

# MORRISON COUNTY PLANNING COMMISSION

October 12, 2021 – 6:00 P.M.

## MINUTES

The Morrison County Planning Commission held a public hearing and regular monthly meeting in the Morrison County Government Center Board Room.

Regular Members Present: Clint Kathrein, Brent Lindgren, Dave Stish, Marvin Trettel and Dave Brutscher

Regular Members Absent: None

Commissioners Present: Mike Wilson, Jeff Jelinski, Randy Winscher, Greg Blaine and Mike LeMieur

Commissioners Absent: None

Ex-Officio Members Present: Amy Kowalzek, Shannon Wettstein (SWCD) and Sharon Peterson

Ex-Officio Members Absent: Robert Wall

Chairman Clint Kathrein called the meeting to order at 6:00 p.m.

**1. John & Sandra Monroe – No property address – Application to Rezone a parcel of land from Agriculture to Residential for the purpose of future development; located in pt of the SE ¼, Section 2, Township 42, Range 32, Ripley Township.**

John Monroe was present

Amy Kowalzek entered into record Section 508 of the Morrison County Land Use Control Ordinance, a plat map with parcel location, the Rezone Request, two (2) aerial photos of the property, staff report, aerial photo of the surrounding zoning, web soil survey aerial, farmland classification, site plan, soil rating aerial, Camp Ripley ACUB program aerial, map of distance from Camp Ripley, aerial of homes in the area and Camp Ripley background information sheets. There were 36 notices sent to neighboring property owners. There was one comment received prior to the hearing. Amy entered the Zoning Amendment Discussion Questions.

John Monroe stated he was here before for this request. The reason its coming back again is because it is a very nice neighborhood with the golf course also. Do not want people to think this is just for the money. It was not the intent to split it up first. Thought it was a nice piece of land at the right price. May need a one-story home for myself one day. Where I am living now, we have smaller lots and a great neighborhood and thought I could replicate that here. Over the last year have learned a lot about developing property. Plan to write covenants. This will enhance the neighboring properties. The traffic would increase here or anywhere you place a development. Understand the purpose of the ACUB, have a tuff time with what the ACUB pays verses what it could go for. Also, that it restricts what can be done on the land. If the ACUB is this important they should just purchase the land. The opposition against the proposal I can understand, people don't like disruption. But would like the Board to look at this on its own.

Marvin Trettel asked what the distance between the property and Camp Ripley is. Amy Kowalzek stated it is 1.5 miles. Marvin asked if the restrictions stay with the property or if they can be removed.

Shannon Wettstein – SWCD – Stated our office administers the ACUB buffer program. This has been going on since 2004. This is a voluntary program and we offer a one-time payment. This payment is in exchange for development rights on their property. May exclude one are two areas for development. This stays with the land, not the land owner. This land could be farmed or stay in a natural state. Currently we have over 700 land owners or 300,000 acres on this program. This parcel would rank very high for ACUB. This property has a 458-soil classification. Which could mean not good farm land. This is because it has not been cultivated.

Marvin Trettel stated 50% of this property is trees. What kind? Shannon Wettstein stated driving by I would say pines and a mix of hardwood. Marvin stated that pine trees can come back quickly. SWCD has said in the past that they do not like when this happens. Shannon stated this is correct but these trees were planted for the purpose of harvesting.

General Lowell Kruse – Camp Ripley – stated the Counties comprehensive plan considers Camp Ripley. We appreciate all the support people give to Camp Ripley. This parcel is within our high priority one area which is within three miles of Camp Ripley. The purpose of the ACUB is to prevent encroachment which will affect training at Camp Ripley. Trying to prevent building areas close to Camp which will result in noise complaints. We are training all the time day and night. We create noise and dust. This is a voluntary program for land owners. There are ways to get out of the ACUB easement, but it is not an easy process.

Dave Stish stated it is a lifetime easement. General Lowell Kruse stated it is.

DJ Prom – Public Works Assistant Engineer – stated that the Public Works Department has evaluated this intersection and has determined that the site distance here is adequate to meet the statutory 55 mile per hour speed zone.

Darvin Keehr – Ripley Township – stated the Township is against this request because we are an entity of Government. The State has spent a lot of money to support ACUB. Dave Stish stated at the last meeting you were neither for or against this request. Darvin stated he had just gotten out of the hospital for hip replacement. Dave Brutscher stated one of the questions we have to answer is “are there utilities available to serve the propose development. What are they proposing for a road and will this create a load for the Township? Darvin stated he does not know if it would create a load for the Township. It will create more work. If the development is approved the Township will have to take over the road. The tar roads are more work than the dirt roads. The Golf Course Rd is the only tar road in the Township. Marvin Trettel stated that the new road would generate more money for the Township. Darvin stated that is correct.

Dave Stish stated when we talk about road and Township maintenance of the roads. This would also be true for farming. The tax payers deserve the same rights as everyone else in the Township.

Audience Comment:

Bernice Dumont Brodeur – Presented a slide show – Stated we need to protect Camp Ripley. Eagles Landing Development was prior to the ACUB program. We have a list of 40 neighbors that are concerned about the development. We need to keep agriculture /agriculture. There should be a commitment to agriculture. Farms near here will be affected by the development.

Sarah Schultz – Presented a slide show – Stated this development will create more density. The rezones were completed at different times. This is high priority land for Camp Ripley. The development would encroach on Camp Ripley. Presented a Sentinel Landscape Video.

Curt Plante – stated he is a neighboring farmer and places manure on fields near this parcel. If residential properties are allowed there will be complaints about the smell of the manure. Clint Kathrein asked if there have already been complaints about the smell. Curt Plante stated there has been.

Jeff Schultz – stated he lives within the Golf Course development and that development was here before ACUB.

Bill Weidenbach – stated he lives within the Golf Course development. This is a beautiful area. I have lived in an area like the one proposed. These developments never end up like they say they will. Our lot has more acreage, the lots proposed seem small for the homes shown. People in this area do not drive the speed limit of 55 they drive 70 over the hill. There will be accidents. We need to keep Agriculture/Agriculture.

Marvin Trettel asked if there could be conditions added. Amy Kowalzek stated you cannot condition a rezone. There could be things added to the platting process, like open space and lot sizes. The zoning district determines the lot sizes. Agriculture is a minimum of five acres and Residential is a minimum of 30,000

square feet.

Dave Stish asked if the parcel is rezoned could the plat decide the lot sizes. Amy Kowalzek stated it could.

Dave Brutscher – stated there has not been any changes to the zoning laws. Not sure this would be a benefit to the Township. Sometimes farming complaints can come from someone just seeing the manure and not even smelling it. Cannot see where this fits in with any of the zoning amendment questions. This will limit the agricultural uses in the area.

Clint Kathrein stated this is agricultural zoning and agriculture should be given top priority. I grew up hearing and seeing Camp and now I don't even hear it anymore because I am so used to it. There are homes on the north side and adding homes on the south side would not be any different. There are agriculture complaints now and this will not change. In the platting process we could limit the amount of homes on the parcel.

The Planning Commission discussed the Zoning Amendment Questions.

The voting sheets were polled.

A motion was made by Dave Stish to recommend approval of this request. The motion was seconded by Brent Lindgren. The vote was three in favor and Clint Kathrein and Dave Brutscher opposed.

The application will go in front of the Morrison County Board of Commissioners on October 19, 2021.

7:43 p.m. the Board took a (5) five-minute recess.

**2. Michael & Heather Wochnick – 15346 Davenport Rd; Little Falls, MN 56345 – After the fact application for an Interim Use Permit for a Home Extended Business for a retail store on site; located in pt of the E ½ of SE ¼, Section 18, Township 129, Range 30, Pike Creek Township.**

Michael Wochnick was present

Amy Kowalzek entered into record Section 604.8 of the Morrison County Land Use Control Ordinance, a plat map with parcel location, After the Fact Interim Use Permit Request, Interim Use Criteria Questions, site plan, two (2) aerial photos of the property and staff report. There were 23 notices sent to neighboring property owners. There were no comments were received prior to the hearing. Amy entered the Interim Use Criteria Questions.

Michael Wochnick stated the business started out as an on-line boutique. This evolved from there and people were wanting to come and pick up their items instead of paying the shipping costs. While they were there, they wanted to look at other inventory items. I believe there was a misunderstanding on my part and the Counties part. When I applied for the shed permit, I did not specifically state what was all going to be in the shed. I thought since when we were operating within the home and the Assessor changed the class to commercial, I did not need anything else. This business will be running about three days per week around four hours per day. We do not want it to turn into a full-time business. We want to keep our privacy.

Dave Stish asked to clarify the commercial classification. Amy Kowalzek stated this was for tax purposes. When the business was within the home it was classified as a home business. Once the business moved to the shed it became a home extended business and needed an Interim Use Permit.

Dave Stish asked about 1211.3 B – performance standards for the home extended business. The home business shall be incidental and subordinate to the primary use of the premises for farming and/or residential purposes. When would this change? Amy Kowalzek stated it would depend on how we assess the property as a whole. Also, if the property owners no longer live here. If they live on the property this should never change.

Michael Wochnick stated that the shed is located in the yard of the property. There are many businesses in the area. When we had our DRT meeting the Township stated they did not have an issue with the request.

Marvin Trettel asked why the boutique is not located in town. Michael Wochnick stated there are no buildings in town worth buying. They are old and need repairs. We wanted to be able to stay home or close to home due to having a family. People like the country experience. Most of the sales are on-line.

Dave Brutscher asked if the store would be taxed commercial. Amy Kowalzek stated it would.

Brent Lindgren asked if there would be any employees. Michael Wochnick stated there would not. Brent asked if the septic for the shed was already done. Michael stated it is, there is a bathroom in the shed. Brent asked what days the boutique would be open. Michael stated Wednesday, Friday and Saturday. The hours per week would not change. We both have full time jobs.

Clint Kathrein asked how many items per week are sold. Michael Wochnick stated less than 100.

Brent Lindgren asked how many people onsite per day when the store is open do you expect. Michael Wochnick stated it depends, it always changes. Brent asked if it would be more than 20 cars per day. Michael stated not normally. Once per year we host a customer appreciation day where it could be more.

Marvin Trettel asked how many deliveries are made to the site. Michael Wochnick stated almost daily. There is never a pick up on-site.

Audience Comment:

Ambrose Trainer – stated he has lived in the area for 40 years and has no objection to the request. This business is family owned and done in a practical way. We have not noticed an increase in traffic.

Marvin Trettel suggested a condition to limit the time of business hours and traffic.

Clint Kathrein asked the applicant what an end date for the request would be. Michael Wochnick stated he would like it to be when they no longer own the property.

Other possible conditions were discussed.

The voting sheets were polled.

A motion was made by Dave Stish to recommend approval of this request including condition. The motion was seconded by Brent Lindgren. The vote was all in favor.

The application will go in front of the Morrison County Board of Commissioners on October 19, 2021.

### **3. Proposed Ordinance Amendments**

Amy Kowalzek entered into record the proposed ordinance amendments with examples.

A discussion was held on the proposed ordinance language.

Audience Comment: None

A motion was made by Marvin Trettel to recommend approval of proposed ordinance amendments. The motion was seconded by Dave Brutscher. The vote was all in favor.

The application will go in front of the Morrison County Board of Commissioners on October 19, 2021.

The public hearing was closed at 8:49 p.m.

A motion was made by Dave Stish to approve the August 3, 2021 minutes. The motion was seconded by Dave Brutscher. The vote was all in favor.

Correspondence – None

Old Business – None

New Business – The proposed change to the agriculture zoning district is still in progress.

A motion was made by Marvin Trettel to adjourn the meeting. The motion was seconded by Dave Brutscher. The vote was all in favor.

With no further business at hand, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Amy Kowalzek, Appointed Secretary  
Morrison County Planning Commission