

Polk County  
Planning Commission  
December 13, 2013

Call to Order: 9:00 A.M.

Members in Attendance: Kerry Winkelmann, Donovan Wright, Rolland Gagner, Osmund Moe, Wayne Melbye, Dennis Yell, Robert Franks, Craig Bunes, Courtney Pulkrabek, Arlet Phillips and Mike Powers

Members Absent: None

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

Minutes: A motion was made to approve the minutes from September 27, 2013 by Gagner. Second by Bunes. All in favor.

**Public Hearing:      Re-Zone                      Jack Lorshbough                      Parcel #33.00124.00**

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

Holte stated that the applicant is requesting to rezone an 8.25 acres portion of his property located in Gully Township from Agricultural to the Industrial Zoning District. PCZO sections 16.4310, 16.4320 and 16.4330 list the requirements for re-zoning.

The applicant is in the process of purchasing an 8.25 acre portion of a 65.44 acre property in Gully Township, Section 29. The property is located along State Highway 92. The city limits of Trail lies directly across the township road to the east of this property. The property is currently zoned Agricultural. The applicant is proposing to operate a Reduction/Recycling facility which is a conditional use in the industrial district. The applicant plans to mainly recycle appliances inside the existing warehouse building.

No comments were received. Holte then went over the slides showing location and the property. Staff would like to leave judgment to the Planning Commission to determine if it is in the best interest to rezone this property to the Industrial District, but staff isn't opposed to the request.

If the Planning Commission decides to allow this property to be rezoned staff would like to see a condition be put on the rezone that the portion of this property being rezoned be split off to form its own 8.25 acre parcel within one year.

Powers asked why the property is not already industrial? Holte is not sure as the building has been there for 30+ years. Lorshbough stated that the plan is to finish the purchase of this property on Monday if all goes good with the hearings.

Elvin & Cindy Erickson – neighbors spoke. Mr. Erickson asked Holte to hand out a letter and photos that he wishes the Board to see. He stated that this is an agricultural use area. Putting in a weigh scale and scrap yard does not work. The pictures he handed out showed Mr. Lorshbough's facility and property in Pinewood, MN is a total mess. The Erickson's own three properties in Trail within ¼ mile of the proposed facility and one of them is their residence. Mr. Erickson asked what the Polk County Comprehensive Plan says about this type of facility? Holte replied that he is not sure without looking at the plan. Erickson said that the comprehensive plan should have a map that shows where future uses would be best. Holte said that he is not aware of a map. Erickson stated he would like a copy of the County's Comprehensive Plan. He also asked why the County would want this type of facility when the County currently operates a nice fun facility in Fosston.

Mr. Erickson then read the letter that was handed out – copy attached. Gagner asked Erickson where is properties are located? Erickson said one is a commercial property and two are residences, one that looks at the building. Lorshbough stated that he talked with several home owners across the road from the building and they stated that they have no issues, that it would be good for the community. Erickson said that he also spoke with them and they have concerns.

Powers asked if there are plans for any new buildings? Lorshbough said no, but he might tear down a couple of the old ones. Erickson said that he is a certified inspector for the State of Minnesota. Powers asked if it is possible to do the operation totally indoors? Lorshbough said for what his plans are now, yes, but if he expands to include scrap metal recycling, then no.

Holte stressed that what the Board is looking at right now is the request to Re-Zone the property. If a re-zone is approved, then Lorshbough will need a CUP to operate his business. Erickson asked, "how can you make that decision if you do not know what your comprehensive plan says".

Holte stated that section 10 of the PCZO states that a person has a right to apply to re-zone. Erickson then stated that he has a right to protest and that the comprehensive plan needs to be reviewed. Buness asked if we need more information? Winkelmann said that we need to determine that. Gagner asked about the square footage of the existing building and if it is adequate to do what he wants indoors? Lorshbough said it is approximately 20,000 sq. ft. in total.

Erickson asked about a fence? Lorshbough said not right now, but if things become an eye sore, he can install a fence. Erickson asked what if it becomes a dump site? Lorshbough said he would take care of it. Buness asked about the zoning in Clearwater County? Holte said they only do shoreland zoning and that Pinewood is in Beltrami County which Holte believes also only does shoreland zoning, but is not positive.

Buness stated he is concerned that we might not have the right information. Gagner asked how many acres the property was on the rezone we did last year for the same type of operation by Fertile? Holte said 5 or so acres, not much larger. Melbye asked if this is a time sensitive request? Holte said that the 60 days would be up before the next scheduled meeting at the end of January, but the

Board could ask the applicant to extend that time frame. Winkelmann stated that we need to decide one way or another. Powers stated he agrees with Bunes that we need more information.

Winkelmann asked Lorshbough if he is willing to extend the 60 day time limit? Lorshbough stated he has already extended things but that yes he would be okay with extending it. He also asked if there was anything that he should get or do such as signatures from neighbors? Winkelmann said it would be good to know the status of the people in the area. Franks would think people would be afraid of stuff piling up outside.

Cindy Erickson asked if this was approved by the MPCA? Lorshbough said that yes it was, he has paperwork.

Powers made a motion to table the re-zone hearing to the January 24, 2014 meeting. Second by Pulkrabek. It was suggested that staff review the information received here today from Mr. Erickson, the state statues, the Polk County Comprehensive Plan and anything else that might pertain to the decision. All in favor.

**Public Hearing:      Conditional Use Permit      Jack Lorshbough      Parcel #33.00124.00**

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

Holte recommended tabling this hearing till the next meeting on January 24, 2014 since the re-zone was tabled till then.

Pulkrabek made a motion to table the CUP request till January 24, 2014. Second by Moe. All in favor.

Melbye asked staff to do a packet of information regarding these hearings that include staff comments and thoughts.

Winkelmann adjourned the meeting. Next meeting is January 24, 2013.