

Polk County
Planning Commission
April 26, 2013

Call to Order: 9:00 A.M.

Members in Attendance: Kerry Winkelmann, Donovan Wright, Rolland Gagner, Courtney Pulkrabek, Osmund Moe, Craig Buness, Dennis Yell, Robert Franks 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 February 22, 2013 by Powers. Second by Gagner. All in favor.

Holte, the new Planning and Zoning Administrator introduced himself to the members.

Public Hearing: Conditional Use Permit David Eischens Parcel #74.00249.00

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

Holte stated that the applicant is requesting to seek a Conditional Use Permit (CUP) to construct a 1575 square foot accessory structure on his lot which is located on Anderson Lake (Connected to Union Lake) in Garden Township.

Holte reviewed Polk County's zoning requirements for this request which is covered in section 18.2225 (f). The applicant owns a riparian lot on Anderson Lake that is 54,808 sq. ft.. He would like to construct an accessory structure larger than the allowed 800 sq. ft.. The proposed structure is proposed to be approximately 160 feet from the OHW and meet all setbacks. There are currently no buildings on this parcel.

The DNR area hydrologist, Stephanie Klamm, stated that as long as the applicant meets the requirements of Section 18.2225 (f) of the zoning ordinance she doesn't foresee any issues with the application for the CUP.

Holte when went over slides showing the property and location of where the shed will be located. Staff is recommending approval of the CUP with the following condition: the applicant shall maintain adequate vegetative screening between the 1575 sq. ft. structure and the OHW for Anderson Lake.

Yell asked if the shed is going to be used for storage or for living space with a bathroom? Eischens stated it would be for storage only.

Gagner made a motion to recommend approval to the County Board with staff recommended conditions. Second by Yell. All in favor.

This will go before the County Board of Commissioners on Tuesday, May 7, 2013 for final approval.

Public Hearing: Conditional Use Permit Minnkota Power Parcel #29.00156.00

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

Holte stated that the applicant is asking for a Conditional Use Permit for the construction, maintenance and operation of a single pole overhead electrical transmission line in Section 31 of Gentilly Township.

Holte went over the PZ ordinance requirements in Section 12.6300 for the CUP request. The applicant received a CUP last fall to locate a substation on property (13.00221.00) owned by Margaret Lanctot. They also received a CUP to locate a transmission line running across land (13.00220.00) owned by Neal Johnson.

The substation is still going to be located on the site it was requested for last fall, but Minnkota Power would like to place the transmission line on the other side of the road on property (29.00156.00) that is currently owned by Gregory and Marlene LeBlanc, instead of on property (13.00220.00) owned by Neal Johnson, as originally granted. Because of the location change, they are required to apply for a new CUP for the construction of the transmission line.

Red Lake Electric Cooperative, a member/owner of Minnkota Power has need for improved electric stability and reliability in the surrounding area. The location of both the electrical substation and transmission line were chosen to minimize disturbance of agricultural operations in the area.

The transmission line will go across the road from the substation and will run with a half mile of overhead transmission lines to the south, to US Hwy 2. An 80' right-of-way easement has already been obtained from Gregory and Marlene LeBlanc for the construction of the transmission line. The proposed transmission centerline will be 77' from the roadway centerline.

No comments were received. Holte then went over slides showing the property and location of where the transmission lines will be located. Staff is recommending approval of the CUP request.

Winkelmann asked if the poles would be in the ditch? Brian Hoffart with Minnkota Power stated that they will be outside of the ditch. There is a stretch of 10-15' of CRP along the ditch, that is where they are planning to locate the poles.

It was asked how many poles and the distance between them? Hoffart said that there would be 8 poles on the East side approximately 300' apart. The north and south poles would be laminate.

Powers made a motion to recommend approval to the County Board of Commissioners. Second by Pulkrabek. All in favor.

This will go before the County Board of Commissioners on Tuesday, May 7, 2013 for final approval.

Public Hearing: Plat – Sunset Cemetery Aaron Graber Parcel #28.00207.02

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

Holte stated that the applicant is asking for a preliminary/final Plat for Sunset Cemetery. Holte went over the PZ Ordinance requirements in sections 22.0200, 13.1040 and 22.2731 for plats.

The applicant has proposed to plat a private cemetery on a 1.34 acre portion of land located in Section 25 of Garfield Township. The plat is proposed to create three hundred thirty-six (336) cemetery plots. Each cemetery plot would be 6' x 10'. The portion of land identified as the cemetery on this plat is the entire parcel which is 242' x 242' or 1.34 acres. The platted cemetery plots cover a 144' x 140' or approximately .46 acres.

The cemetery will have frontage on two township roads. The 1.34 acre cemetery was platted to maximize the area for individual plots while meeting the required setbacks off property lines and roads. The plat does not contain any wetlands.

The cemetery is located approximately 300' from Raff Lake, which is a protected natural environmental lake. We are processing this Cemetery under the underlying Agricultural District. Sunset Cemetery Corporation has an Articles of Incorporation recorded with their parcel.

No comments were received. Holte went over slides showing the location and surrounding area of the proposed plat. Staff is recommending that the plat be approved as a FINAL PLAT once the following conditions are met:

- 1.) The Cemetery needs to follow all state and federal regulations.
- 2.) Must meet access requirements of road authority and be granted access by road authority.
- 3.) A sign/gate must be installed to identify that the site is a cemetery.
- 4.) All filled cemetery plots need to be marked with grave markers identifying the deceased.
- 5.) Pins need to be located in a manner to allow each plot to be easily identifiable from the surrounding plots.
- 6.) A marker or monument shall be established to mark at least one corner of the cemetery plat.
- 7.) The existing driveway that currently runs through the north part of the proposed cemetery must be relocated off of the platted lots or placed on Parcel # 28.00207.01.
- 8.) Sunset Cemetery will revise the proposed plat to remove Block C, Block F, Block I and Block L from the platted lots and designate these lots as cartways in order to provide adequate access to all platted lots. This would create a total of two hundred forty (240) platted lots and four (4) cartways.

Jerry Pribula, surveyor for the cemetery, stated that they owners would prefer to not adjust the plots to allow for cartways. The Amish do not use large pieces of equipment for digging the graves and

they leave a very small carbon print during their lifetime. They would like to suggest that they leave certain rows to be the last ones used. They are also proposing to quadrant off the cemetery, fence each area off that is currently being used. They have formed a corporation with the State of Minnesota.

Holte stated that he had also come up with a different version of condition #8, basically asking the group to submit a plan for “orderly development”, thereby not creating the cartways and allowing them to have the 336 plots as proposed.

Gagner asked about the use of vaults? Pribula stated that there is not state law regarding the use of vaults. It is a cemetery rule/requirement. Soil characteristics were asked about. Pribula stated there are not rules for soils in regards to cemeteries. Wright asked about the survey pins as stated in condition #5 above. Pribula said they will mark the perimeter and have 4 pins for each quadrant.

Buness made a motion to recommend approval to the County Board with the following staff conditions:

- 1.) The Cemetery needs to follow all state and federal regulations.
- 2.) Must meet access requirements of road authority and be granted access by road authority.
- 3.) A sign/gate must be installed to identify that the site is a cemetery.
- 4.) All filled cemetery plots need to be marked with grave markers identifying the deceased.
- 5.) Pins need to be located in a manner to allow each plot to be easily identifiable from the surrounding plots.
- 6.) A marker or monument shall be established to mark at least one corner of the cemetery plat.
- 7.) The existing driveway that currently runs through the north part of the proposed cemetery must be relocated off of the platted lots or placed on Parcel # 28.00207.01.
- 8.) Sunset Cemetery will submit a detailed plan of orderly development that describes how the cemetery plots will be filled in order to minimize disturbance to existing plots before plat is recorded and detailed records must be maintained by Sunset Cemetery.

The motion was seconded by Powers. All in favor.

This will go before the County Board of Commissioners on Tuesday, May 7, 2013 for final approval.

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