

Polk County  
Planning Commission  
June 23, 2023

Call to Order: 9:04 A.M.

Members in Attendance - Mike Powers, Paul Jore, Mike Schulz, Richard Kuzel, Warren Strandell, Don Cavalier, Len Vonasek, Tom Noah, Rolland Gagner and Arlet Phillips

Members Absent: Kristie Jerde

Also Present: Polk County Environmental Services' staff: Jacob Snyder and Michelle Erdmann.

Minutes: A motion was made to approve the Planning Commission minutes from May 26, 2023 meeting by Cavalier. Second by Vonasek. All in favor.

**Public Hearing: CUP – Joel Manecke Parcel #61.00017.01**

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

Snyder then stated the applicant is requesting a Conditional Use Permit (CUP) to construct a new 40' x 60' (2,400 sq ft) addition to an existing accessory structure, which will bring the total accessory structure square footage on the property to over 2,500 sq. ft. on a 2.92-acre parcel located in the agricultural zoning district of Rosebud Township.

Ordinance requirements for this request are found in PCZO Sections 13.4220, 13.4240, and 13.7000.

Snyder said the applicant owns a 2.92-acre parcel of land in the agricultural zoning district in Sections 3 & 10 of Rosebud Township. The property is located in the agricultural zoning district and currently there is a home with an existing 26' x 40' steel shed, 18' x 32' steel shed, 10' x 16' shed, and a 10' x 12' existing shed. The applicant would like to construct an additional 40' x 60' (2,400 sq ft) addition to the existing 26' x 40' steel shed and new 10' x 18' shed which would bring the total accessory structures to 4,476 sq ft. The proposed building will be a shop/storage for personal use and plans to meet all applicable setbacks.

Snyder stated the application explains the applicant would like to construct the shop addition to work on restoring cars as a hobby and needs more room to accommodate this retirement hobby. The parcel is surrounded by adjacent agricultural fields and other residential lots just east of Fosston City limits along County Highway 1.

Snyder said the following comments were received:

1. Rosebud Township commented that they had no issues with the request.
2. Rich Sanders, County Highway Engineer, commented that he had no issues with the proposed request.

Snyder then went over slides showing: application, site location maps, sketch of property, and photos of site. Snyder said staff recommends approval of the CUP with the following conditions:

1. The structure shall be used only by the occupant(s) of the residence. The structures may be used for: Storage of household goods, recreational vehicles and equipment, personal vehicles, maintenance and repair of personal vehicles and equipment, a shop or similar activity, keeping of animals and accessory equipment and supplies, and as otherwise regulated by the Polk County zoning ordinance.
2. The conditional use permit shall become void one year after it was granted unless used.
3. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.
4. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
5. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
6. That adequate measures have been or will be taken to prevent sufficient off-street parking and loading space to serve the proposed use.
7. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
8. That the use of the property shall at all times be in compliance with all Federal, State of Minnesota, and County of Polk rules and regulations.

Powers opened the meeting for questions. Vonasek asked what kinds of animals are planned? Manecke said no animals, strictly working on cars. Snyder clarified that the animal language is from the PCZO not the applicant saying he plans to have animals.

Powers asked if the building will be heated, have plumbing and water? Manecke said yes it will be heated but no plumbing/sewer.

A motion was made by Schulz to recommend approval of the CUP request with staff conditions to the County Board. Second by Vonasek.

Ayes: all

Nays: none

Motion carries.

Snyder stated that they will go before the County Board for final approval on Tuesday, June 27, 2023.

**Public Hearing: CUP – Kevin Groven Parcel #49.00153.01**

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

Snyder then stated the applicant is requesting a Conditional Use Permit (CUP) to construct a new 30' x 50' (1,500 sq ft) accessory structure which will bring the total accessory structure square footage on the property to over 2,500 sq ft on a 4.83-acre parcel located in the agricultural zoning district of Lowell Township.

Ordinance requirements for this request are found in PCZO Sections 13.4220, 13.4240, and 13.7000.

Snyder said the applicant owns a 4.83-acre parcel of land in the agricultural zoning district in Section 32 of Lowell Township. The property is located in the agricultural zoning district and currently there is a home with an existing 28' x 26' garage, 20' x 20' garage, 12' x 20' shed, and 30' x 48' steel building. The applicant would like to construct an additional 30' x 50' (1,500 sq ft) accessory structure which would bring the total accessory structures to 4.308 sq ft. The proposed building will be a shop/storage building for personal use and plans to meet all applicable setbacks.

Snyder stated the application noted that the applicant is requesting this proposed building for a hobby wood-working shop. The parcel is surrounded by adjacent agricultural fields. Lowell Township has signed the County land use application for the proposed building request as the County does joint permitting with the Township.

Snyder said the following comment was received:

1. Rich Sanders, County Highway Engineer, comment that he had no issues with the proposed request.

Snyder then went over slides showing: application, site map location, sketch, and property photos. Snyder said staff recommends approval of the Conditional Use Permit with the following conditions:

1. The structure shall be used only by the occupant(s) of the residence. The structures may be used for: Storage of household goods, recreational vehicles and equipment, personal vehicles, maintenance and repair of personal vehicles and equipment, a shop or similar activity, keeping of animals and accessory equipment and supplies, and as otherwise regulated by the Polk County zoning ordinance.
2. The conditional use permit shall become void one year after it was granted unless used.

3. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.
4. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
5. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
6. That adequate measures have been or will be taken to prevent sufficient off-street parking and loading space to serve the proposed use.
7. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
8. That the use of the property shall at all times be in compliance with all Federal, State of Minnesota, and County of Polk rules and regulations.

Powers opened the meeting for any questions. Snyder asked if there were plans for water/sewer? Groven said no sewer but maybe water spicate for washing. Noah asked about the need to review the ordinance for increasing the allowed square footage as we seem to be seeing a lot of these requests. Snyder said it helps to weed out any potential business use. These would only be allowed for residential/personal use. We can do a review this winter and update the ordinance, and possibly do an adjustment of the sq footage allowed per lot size.

A motion was made by Phillips to recommend approval to the County Board with staff conditions. Second by Cavalier.

Ayes: All

Nays: None

Motion carried.

**Public Hearing: CUP – John Gingerich**

**Parcel #28.00207.01**

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

Snyder then stated the applicant is requesting a Conditional Use Permit (CUP) to construct and operate a sawmill in a 40' x 60' (2,400 sq ft) addition to an existing 30' x 80' (2,400 sq ft) accessory structure on a parcel of land located in the Agricultural Zoning District in section 25 of Garfield Township.

Ordinance requirements for this request are found in PCZO Sections 13.7003, 13.7020, 13.4309 and 12.3048.

Snyder said the applicant is requesting a Conditional Use Permit (CUP) to construct and operate a sawmill in a 40' x 60' (2,400 sq ft) addition to an existing 30' x 80' (2,400 sq ft) accessory structure on a parcel of land located in the Agricultural Zoning District in section 25 of Garfield

Township. The planned proposed addition meets all the structural setbacks for the agricultural district. The structure would be processing logs from locally sourced wood out of a 120-mile area, so locally sourced material would be milled to make pallets, custom planed wood, and crafts.

Snyder stated the applicant has submitted an operation plan for the business and has been made aware of zoning requirements. Planned employees are 1-3 people working and operations are from 7:30 am to 5:00 pm Monday through Friday. They stated that they plan to collect the dust in a contained area and are near a fire hydrant for fire hazard/safety. Currently the plan of operations states the applicant wishes to collect 160,000 cords of wood stacked for processing positioned on the site that meets roadway and structural setbacks from lot lines.

Snyder said he spoke with the applicant yesterday about the 160,000 cords stated in the operational plan. The applicant stated it was 160,000 lineal feet/board foot, not cords. Snyder said that would calculate out to about 1,250 cords of wood stockpiled. The applicant also stated he signed a purchase agreement on June 16<sup>th</sup> with the current landowner.

Snyder said land uses around the site include farmland and 2 other existing sawmill operations to the south and southwest. The applicant noted the engines would be placed in a building with mufflers on the engines in order to diffuse the noise generated with an operation like this. Freight will come a maximum of 3-4 times a week to pickup or deliver logs to process as well as pick lumber to go to market. The site is located a ½ mile south of County Hwy 1 and 3 miles east of State Hwy 32. The applicant stated that he has set hours, all the machinery will be indoors and sawdust will be blown into a contained area to try and mitigate any potential neighboring conflicts.

Snyder said no comments were received on this request. Snyder then went over slides showing: Application, site location map, plan of operations, and site photos. Snyder said staff recommends approval of the Conditional Use Permit with the following conditions:

1. The operation shall remain in the scope of the original plan of operations. Any deviation from the plan of operations would trigger a new conditional use permit.
2. Site storage of rough-cut logs or lumber shall meet structural setbacks off property lines and roadways.
3. Wood shall be locally sourced from Minnesota and incoming wood must be evaluated for invasive insects that could pose a threat to native timber. Invasive timber species include but are not limited to Emerald Ash Borer, Hemlock Woolly Adelgid and Asian Longhorned Beetle.
4. The conditional use permit shall become void one year after it was granted unless used.
5. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.
6. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
7. That adequate utilities, access roads, drainage and other necessary facilities have

- been or are being provided.
8. That adequate measures have been or will be taken to prevent sufficient off-street parking and loading space to serve the proposed use.
  9. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
  10. That the use of the property shall at all times be in compliance with all Federal, State of Minnesota, and County of Polk rules and regulations.

Snyder asked if we need to adjust the conditions to list hours of operation – the operation plan says Monday-Friday, or just let the operation plan control the hours. Gingerich said if the operation plan says Monday-Friday, that is what he will follow.

Jore asked if requiring the wood be sourced from MN controls the bug issue? Snyder said yes to a degree but the wood should be checked on incoming loads with the county Invasive Insect fact sheet.

David Black – neighboring landowner – asked to clarify who the applicant was buying the land from? Ginerich said it is not Hershberger, it is Detwiller. He also said he has initiated a survey to make sure the property lines are correct. This survey was done this past Tuesday he believes.

Cavalier made a motion to recommend approval to the County Board with staff conditions – amending the plan of operations to show 160,000 linear feet/board foot, not cords. Second by Vonasek.

Ayes – all  
Nays – none  
Motion carries.

Snyder said this will go before the County Board for final approval on Tuesday, June 27, 2023.

Meeting adjourned at 10:25 am.