

Polk County
Planning Commission
December 11, 2015

Call to Order: 9:00 A.M.

Members in Attendance: Donovan Wright, Robert Franks, Rolland Gagner, Len Vonasek, Dennis Yell, Mike Powers, Paul Jore, Arlet Phillips, and Warren Strandell.

Members Absent: Courtney Pulkrabek, Wayne Melbye

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

Minutes: A motion was made to approve the Planning Commission minutes from October 23, 2015 by Franks. Second by Gagner. All in favor.

Public Hearing: Jon Hjelmstad Parcel # 30.00316.00

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 hook a new septic system to a new accessory structure located on his back lot on Maple Lake.

Holte stated the PCZO 18.2225 E states: No septic systems installed for use in an accessory structure without a CUP.

Holte went over the pertinent facts and stated that the applicant owns a riparian and non-riparian lot on Maple Lake. The total backlot size is 22,050 sq. ft.. The applicant's riparian lot contain a house and attached garage. There is also a small shed on the riparian lot.

The applicant recently combined two backlots together and there is also an existing 16' x 24' (384 sq. ft.) shed on the backlot. The applicant plans to build a new 40' x 60' (2400 sq. ft.) shed. The shed will meet all the setbacks and ordinance requirements. The applicant would like to connect the new structure to a new holding tank.

The new septic holding tank will meet all the setbacks and the applicant will be required to submit a new septic design and holding tank pumping agreement before the building permit is issued. The applicant will be required to complete and record a no guesthouse waiver before the building permit is issued.

Holte stated that the only comment received was from Stephanie Klamm, MnDNR Area Hydrologist, who stated that if the County approves this application the DNR would recommend the following conditions:

- a. Not allow more than 25% of a lot covered by impervious surface with the new accessory structure.
- b. The accessory structure meets all setback requirements of the Polk County Shoreland Ordinance.
- c. The accessory structure meets the height restrictions of 25 feet.
- d. No kitchen facilities or sleeping quarters shall be added to the structure in the future.

Holte then went over slides showing: the application, the complete letter from the DNR, the property maps and the property pictures.

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

1. No guest house uses – applicant shall have furnished evidence of having recorded the signed guest house waiver with the property deed before the building permit is issued.
2. No future development shall be allowed on the lot that would exceed the 25% impervious surface requirement. (this shall include sidewalks, patios, pavers, etc.)

Powers asked if Mr. Hjelmstad was present. He was and had nothing else to offer the group.

Yell asked if the driveway would be a problem for the impervious surface amount? Holte said no. Yell then stated that MLID does not have a problem with the request.

A motion was made to recommend approval with staff conditions to the County Board by Jore. Second by Vonasek. All in favor.

Holte stated that this will go before the County Board on December 15th for final approval.

Public Hearing: Stable Days Youth Ranch Parcel # 52.00128.01

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) operate a horse boarding, training and recreational property/facility in the Agricultural Zoning District in Section 28 of Nesbit Township.

Holte stated that PCZO 13.7012 states the requirements for a CUP for this type of operation and he reviewed the requirements.

Holte then stated that the applicants currently operate Stable Days Youth Ranch (SDYR) just outside East Grand Forks. They have a CUP to operate SDYR on that location and are permitted for a maximum of ten (10) horses. The applicant's recently purchased this 10.39 acre parcel of land in Section 28 of Nesbit Township. The property has previously been setup for horses and there are several outbuildings and pasture areas already established.

The applicants plan to utilize this property as a horse boarding facility, including stall and pasture boarding. They also plan to offer training, horse owner support, beginner lessons, program use with children, host community and educational events, and other various ranch activities.

The applicants have stated that they plan to have a maximum equine herd not to exceed 35 horses on the Nesbit Township property. The applicants have submitted a building permit application to build a 12' x 110' and a 12' x 40' area for additional stall enclosures.

Holte stated that SDYR is an approved non-profit incorporated in 2011 and managed by a Board of Directors and staff. According to the operational plan this property will have hours of operation between 9:00 a.m. to 9:00 p.m., seven days a week.

There is an existing home on the property that will be used as a rental property and occupied by the Facility Care Coordinator(s). The property contains a large barn and indoor heated arena and small barn and proposed 75' x 125' outdoor arena (to be built in spring 2016). The property will also contain 8 unheated stalls located in the small barn and 14 heated stalls located in the large barn. There will be a large tack room, observation and welcome room, horse wash bay, shop and onsite trainers for the property.

Holte stated that there is one neighboring residence within a ¼ mile, which will prevent this operation from being allowed to run as a feedlot. (the criteria for a feedlot in the Agricultural District is above 50 animal units). The closest neighboring residence is located approximately 900' from the applicants' property. There is only one other residence located within one mile of the applicant's property.

The applicants have talked to the West Polk SWCD to develop a manure handling plan and have submitted a non-registered feedlot application with West Polk SWCD. West Polk SWCD will need to approve of the operational/manure management plan before the CUP is issued. The applicants' operational plan stated that manure on this site will be stock piled, cleared and dumped biannually. Management will oversee the cleaning of stalls, paddocks, turn outs, the handling of manure piles, pests and outhouse servicing.

Holte added that outhouse servicing will be provided by M & K Porta-Potty and garbage service will be provided by Countywide Sanitation. (Both amenities will be located on the west side of the existing shop.) The applicants have an emergency plan included in their operational plan and have provided a copy of the certificate of insurance for the property.

No comments have been received besides the discussion with Nicole Bernd at the West Polk SWCD.

Holte then went over the slides that showed the application, property maps, pictures of the property, the operational plan and a SWCD letter and forms.

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

1. An operational plan is submitted and approved by Polk County Planning and Zoning (PCPZ). Days and hours of operation must be included in the operational plan. The facility must be operated in conformance with an approved plan of operation. – submitted and under review.
2. An acceptable manure handling plan must be approved by PCPZ and the West Polk SWCD. The handling of manure must be in accordance with the handling plan. – submitted and under review.
3. Considerations are taken to have the lowest impact possible on the neighboring residences.
4. The operation plan shall at all times be in compliance with all federal, State of Minnesota, and County of Polk rules and regulations.
5. The house on the property must remain a single family dwelling and may be rented.
6. SDYR will be restricted to a maximum of 35 horses at this location.
7. The property currently contains two parcels which must be combined before issuance of the CUP.
8. The CUP will be subject to bi-annual administrative review to ensure all conditions of this CUP are being met.

Yell asked about the height of the heaters above the floor/straw? Ben Lester stated that the stalls are not heated. Yell asked about a sprinkler system. Lester said they do not have one. There are multiple fire extinguishers located all over the property and they plan to add more.

Franks asked about the wash bay and where that would drain to? Lester said he has visited with West Polk SWCD about their options and are looking to go with the lowest impact option. Powers asked if they had met the neighbors? Lester said not yet, they have tried but no one was home at that time. Powers suggested that they meet them to help elevate any problems like at the other SDYR location. He then asked about the manure handling of biannually. Lester stated that it says 2 times a year, but realistically it will be more often as they don't want a nuisance. West Polk SWCD has offered suggestions.

Phillips asked about any possible traffic problems with events. Lester said that community events would not be large in size and they currently don't have plans for any. Vonasek asked about the number of people attending things on weekends? Lester said no specific plans, but the events would be small based on limits on the building area and size.

Holte then read over five additional requirements that are standard on a CUP resolution that goes

before the County Board. Strandell asked if Dahl, the previous owner, had a CUP? Holte said there is nothing in the records. Strandell said he never heard of any issues with the operation the previous owner had.

Phillips asked if riding will be maintained on the premises only? Lester said there is a possibility there would be riding done along township roads, not on private property.

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

Holte stated that this will go before the County Board for final approval on December 15th.

Holte then updated the group on Boundary Commission #1 and Boundary Commission #2.

Meeting Adjourned @ 9:50 a.m..