

Polk County
Planning Commission
March 27, 2015

Call to Order: 9:00 A.M.

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

Members Absent: Courtney Pulkrabek and Arlet Phillips

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

Holte initiated introductions from all present members of the Board of Adjustment and the Planning Commission. Len Vonasek was introduced as the newest member of the Planning Commission following the resignation of Osmund Moe.

Minutes: A motion was made to approve the Planning Commission minutes from February 27, 2015 by Melby. Second by Jore. All in favor.

Public Hearing: CUP Fosston Area Sportsman's Club Parcel #61.00112.00

Powers read the notice of the hearing, waiving the full legal description, and turned the meeting over to Holte.

Holte stated that the applicant is requesting a Conditional Use Permit (CUP) to construct and operate a trap shooting range on a 22.4 acre parcel of land located in the Agricultural Zoning District of Rosebud Township.

Zoning Ordinance requirements are found in Section 13.7000 and 13.7015. Both sections were read to the group.

The applicant is leasing a portion of a 22.4 acre parcel in the Agricultural Zoning District in Section 13 of Rosebud Township from the Knight Riders Snowmobile Club. The property currently contains a 50' x 72' storage shed that is used by Knight Riders Snowmobile Club that was permitted in 2008. There is also a septic system on the property that was installed in 2008.

The applicant is applying for funding from the MnDNR to build the trap range. The applicant would like to layout and built a trap shooting range with the main use being for student shooting competitions. The Range would also be available for the public use on a limited basis. The Superintendent of Fosston Public Schools has written a letter of support for the trap shooting

range. If approved, Fosston Public Schools would look very positively at creating an option for students to participate in the Minnesota State High School Clay Target League.

Holte stated that the East Polk SWCD has viewed the location for possible wetlands and noted that the proposed location will not impact any wetlands. The applicant has liability insurance and additional insurance would be available from the MnDNR.

Holte added that the applicant has prepared an operational plan that is on file at PCPZ, and will be shown in a few minutes. The range will be used for trap shooting only. There will be 2 handicapped accessible port a potties used and maintained on the property and a dumpster will be provided. The trap range will be fenced with a gate from the parking lot.

The plan is to have around 20 students and 50 adults using the range at any given time. There will be a trap house, scorer bench and a storage container also placed on the site and incorporated in with the CUP.

Holte stated that the following comments were received:

Todd and Char Jevning, neighboring property owners submitted comments and are opposed to the Trap Shooting Range. (A complete copy of their letter is on file with PCPZ and was shown and read during the hearing).

David and Helen Larson, neighboring property owners submitted comments and are opposed to the Trap Shooting Range. (A complete copy of their letter is on file with PCPZ and was shown and read during the hearing).

Holte then went over slides showing the property location, the property, the letters from neighbors, the operational plan and other pertinent information.

Holte stated that staff is recommending approval of the CUP with the following conditions:

1. All of the requirements of the PCZO 13.7015 will apply to the CUP.
2. All of the conditions in the approved Operational Plan must be followed. Any minor changed to the Operational Plan must be reviewed and approved by Polk County Planning and Zoning.
3. The trap range may be used for trap shooting only. Any additional shooting activities or shooting ranges on site must be authorized by a new CUP.
4. The certificate of insurance must be maintained on the property at all times.
5. No more than 100 people may use the trap shooting range at any given time unless approved by the Polk County Board.
6. The CUP will be subject to annual Administrative Review to ensure compliance with all conditions of this permit.
7. The trap shooting range must not be located over the existing septic drain field onsite and the drain field shall be staked and properly identified.

Holte added that the Planning Commission may wish to also consider the following conditions:

1. Set hours of when the range can be operated during the day.
2. Adjust the number of people that may use the range at any given time.
3. Set hours and days when students may use the range and when school events can be held.

Yell commented that he thought the noisiest time for the neighbors would be Sept-Nov and we need to set times for neighbors to know what is going on. Randy Rue spoke and said that the High School (HS) season is actually March-May. They are planning one, possibly two nights a week for shooting. There will be no large events/tourneys held there. The only travel for the students is to regionals or state tourneys which are held elsewhere.

Jore stated that the yearly review could also adjust the hours of operation. Rue stated that HS students would practice afterschool probably between 3:30-6:00. One night would be for league shooting, and that would probably have a start time of 5:30 or 6:00 into the evening. No weekends are planned.

Powers asked if there would be lights for night shooting? Rue said no. He also stated that they would be using 20, 16 or 12 gauge shotguns with trap load only. Melbye asked if they had any plans to change it over to a rifle range? Rue said no. However they are also working with Win-e-mac and Bagley schools to allow them to participate.

Powers asked about the number of kids? Rue said maybe 20, could be slightly more if the other schools wish to join. They are hoping to get the kids that are not athletically involved to participate. It is a sanctioned sport so the student has to maintain their grades in order to participate.

Yell said that noise could be an issue but feels that the neighbors would be able to adjust over time. Ross Jackson, a neighbor spoke up about his concerns. He lives 1/3 of a mile north of the proposed site.

Jackson said he did some investigating and found that there are 11 people/homes within a mile radius of the proposed site. There are 4 people/homes within 1/2 mile. At the Lake of the Woods range, referenced in the Fosston Superintendent's letter there are 2 neighbors within a mile and at the Crookston range, there is 1 neighbor within .8 miles, the rest are over one mile away.

Jackson asked if the DNR has been contacted? Rue said that they have. Jackson expressed concern over a waterfowl area north of the site and nesting areas on his property that would be disturbed by the shooting range. He also went on to talk about State Statute 87A regarding shooting ranges and the noise standards found in 7030. The decibel level needs to be under 65, however the state statute lowers that to 63. Per a study done by the Michigan DNR in 2008, the decibel levels downrange 1 to 1 1/2 miles was about 44-64 decibels and that was with a 7' earthen berm between the range and the test area. So based on that study, Mr. Jackson figures the decibel level at his property would be over the allowed levels. That would mean that the shooting range would fail the state statute requirement. He is also concerned with Hwy 2 being within 50-300 yards. He feels that is too close in proximity.

Jackson also mentioned that he checked on the internet and found that the average drop in property values for land/homes around a shooting range were between 7-30%. So everyone within 1 miles area should be asking for property values and thereby property taxes be lowered. He feels that there should be a close enough gravel pit that would be a better fit.

Powers asked for clarification as to where Mr. Jackson got the 7-30% property value drop? Jackson said he found it off the internet. Jore asked if the DNR had any comments. Holte said we have not received any.

Melbye asked about how many lanes were in operation during the study in Michigan? Jackson said four lanes with 5 shooters at each. Rue said that their plans are for one lane with 5 shooters. Melbye said he doesn't feel that that would exceed the decibel level, having only one lane.

Vonasek stated it sounds like there would be 3 months that students would be using the range and then summer/fall for league shooting. So basically it would not be year round use but only 6 months. Powers asked if there were any other questions?

Yell asked about the hours and how they would be set? Jore stated he is uncomfortable setting hours without knowing exact plans. Rue said that they can come back once things are more set for approval of hours. Melbye asked if they were to change the hours, would they need to come back?

Gagner made a motion to recommend approval with staff conditions and review in fifteen months by staff.

Jackson commented that the noise problem could come up after they are up and operational and they could be closed down if the noise is too high and then they would be out a lot of money. Melbye stated that the club should understand the risks.

Gagner asked about the ability to install a berm of fast growing trees to buffer. Jackson said he would be willing to give the board the information to go and find the Michigan study and review it.

Jore seconded Gagners motion. Powers called for questions or discussion on the motion. Holte said he would prefer that the Board set the parameters right now rather than adjust as needed with yearly reviews. Wright also commented that the hours should be set here. Powers they suggested 3:30 - 8:30 as hours. Holte said that since sunset times change maybe that should be used.

Melbye suggested hours of operation be from 3:00 to ½ hour before sunset.

Holte also suggested that they consider adding one other condition: that they need to follow all State Statutes.

Jackson then asked if they are allowed to operate seven days a week?

Melbye suggested a maximum of 3 days of operation/use per week to accommodate weather situations. Ganger asked if the club is okay with that? Rue said yes.

Melbye then suggested amending the motion to include the additional conditions so that the hours of operation be from 3:00 p.m. to ½ hour before Sunset, maximum 3 days operation/use per week and that the club needs to follow all State Statutes. Gagner stated that Melbye's amendment to his motion is okay. Second by Jore.

Gagner stated that the main purpose is for the kids. Powers asked if there was any other questions or discussion? Powers then called for a vote on the motion. All in favor.

Holte stated that this will be going before the County Board for final approval on Tuesday, April 7th at 9:30 a.m. He also said anyone is welcome to attend that meeting.

New/Old Business:

Boundary Commission #1 update: Holte stated that we are in the Judicial review process and things are being held up by a local attorney representing an affected party. It could be a while before things are finalized. We are monitoring things closely.

Boundary Commission #2 update: Holte stated that we are close to wrapping things up with the DNR. Hopefully within a couple weeks things will be ready to move forward.

Aquatic Invasive Species: Holte stated that he is looking to have a kick off meeting with interested parties soon to look at the funding and aid the County is receiving.

Holte also stated that there might be a small plat to bring before the Planning Commission at the next meeting.

Melbye made a motion to adjourn the meeting at 10:00 A.M. Second by Gagner. The next meeting is scheduled for April 24, 2015.