

Polk County
Planning Commission
August 23, 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, Arlet Phillips, Craig Bunes and Mike Powers

Members Absent: Courtney Pulkrabek

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

Minutes: A motion was made to approve the minutes from July 26, 2013 by Powers. Second by Melbye. All in favor.

Public Hearing: Conditional Use Permit Frank & Nicole Walski Parcel #45.00230.00

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

Holte stated that the applicant is requesting to build a 1200 sq. ft. accessory structure on a riparian lot located less than 300 feet from the OHW in the Shoreland District. The applicants own a riparian lot on Union Lake which is 2.48 acres in size. They would like to build a 1200 sq. ft. structure for storage. They currently have a 6 x 12 shed and a 12 x 16 shed on their property. They will be removing the 6 x 12 shed so that their total sq. footage of accessory structures would be 1392 sq. ft - the Zoning Ordinance, section 18.2225 (f), allows up to 2 accessory structures under 1600 sq. ft. for a lot their size with a CUP. The structure is proposed to be approximately 260 feet from the OHW and will meet all setbacks.

No comments have been received on the request. Holte then showed slides of the location and where the proposed structure will go. Staff is recommending approval of the CUP with the following conditions:

- 1.) Existing 6' x 12' shed must be removed from the property
- 2.) Must submit a passing septic compliance inspection before the building permit will be issued.

Bunes asked about a date for that 6 x 12 shed to be removed. Winkelmann said it would be in our best interest to set a date. Holte said you can add any date you would like to the condition. Winkelmann said 30-60 days should be set for removal once the new construction is done.

Melbye made a motion to recommend approval of the CUP to the County Board of Commissioners with staff conditions, amending that the 6 x 12 shed must be gone within 60 days of the completion of the new construction. Second by Powers. All in favor.

This will be brought before the PC Board of Commissioners on August 27, 2013 at 10:10 a.m. for final approval.

Public Hearing: PLAT – Osland’s Third Addition-Miles Olsand Parcel #74.00201.01

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

Holte stated that the applicant is requesting to subdivide a portion of land in the Shoreland District on parcel 74.00201.01, an 11.02 acres property located in Section 24 of Woodside Township. Zoning Ordinance requirements were reviewed: Sections 22.0200, 18.2100-18.2148, 22.2732, 21.3132 and 22.2733.

The property is owned by Miles Olsand. The proposed addition is to create the development of 1 more buildable residential site. This property is located on an unnamed lake and is a DNR protected water classified as a Natural Development Lake. All of the lots are riparian lots (lakefront property with watercraft overwater storage rights). The property contains no wetlands. A call was received from James Gagner regarding the current road agreement.

Holte went over slides showing the property location and plans for the lot. Staff is recommending that the proposed plat be approved as a Preliminary/Final Plat with the following conditions:

- 1.) An updated road agreement will need to be completed within 6 months to incorporate the new addition before the final plat is recorded.
- 2.) The final plat must be recorded within 60 days of receiving an updated road agreement.

A motion was made by Powers to recommend the plat as a preliminary/final plat with staff conditions. Second by Gagner. All in favor.

This will be brought before the PC Board of Commissioners on August 27, 2013 at 10:10 a.m. for final approval.

Public Hearing: Conditional Use Permit Roberty Umphrey Parcel #32.00193.00

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

Holte stated that the applicant is requesting to establish a new 48 unit campground on a portion of a 30 acre piece of land located within the shoreland district. The following Zoning Ordinance requirements were reviewed, Sections 18.2760, 13.7024 and 18.4000.

The campground would be in the Shoreland District of Ulland’s Bay (Maple Lake). The campers on the proposed site would be located at least 100 feet from the ordinary high water mark. The applicant is applying to create 48 sites meeting all the requirements of the ordinance. The applicant submitted a preliminary operations plan.

Holte stated that no wetland delineation has been completed on the campground yet, and since a lot of the proposed area could potentially be wetlands, the applicant may not be able to construct the number of desired sites requested. In the area that has been identified for the campground area staff believes the site may be large enough to contain 39 camp sites, but without a wetland delineation the exact number cannot be determined.

The proposed sites will have septic/water/electric hookups. They will be constructing a new bath house on the property. The plan is to have two large septic systems for the entire campground. Road and accesses will follow ordinance standards. The applicant is proposing to clear a path to access Ulland's Bay and create a beach area and dock area. (Applicant could be allowed to have a dock and up to 6 boat slips based on DNR regulations).

The Minnesota Department of Health/Minnesota Department of Labor & Industry permits campgrounds, and has many regulations which affect the design/layout of the lots/septic/water. MN DoH/MN Labor & Industry will not issue permits until Polk County has processed the CUP.

Comments received:

- 1) The Maple Improvement District (MLID) stated that they cannot express an opinion regarding the 48 unit campsite request from Mr. Umphrey at this time. They feel that they need to know more about it.
- 2) Stephanie Klamm, DNR Area Hydrologist sent a letter stating she has spoken to Mr. Umphrey about what is allowed with boat slips/ramps/docks etc. and she recommends preliminary approval of the CUP with the conditions that we require a wetland determination and finalized plan for the campground and accessories.

Holte went over slides showing the location and the property and reviewed the preliminary operational plan. Staff feels that Mr. Umphrey has been very cooperative in providing information and plans for his campground, but staff feels we need more information before we can make a recommendation for approval. At this time staff recommends **tabling** a decision on this campground until the applicant submits the following information:

- 1) **Wetland delineation for the proposed campground.** (Based on the wetland delineation, staff will then be able to determine how many sites the applicant would be allowed to have if approved through the CUP.)
- 2) **Complete Operational Plan approved by staff.**
- 3) **Septic Design or Soil Borings for proposed septic system areas** (with a lot of the campground possibly being wetland, staff feels it is important to make sure there are suitable areas for a septic system before final approval.
- 4) **Updated campground layout/sketch.** (Submit after completed wetland delineation.)
- 5) **Other concerns that the Planning Commission would like to see addressed.**

Yell stated that the MLID only received a sketch and their main concern is with the DNR and their thoughts/concerns. There are a lot of cattails and concerns with the septic plans. They just need more information before voting on a recommendation.

Buness asked about the road(s)? Umphrey said the plan is for one road to be coming into the campground. Buness expressed concern regarding one parking spot/camper. He sees that being an issue with guests or even a husband and wife arriving separately. Umphrey said the plan is for one car per site, but that can be redesigned.

Yell stated that there are concerns also regarding the shallowness of the water access to Maple Lake. Currently you cannot get from Ulland's to Maple via water. Umphrey's stated he is not sure yet the exact plans based on the DNR limiting him to 6 boat slips and the shallow water. He has applied to the DNR for the beach and mooring, but doesn't see things progressing that way for now.

Powers asked when the wetland delineation would be happening? Holte said that still needs to be set up. Buness asked about area landowner concerns? Dan Wikoff expressed concern with the wetland areas and the adding of 50 families to the quietness of the area. Another neighbor, Roy Gray, expressed concern with the road and traffic. This will create a lot of dust and road issues come wet springtime. Umphrey's stated that some of the road & drainage issues are due to ditches not being cleaned. He has done some ditch cleaning and it has helped the flow of water. If the ditch from his property to Hwy 10 were to be cleaned most of those problems would be eliminated.

Larry Krause, landowner to the north, said he presently farms the land near the proposed campsite and he has had a lot of problems in the past with motorized vehicles, fires and drinking/garbage on land he owns by another campground. He would like a fence put up by Mr. Umphrey's, for him to maintain it, thereby denying access to the farm land and keeping those types of vehicles on the campsite property. Umphrey's asked if Krause is asking for the fence to be located on the farm or campsite property? Krause said he would prefer it on the farmland to deny access. Umphrey's said he plans to deny any of those vehicles, such as go-karts, 4-wheelers and dirt bikes, from being brought into the campground. He stated that he is planning to cater to the quiet campers, not the "party type".

Holte asked if the campground would be for nightly/daily campers or seasonal types? Umphrey's said he is not looking for short term campers, more move in and settle in for the summer type of campers. Franks asked about the septic plans and soil testing. Umphrey's said he is working with Shawn Hedlund out of McIntosh and nothing major has been done yet. He said he will do all that is requested, but he wanted to find out/deal with the opposition before investing more money and time doing all the requested items and then being denied.

Yell made a motion to table the CUP till more information is available/ready. Buness asked if it would be beneficial to have Mr. Umphrey's attend a MLID meeting. Yell felt that would be a good idea. Buness seconded the motion to table the request till more information is available/ready. All in favor.

Winkelmann adjourned the meeting. Next meeting is September 27, 2013.