is located just outside the shore land zoning district of Maple Lake. The applicant received a CUP in 2015 to build a 60' x 195' 26 unit storage building.

The new building is proposed to be placed directly north of the building permitted in 2015. The building permitted 2015 has not been built yet and is planned to be constructed this year. The applicant has road access on the private road that was created for the Backlot Development. There will be no electric, water, or sewer connected to the building. There are no current plans, but the only possible electric needs would be for a yard light.

Holte stated that the building is proposed to have a 5' concrete apron around the units and a 50' wide gravel pad to allow people ease for backing/turning into the units. The building is proposed to be in line with the building permitted in 2015. It would be located 100' from the east property line and 60' north of the building permitted last year.

This building is a current storage building that will be moved from Mentor. The applicant stated that any potential conflicts will be minimized by the trees that they will be planting on the west property line, which was a condition of the 2015 permit.

The applicant stated that construction and planting of trees for the 2015 CUP had not begun as there were crops planted on this land last year.

No comments were received. Holte then went over slides that showed the application, property pictures, property maps and plans of where the buildings will be located (2015 and new one).

Staff is recommending approval of the CUP with the following conditions:

- 1) The new building must be setback 100' from all property lines.
- 2) The new building shall be setback 100' from the east property line.
- 3) The applicant must plant two rows of offsetting trees along the west property line to provide screening. The trees shall be of a type that will attain 6 to 8 feet in height and 50% opacity throughout the year within two growing seasons after planting. The trees shall be planted before 7/1/2016.
- 4) Permit shall be subject to annual administrative review to verify all conditions are being met and planted trees are being maintained and replaced as needed

Powers asked if Mr. Larson had anything to add? Larson said no. Vonasek asked if the plan is to construct both structures in 2016? Larson said one would be built (shed issued in 2015) and the other moved in from Mentor. Vonasek asked about the appearance? Larson said the new building would be grey in color and the one from Mentor is white, looks good just a different color. Vonasek asked about the plans for the remaining land. Larson said if needs are there, he would expand, otherwise the land will remain farm land.

Linda Hanson, neighbor, asked to speak. She had an update since the 2015 hearing. She stated that there are no buildings yet, no trees have been planted, no dust control has been done. The business in the private shed is still operating when they should not be allowed, 6 am-6 pm, 7 days a week. She stated that her swimming pool is gone, based on concerns she expressed at the 2015 hearing. Hanson also asked why can't they be required to finish the 1<sup>st</sup> plans to judge traffic and other concerns before permitting a 2<sup>nd</sup> building?

Powers asked about a distance from her home to the existing access road? Larson figured about 250' from private drive to the house.

Pulkrabek asked who controls the business problem operating out of the shed? Holte said he looked into it last year and saw no evidence. He believes it was addressed in the 2007 PUD's governing documents. That document has stuff built into it regarding a business operation. Holte said he can look into it again, however it is a separate issue, but a valid concern.

Powers asked about the number of buildings Larson has planned? Larson said just these 2 unless there are future needs to expand. He asked how many of the sheds on the PUD are left to construct. Larson said just two. Diedrich asked about the number of cars per day? Larson said a few, as that road is the only access to the property.

Gagner asked if there was a timeline for removing the building in Mentor? Larson said yes as there is new construction going up where the shed is in Mentor. He has asked and the mover can move the building to his site and let it sit till the area is ready.

Vonasek stated that the proposed building is no closer than the first one allowed and sees no reason to not allow this one. It doesn't set a precedent for future plans. He can also see the need for placing the move in building before the larger building is constructed. He asked if we can make dust control a condition? Holte stated that is already one of the standard conditions on every CUP, but would be wise to have separate condition if those are the wishes of the Planning Commission.

Diedrich stated that they are storage units and the number of cars will vary, so he isn't sure dust control is a needed expense.

Powers asked about the timeline for construction. Holte said that with a CUP or permit, you have one year to start the project and a 2<sup>nd</sup> year to finish it.

Vonasek made a motion to recommend approval with recommended staff conditions and an additional condition that dust control must be implemented and maintained on site along the private driveway/access road. Second by Jore. All in favor.

Holte stated that this will go before the County Board on January 26th for final approval.

**Public Hearing:        CUP                    EGF Rod & Gun Club                    Parcel # 18.00082.00**

Powers read the notice, waiving the full legal reading, and turned the hearing over to Holte.

Holte stated that the applicant is requesting a Conditional Use Permit (CUP) to repair and expand the existing club facilities for a shooting/trap range located on a 39.5 acres parcel of land located in the Agricultural/Floodplain Zoning District of Esther Township.

Holte stated that PCZO section 13.7000, 13.7015 and 17.5230 state the requirements for a CUP for this type of operation and he reviewed the requirements.

The East Grand Forks Rod and Gun Club owns a 39.5 acre parcel of land located in the Agricultural and Floodplain Zoning District of Esther Township.

The Rod and Gun Club was founded in 1927 and purchased this property in 1971. It has operated a shooting/trap range on this property ever since and various improvements have taken place over the years. The property currently consists of two 25 yard rim fire and pistol ranges, 50 yard, 100 yard, 200 yard, and 300 rifle ranges. Most have a covered firing line with multiple bench rests. There is also one single international trap range and a single station hand trap. There is also an archery range on site. There is also a clubhouse onsite that was built in 1994 and there is a septic system and port-a-potties located onsite.

The club has developed a long range plan of renovation and improvements for this facility which will be incorporated into this CUP. This current CUP will also address the movement of fill in the floodplain for the new trap range facility. Future expansion work involving the movement of fill may require new permits/CUP's.

Holte stated that the current project involves movement and repair of shooting backstops and berms to state specifications. This expansion is the addition of four new trap fields to be located on the southeast corner of the facility. This would include trap/skeet/five stand discipline and required walk ways that are ADA compliant. Additional electrical service and lighting will also be included in this expansion. Relocation of the firing line, clubhouse, storage area and replacement of the septic system are all in the future plans.

Holte added that the range is open to its members year round from 7:00 AM to sunset and open to the public at scheduled times and activities. There are currently primitive campsites located on the property for members and special events. Due to the growing demand for High School trap competition facilities, the club's plan is to expand the shotgun facility with four new trap fields. To accommodate these Trap Ranges on the thirty nine acre site, will require relocation of all of the clubs present rifle and pistol ranges and/or rearranging them to a certain degree. The club has long term architectural plans of the proposed revised rifle, pistol and shotgun range layouts for the facility. These plans also allow for the addition of a 400 yard rifle range.

The long term expansion plan will be broken down into three phases, which are outlined in the improvement plan that is on file with PCPZ. The first phase will start with the removal of the south hand gun range. The trees will be removed for the placement of four new trap shooting/skeet/five stand fields. The total area to be cleared will be approximately 100' x 630' with much of this already having been deforested. Mature growth trees will be maintained as much as possible. New 20' earthen back stops and sloping side berms shall enclose the north, south and west ends of the new trap range. Placement of concrete trap houses, proper lighting and ADA compliant walk ways and shooting platforms will follow the completion of site preparation. New electrical service for the lighting and new trap house will be added at this time as well. Additionally the men's and ladies outdoor bathroom facilities will be relocated.

Holte stated that the applicant has been applying for funding from the Minnesota Department of Natural Resources/other sources to assist in the new trap range. The applicant has provided PCPZ with a copy of certificate of insurance. The applicant has prepared an operation/improvement plan that is on file at PCPZ and Holte went through the operation/improvement plan. There is a secured entry gate used to access the club facilities. The club has a range evaluation report from the NRA that Holte explained and went through and is on file with PCPZ.

Since this is in the floodplain district the movement of over 1000 cubic yards of fill is a conditional use and is required for construction of the berms and backstops. As a result of this permanent vegetation must be established as soon as possible to minimize erosion concerns during times of flooding.

Holte mentioned that the club stated that with the nearest inhabited dwelling being a mile away the club keeping in mind the nature of the sport shooting industry maintains a reasonable set of hours to avoid sound disruption with neighboring properties. Landscaping, berms and backstops should help control sound pollution. The renovations of existing

backstops/berms and the addition of new backstops, berms and lane divides shall allow them to remain operating in a safe operating condition, meaning keeping all projectiles within the facility boundaries. Holte added that staff found 4 residential sites within 1 mile of the facility, but none within ½ mile.

Holte read comments received by Stephanie Klamm, DNR Area Hydrologist. She stated: In reviewing the application and supplemental information, it appears that the club house will meet the Shoreland setback requirements, but is in the Floodplain (AE Zone) according to the current floodplain map. The only comments that I would have is that the clubhouse meet the Regulatory Floodplain Elevation (RFPE) which is the Base Flood Elevation (BFE) + 1.5'. According to the current floodplain maps it appears that the property is at elevation 822 (NAVD 88), so the clubhouse would need to be above or near 823.5 (a more accurate BFE determination would need to be completed). Also, any other enclosed structures would need to meet the RFPE or if they are open structures they would need to be flood proofed.

Holte went through the slides showing the application, planned property improvements – Phases 1, 2, 3, their operational plan, Best management practices, aerial maps showing property location and the property as it is now. There were also diagrams, NRA range evaluations and current photos.

Holte stated that staff recommends approval of the Conditional Use Permit with the following conditions:

1. All of the requirements of PCZO 13.7015 will apply to the CUP.
2. An operations/improvement plan shall be kept on file with Polk County Planning and Zoning and updated as needed.
3. All activities currently taking place at the facility and future plans indicated in the submitted improvement plan shall be allowable with this CUP.
4. All grading and filling activities exceeding 1000 cubic yards of material may require a new CUP if not completed within 1 year of the date of issuance.
5. The certificate of insurance must be maintained on the property at all times.
6. No more than 500 people may use the club facilities at any given time unless approved by the Polk County Board.
7. The CUP will be subject to annual Administrative Review to ensure compliance with all conditions of this permit.
8. Any new buildings/sewage treatment facilities constructed on the property shall require a land use/zoning permit and shall meet all floodplain regulations.

Other conditions that the Planning Commission may wish to consider:

1. Adjust the number of people that may use the range at any given time.

Powers asked if the EGF Rod & Gun Club was present at the meeting. There were no members from the club present at the meeting.

Miles Gulbranson, son of neighbors Maynard & Ester Gulbranson, stated that his only concern is a wish for dust control in front of the two houses along the township road accessing the property.

Vonasek asked if the current clubhouse is large enough for classroom instruction? Franks said he would think 40-50 would fit in the clubhouse. Holte stated that the future plans call for a new clubhouse in a different location.

Powers asked about the Fosston facility we recently permitted? Jore stated that you can see things from the road, but he has not driven into the property. Holte stated that he will be doing an annual review soon.

Vonasek feels that a large number of people will mean lots of traffic and a need for parking. So he would like to address those problems now and not have to readdress issues at a later date. Franks said he believes in the past they have parked along the road, but believes the parking area has improved. Powers feels that 500 may be too many. Since there is no representative from the Club in attendance, is there any urgency? He would like to have a rep here to answer questions. Holte said we could table it until February or call him now.

Vonasek stated his concerns are with dust control, parking and clubhouse size. Gulbranson stated the dust control would only involve a portion of the township road where the houses are. He added that there is not a lot of traffic all the time.

Pulkrabek said they seem to have done lots of research regarding the expansion and was pleased with the work. Powers asked for the Boards wishes? Jore asked if the PZ office would be checking on this process? Holte said yearly checks are part of the conditions.

Jore made a motion to recommend approval to the County Board with staff conditions along with dust control along the township road where house are, every other year. Second by Pulkrabek. All in favor.

Holte stated that this will go before the County Board on January 26th for final approval.

Holte informed that Board that we have applications already for hearings for next month and there may be possible ordinance amendments soon.

Meeting Adjourned @ 10:40 a.m.