

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, January 19, 2005
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present: Tom Wirt, Larry Karg, Grant Knutson, Jim Lauer and Chairman Arndt. Absent: Carl Runke Also present: Julie Wischnack, AICP, Planning Director, Marc Sebor, City Attorney, Larry Gasow, McLeod County Zoning Administrator, Marc Telecky, McLeod County Assistant Zoning Administrator and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

- a) Consideration of Minutes dated September 15, 2004 and September 27, 2004.

Mr. Knutson made a motion to approve the minutes with corrections of September 15, 2004 and September 27, 2004. Seconded by Mr. Karg the motion carried unanimously.

3. PUBLIC HEARINGS

- a) CONSIDERATION OF **CONDITIONAL USE PERMIT** REQUESTED BY MCLEOD COUNTY TO PLACE FILL IN THE FLOODWAY AND MORE THAN 50 CUBIC YARDS OF FILL IN THE SHORELAND AREA LOCATED WITHIN THE COUNTY ROAD 59 RIGHT OF WAY

Chairman Arndt reopened the hearing at 5:35 p.m. with the reading of publication #7282 as published in the Hutchinson Leader on Thursday, January 6, 2005.

Ms. Wischnack commented on the "after the fact" request along old County Rd. 59. She explained the request and location. Chairman Arndt stated he would be abstaining from the vote.

Ms. Wischnack commented on the issues of filling in the flood way. She stated she talked to DNR Hydrologist Rob Collett who has concerns with the seeding. She commented on the following staff recommendations:

1. Follow-up meeting with DNR Hydrologist on site in April 2005 to ensure proper siltation and soil stabilization measures are in place.
2. Provide a seed mixture and approximate time frame for placement to ensure stabilization of the soil.

3. Research ways in which to better manage and fund long term problems for erosion along the river (not necessarily caused by this project; but were more apparent once this filling was completed.)
4. Review floodway limits with hydrologist.

Ms. Wischnack explained the erosion into the river and the possible management of the erosion issues. She stated the County is requesting the Conditional Use Permit and this request will go on to the County Board.

Mr. Knutson commented on the erosion problems which are not created by the fill. He explained there is a joint powers board made up of members from several counties that discuss river projects. He stated the funding is limited.

Bob Kaytor, McLeod County Engineering, explained the fill was necessary to correct a problem and they did not realize they needed a Conditional Use Permit. He stated they contacted the DNR immediately when they realized the mistake. He explained they did follow the direction of the DNR.

Discussion followed on the flow of the river, erosion and proper seeding. Mr. Kaytor stated he has no problem with the seeding requested.

Chairman Arndt commented on the problems at high water levels. He stated he would like rock to protect the hillside river bank.

Mr. Lauer stated recommendations 1 and 2 are good. He asked who would do the research for number 3. Ms. Wischnack stated possibly the South Crow River Association.

Ms. Wischnack explained Mr. Collett would like a verification of the floodway limits.

Discussion followed on recommendation number 3.

Mr. Wirt moved to close the hearing. Seconded by Mr. Knutson. The hearing closed at 5:57 p.m. Mr. Knutson made a motion to approve the request with staff recommendations minus number 3 and adding verify there is no fill in the floodway with the DNR. Seconded by Mr. Lauer. The motion carried with Chairman Arndt abstaining. Mr. Gasow stated this item would be forwarded to the County Board and placed on their agenda , Tuesday, February 8, 2005 at 10:00 a.m.

4. NEW BUSINESS

- a) UPDATE ON POWER LINE LOCATED ALONG THE LUCE LINE TRAIL

Ms. Wischnack explained the placement of the powerline and the plan to move the line 60 feet north of the present line.

5. **OLD BUSINESS**

6. **COMMUNICATION FROM STAFF**

a) UPDATE OF DALE'S AUTO SALES CONDITIONAL USE PERMIT LOCATED ON HWY 7 W

Mr. Telecky commented on the previously granted Conditional Use Permit. He stated there are two issues. 1. There is fill placed in the Flood Plain area. McLeod County Environmentalist Roger Berggren and Ryan Frietag submitted a cease-and-desist (stop work) order to the conservation officer who then delivered the order. Mr. Berggren and Mr. Frietag walked the wetland area to review determination of the boundary. Determination of the boundary was previously staked. 2. The limit on the number of vehicles was 160. The stormwater management pond has not been constructed and there are 40-50 vehicles placed in the wrong area. Mr. Harbath has indicated he will move them. Mr. Telecky stated the site may not accommodate the number of vehicles he has to display.

Mr. Karg stated there have been complaints from Acoma Township residents regarding the bright lighting.

7. **ADJOURNMENT**

There being no further business the meeting adjourned at 6:10 p.m.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, February 16, 2005
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present: Larry Karg, Grant Knutson, Carl Runke, Jim Lauer and Chairman Arndt. Absent: Tom Wirt Also present: Julie Wischnack, AICP, Planning Director, Marc Sebor, City Attorney, Marc Telecky, McLeod County Assistant Zoning Administrator and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated January 19, 2005.

Mr. Runke made a motion to approve the minutes of January 19, 2005. Seconded by Mr. Knutson the motion carried unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF A CONDITIONAL USE PERMIT REQUESTED BY MARSHALL KRANZ TO ALLOW A LAWNMOWER SALES AND SERVICE USE IN THE C4 ZONING DISTRICT LOCATED AT 15895 HWY 7 EAST

Chairman Arndt opened the hearing at 5:35 p.m. with the reading of publication #7299 published in the Hutchinson Leader on Thursday, February 3, 2005.

Ms. Baumetz presented the information on the staff report stating the display area is proposed to the south of the sewage treatment system not north. Mr. Gasow reported there is no final decision on the trail land acquisition with Mr. Heikes. Ms. Baumetz commented on the staff recommendations as follows:

1. Limit the number of units in the outdoor display area to 20.
2. Outdoor storage of parts, tires, etc. is not allowed.

Marshall Kranz, applicant, stated he has a concern over the limited number of units in the display area. He stated he would need at least 35 units displayed outside to proceed with the business. Chairman Arndt explained the limit on Mr. Heikes' permit was for the larger equipment. Mr. Kranz stated this would be lawn and garden equipment only.

Minutes

Joint Planning Board – February 16, 2005

Page 2

Mr. Lauer asked Mr. Telecky about the acquisition of trail property. Mr. Telecky confirmed the acquisition is still in negotiation. Mr. Telecky stated only rezoning has been completed the final plat has not been received.

Mr. Karg asked if the display area is in the property location regarding the plat. Mr. Telecky stated it seems that way but until the plat is final we don't know. Mr. Karg commented that 20 units would not be enough for this business and compared it to L&P Supply. Mr. Runke did not see any problem with allowing 35 units. Chairman Arndt agreed as long as the condition for 35 is followed.

Mr. Knutson moved to close the hearing. Seconded by Mr. Lauer. The hearing closed at 5:45 p.m. Mr. Knutson made a motion to approve the request with staff recommendations changing the number of units to 35. Seconded by Karg. The motion carried unanimously. Mr. Gasow stated this item would be forwarded to the County Board and placed on their consent agenda, March 8, 2005 at 10:00 a.m.

4. NEW BUSINESS

Mr. Karg brought up the issue Acoma Twp. has with gravel hauling and damage to the roads. He commented on the difficulty enforcing and distributing the bond. He stated their township has discussed a gravel tax. Discussion followed on the roads, gravel pit reclamation, accountability of the contractor and insurance policy.

5. OLD BUSINESS

The conditional use permit requested by the County last month was approved by the County Commissioners with the change to meet with the DNR Hydrologist in late Spring or early Summer not April.

6. COMMUNICATION FROM STAFF

RECAP OF THE JOINT ORDERLY ANNEXATION WORKSHOP WITH CHRISTINE SCOTILLO

Ms. Wischnack asked the Board if their townships were in favor of orderly annexation. Mr. Lauer stated Lynn Twp. is in favor but would need to see a draft and indicated a time frame. Mr. Runke reported Hassan Valley is not in favor until more information is distributed. Mr. Karg stated Acoma Twp. has some interest. Ms. Wischnack explained staff will prepare a draft for input from the townships. She will prepare a summary letter for the March township meetings.

7. ADJOURNMENT

There being no further business the meeting adjourned at 6:17 p.m.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, March 16, 2005
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present: Tom Wirt, Larry Karg, Grant Knutson, Carl Runke, Jim Lauer and Chairman Arndt. Absent: none Also present: Julie Wischnack, AICP, Planning Director, Larry Gasow, McLeod County Zoning Administrator, Marc Sebor, City Attorney, Marc Telecky, McLeod County Assistant Zoning Administrator and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated February 16, 2005.

Mr Karg made a motion to approve the minutes of February 16, 2005. Seconded by Mr. Lauer. The motion carried unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF **VARIANCE** TO REDUCE FRONT YARD SETBACK FOR ADDITION ONTO EXISTING NONCONFORMING STRUCTURE

Chairman Arndt opened the hearing at 5:30 p.m. with the reading of publication #7313 published in the Hutchinson Leader on Thursday, March 3, 2005.

Mr. Telecky commented on the request for a variance to construct an addition onto a nonconforming building. He stated compliance on the septic has been completed. He explained the applicant would like to expand the business and stated the home occupation requirement was to allow 3 employees other than the occupants of the building.

Mr. Knutson asked how far the building is from the north property line. Mr. Telecky stated it is farther than 20 feet.

Mr. Wirt asked about the setback from the street. Mr. Lauer asked again about the northern property line. Mr. Wirt asked what the County comprehensive plan stated. Ms. Wischnack reported ag business.

Mr. Lauer asked the applicant about the number of employees. Sue Callier, applicant/property owner stated that it would be difficult to have only 3 non-resident employees in her growing business. Ms. Wischnack stated the employees would be calculated as 3 full time

Minutes

Joint Planning Board – March 16, 2005

Page 2

equivalents. She explained how to calculate full time equivalents. Ms. Callier explained the business and the expansion.

Mr. Lauer stated the septic is in compliance and has been done. Mr. Telecky stated yes it is compliant.

Mr. Knutson moved to close the hearing. Seconded by Mr. Runke. The hearing closed at 5:40 p.m. Mr. Knutson made a motion to approve the request. Seconded by Mr. Wirt the motion carried unanimously. Mr. Telecky stated this item would be forwarded to the County Board of Adjustments and placed on their agenda, March 24, 2005 at 9:30 a.m.

4. NEW BUSINESS

5. OLD BUSINESS

Ms. Wischnack reported the Orderly Annexation documents are still in process.

6. COMMUNICATION FROM STAFF

7. ADJOURNMENT

There being no further business the meeting adjourned at 5:45 p.m.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, April 20, 2005
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present: Tom Wirt, Larry Karg, Grant Knutson, Carl Runke, Jim Lauer and Chairman Arndt. Absent: Also present: Julie Wischnack, AICP, Planning Director, Larry Gasow, McLeod County Zoning Administrator, Marc Telecky, McLeod County Assistant Zoning Administrator and Bonnie Baumetz, Planning Coordinator

2. ELECTION OF OFFICERS

Mr. Knutson moved to nominate Bill Arndt as Chairman. Seconded by Mr. Runke. Mr. Knutson moved nominations cease. Seconded by Mr. Runke nominations ceased and Mr. Arndt was unanimously elected Chairman.

Mr. Knutson moved to nominate Jim Lauer as Vice Chairman. Seconded by Mr. Wirt. Mr. Knutson moved nominations cease. Seconded by Mr. Karg, nominations ceased and Mr. Lauer was unanimously elected Vice Chairman.

3. APPROVAL OF MINUTES

- a. Consideration of Minutes dated March 16, 2005.

Mr Knutson made a motion to approve the minutes of March 16, 2005. Seconded by Mr. Runke. The motion carried unanimously.

4. PUBLIC HEARINGS

- a. CONSIDERATION OF **CONDITIONAL USE PERMIT** REQUESTED BY DARYL RATH, RATH RACING FOR AN ADDITIONAL 3 EMPLOYEES AT HIS HOME OCCUPATION BUSINESS LOCATED AT 20784 HWY 15 NORTH, SECTION 30, HUTCHINSON TWP.

Chairman Arndt opened the hearing at 5:35 p.m. with the reading of publication #7323 published in the Hutchinson Leader on Thursday, April 7, 2005.

Ms. Baumetz explained the request to allow 6 employees at a home based occupation located on Hwy 15 north. She commented on the staff recommendations as follows:

1. Review of the Conditional Use Permit after 6 months.

2. Verify hours of operation for night shift.
3. Traffic impacts must be provided.
4. No more than 6 full time employees would be permitted and there will be no more Conditional Use Permits approved for additional employees over 6.

Mr. Rath, property owner, explained the day shift hours would be from 7:00 a.m. to 3:30 p.m. and the night shift would be from 3:00 p.m. to provide overlap to 11:00 p.m. He stated employees could be there from 6:00 a.m. to 11:00 p.m.

Mr. Eldon Barkheim, neighboring property owner, asked if there is an issue in 8 months could the Conditional Use Permit still be revoked. Mr. Knutson stated a Conditional Use Permit could be reviewed any time. Mr. Barkheim stated they have no objection to the proposed use.

Mr. Wirt moved to close the hearing. Seconded by Mr. Lauer. The hearing closed at 5:43 p.m. Mr. Knutson made a motion to approve the request with staff recommendations. Seconded by Mr. Runke the motion carried unanimously. Mr. Telecky stated this item would be forwarded to the County Board and placed on their agenda , May 3rd, 2005 at 10:00 a.m.

5. NEW BUSINESS

a. CONSIDERATION OF A **CONCEPTUAL SKETCH PLAN SUBMITTED BY AL COTTER LOCATED IN SECTION 15, LYNN TWP**

Ms. Wischnack explained the request and the Underwood Avenue future relocation. The staff report lists unanswered questions with the relocation of Underwood Avenue as follows:

1. Who would be involved in the actual construction of the road.
2. Where would the road then meet with existing Underwood Avenue and would it need to cross the property to the north?
3. Review with Lynn Township should be accomplished. The jurisdiction of the road, existing and proposed would be under their authority.
4. What would the specification of the road construction be?
5. What would happen to the existing roadbed of Underwood Avenue?
6. When would the improvements occur?

It was determined Mr. Larry Rotzein is owner of the property to the North of Cotters. The road would be a township road and Lynn Twp. Board should discuss whether or not they agree with the concept and specs on the new road and closing the old road.

Mr. Cotter stated he would request an access to the road and will build the road up to the north line. He explained he has already sold the lot

and is looking to the future of Underwood Avenue. He stated the extension is a suggestion but not a proposal.

Mr. Wirt asked what would happen with the future northern portion of the road. Mr. Cotter stated he would give right of way for the new road on his portion of the property. Mr. Lauer explained the access to Mr. Cotter's property.

Mr. Cotter stated the houses will be facing west and in the future Underwood Avenue, as it is today, would be closed. He stated he would build a 66 foot right of way. Mr. Lauer stated he would like feedback from the Rotzein's.

Mr. Cotter stated he met with the Town Board and they questioned maintenance of the road. He explained the property owners would maintain the road.

Mr. Telecky stated the ordinance states there must not be more than 2 lots on a driveway.

Ms. Wischnack questioned how the road would function in the future.

Mr. Cotter stated this plat is a way to protect the lake. The lots were intentionally platted large to protect the lake.

Mr. Lauer stated Lynn Township's position is there is already a township road and there is not problem with access to the new lot. He explained the townboard had no concerns with the existing road to service the lots. The township would not provide service to the private road. He commented on the extension to the north. The townboard is of the opinion the area affected by the extension should be done in conjunction with a development. Leave the land in ag until annexed to the city. The future road should be tied to the annexation to the city.

Mr. Knutson stated he has a problem with dedication of a private road. Mr. Telecky stated there is an ordinance to reflect that more than two dwellings on a road the road must meet standards. He stated there are two options a cul-de-sac or access from the present Underwood Ave. There are issues with connectivity.

Ms. Wischnack stated the property owners could sign a private driveway easement to do what they want for access. The problem is if the road is dedicated it puts the township at risk. She explained Mr. Cotter is proposing to dedicate the right of way. She commented on leaving Underwood Ave. as it is today and develop driveways to access the lots and document there is an anticipated roadway. Mr. Telecky stated he cannot issue a landuse permit to the 4th home since there cannot be more than 2 dwellings on a shared access.

Mr. Gasow commented on access to the house to the south.

Discussion followed on access to the fourth lot from Underwood temporarily.

Ms. Wischnack commented on present and future access to the lots. Mr. Telecky suggested Mr. Cotter speak to the township first. Mr. Karg stated a 66' right of way is large enough for future development.

Mr. Gasow suggested ghost platting so the house will meet both the east and west setback.

Mr. Wirt commented on a subordinate service district to assure the township does not have to maintain the road. Mr. Telecky explained the road must meet the specs of the township.

Discussion followed on the width of 66 feet or 72 feet.

Mr. Lauer asked at what point would Underwood Ave. go away. Mr. Knutson stated 2008 would be the earliest in revising Underwood Ave.

Ms. Wischnack commented on two options. Option one to use the present Underwood with access from the present road or option two dedicate right of way and build a township road to specifications with township approval.

Discussion followed with consensus the townboard must approve the road.

Mr. Cotter stated he could build the road with a cul-de-sac.

Mr. Knutson made a motion to table the sketch plan to the May 18th meeting. Seconded by Mr. Lauer the motion carried unanimously.

- b. CONSIDERATION OF AN 8 LOT **SKETCH PLAN** SUBMITTED BY WHITE PROPERTYIES LOCATED IN SECTION 26, ACOMA TWP

Withdrawn

- c. CONSIDERATION OF A 7 LOT **SKETCH PLAN** SUBMITTED BY WILLARD EXSTED LOCATED IN SECTION 25, ACOMA TWP

Mr. Gasow commented on the sketch plan and concerns of staff with the County 12 accesses. He explained the staff recommendation to vacate 209th Street and create a cul-de-sac. The new access would be provided to the south and would allow for added lots in the future. He commented on the clustered ISTS to aid in future City annexation. He stated the feed lot setback at outlot B is ½ mile. He suggested outlot B could be the stormwater retention pond. Mr. Gasow commented on the County Engineer's review regarding access and septic systems. Mr. Gasow stated Outlot B is virtually unbuildable because of the feedlot.

Mr. Karg question the location of the county tile and the proximity to this development. He commented on his concerns with the feedlot, county tile and taking the ag land out of commission.

Mr. Gasow stated he would like more information on cluster ISTS systems.

Mr. Karg asked why not make it like a city street with curb and gutter to prevent future digging up of the neighborhood.

Discussion followed regarding connection of the city at the cluster area.

Mr. Paul Otto, project engineer, clarified the location of the county tile which will not be impacted by this development. Discussion followed on the depth of the tile.

Mr. Otto commented on the length of the road and the cluster system. He explained he is concerned with the location of the point of collection with the cluster system for future City hookup. He stated if placed in the wrong place it is a concern. He stated it is not hard for the City to hookup with standard septics. He is not sold on collectors but will look into them.

Mr. Otto explained the development is proposed in two phases the first four lots will be on the existing road for cash flow and the second phase would be later. The developer must look at costs of septics versus collectors. He stated they will work with staff on the intersection and could survey the county tile to assure of the placement.

Ms. Wischnack commented on the sewer line and the experience of other.

Mr. Otto explained possible sewer and water placement and placement of a cluster system. He stated the smallest lot is 1.2 acres and allows room for 2 septics.

Mr. Karg commented on the townboard's position on developments in the township due to calls from residents with problems in Skyview Circle. He stated the public hearing will have concerned neighboring property owners. He suggested putting the new lots in the subordinate service district to maintain the road which may appease the neighbors.

Mr. Karg made a motion to deny the sketch. Motion failed due to lack of a second.

Mr. Wirt stated he is not comfortable with allowing just 4 lots and would rather see the entire 11 lots.

Mr. Knutson made a motion to table the request for the developer to bring back further information on the septic and the number of lots in the plat on May 18th. Seconded by Mr. Wirt the motion carried unanimously.

Minutes

Joint Planning Board – April 20, 2005

Page 6

Mr. Otto stated they would lay out the 11 lots with sale of 4 first. He will research the road, subordinate service district and if a cluster septic system is possible.

6. OLD BUSINESS

None

7. COMMUNICATION FROM STAFF

Mr. Telecky explained he spoke with the White's and after explaining the concerns of staff they withdrew the request.

8. ADJOURNMENT

There being no further business the meeting adjourned at 7:10 p.m.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, May 18, 2005
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present: Tom Wirt, Larry Karg, Grant Knutson, Jim Lauer and Chairman Arndt. Absent: Carl Runke Also present: Larry Gasow, Zoning Administrator, Marc Telecky, McLeod County Assistant Zoning Administrator, John Brunkhorst, McLeod County Engineer and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated April, 20, 2005.

Mr. Knutson made a motion to approve the minutes of April 20, 2005, with corrections. Seconded by Mr. Lauer the motion carried unanimously.

3. PUBLIC HEARINGS

None

4. NEW BUSINESS

a) CONSIDERATION OF A **SKETCH PLAN** SUBMITTED BY AL COTTER LOCATED IN SECTION 15, LYNN TWP. TABLED FROM THE APRIL MEETING

Chairman Arndt read the letter from Lynn Township dated May 3, 2005, regarding construction and maintenance of the private road.

Mr. Gasow commented on the request which was tabled from the April meeting. He explained the only change is a cul-de-sac to service the new lot in Cotter Addition. He stated the lot would also access off Underwood Ave. He explained in the long term one access would go with the new construction. He commented on the staff recommendations as follows:

1. Two septic locations need to be provided for the new lot.
2. Contour information must be provided on the preliminary plat.

John Brunhorst, County Engineer, commented on phase II of the 115 by-pass. He explained the issues with Underwood Ave. access as it is today. He stated the road will be constructed 10' – 15' south to distance

from the lake. He explained the residential access would come from the township road. He stated there will be one access point onto the new road. He stated the Underwood Ave. access must be addressed.

Paul Merkins, Lynn Township, asked if the road would be County or Township. Mr. Brunkhorst stated the County can get funding if the work is to make the road safer. Mr. Merkins asked if the township was included. Mr. Brunkhorst stated County, Federal, Township and the developer would be included.

Discussion followed on the township involvement and the expense to the township.

Mr. Knutson explained the main job is to approve the lot as long as the access is off Underwood Ave. He stated he has no problem with Mr. Cotter putting in a private road but he does not want to see Lynn Township take the brunt of the new road.

Discussion followed on the proposal, the road and the future of Underwood Ave.

Mr. Cotter stated the lots are sold with the understanding the houses will face west. He stated he will pay for the private road and will build it to township specifications. He explained the road will not be blacktopped.

Discussion followed on the ordinance stating if a road serves more than 2 lots, the road would be township. Mr. Gasow explained this is a unique situation since Underwood is the township road the lots are technically on a township road. Discussion followed on the private road.

Mr. Telecky explained the ordinance states more than 2 dwellings on a road, the road must be to township specifications. He explained the ordinance and development of the ordinance as life safety. He stated Mr. Cotter can build a private road separate from the plat and not included on the plat.

Mr. Lauer made a motion to recommend approval of the fourth lot as per the sketch submitted with the recommendations from staff, the letter from Lynn Township dated May 3, 2005 and access to the lot must be from Underwood Ave. Seconded by Mr. Knutson. Discussion followed regarding the option of a second trail. Mr. Telecky stated the second road will not be a platted right of way. The motion carried unanimously. Mr. Gasow stated this item will be on the County Board agenda, June 7, 2005 at 10:00 a.m. in Glencoe.

b) **CONSIDERATION OF A SKETCH PLAN SUBMITTED BY WILLARD EXSTED LOCATED IN SECTION 25, ACOMA TWP TABLED FROM THE APRIL MEETING**

Mr. Gasow explained the County Environmentalist, Roger Berggren, has informed him that Outlot B is in the feedlot setback. He stated potentially

Outlot B could be removed from the plat. If left in, a variance would be required for a feedlot closer than ½ mile from any portion of the plat.

Paul Otto commented on the fact it is an unbuildable lot. Mr. Knutson explained they should decide if the outlot will be taken out or left in the plat. Mr. Otto stated they can take out the Outlot B to avoid a variance review. He explained the plan now shows a cul-de-sac area and better road placement. He commented on the common sewer system. He stated it will be the best to put the collector area in the SE corner of this plat. The proposed location will match the City plan. The new sketch shows the sewer line in the roads. Mr. Otto explained he did research on collector systems and have not found any that have been taken over by the City. He stated it would be gravity feed. He explained they could do an easement agreement for the collector area. The next stage of development will be when the rest of the property comes into the City. He explained the collector will cause more infrastructure in the cost of the lot and they could go either way. There will be room for septic systems on the lots. He stated each lot will have a well. He stated they are open to ideas and want to get to the platting stage.

Mr. Gasow commented on the long cul-de-sac and the number of parcels along the road.

Mr. Karg reported the Acoma Twp board discussed this sketch at the last meeting and their opinion has not changed. The consensus of the town board is to wait until orderly annexation is in place and not take ag land out of commission.

Mr. Karg made a motion to recommend to deny the sketch based on the Acoma Townboard concerns with development until orderly annexation and road issues in the area are worked out. Seconded by Mr. Lauer. Discussion followed with Mr. Telecky explaining the orderly annexation process along with amending the zoning ordinance. He stated urban sprawl is a concern and he commented on the density already in the area. He explained staff would not want to see the 11 lots developed further from the City. He stated Mr. Otto has shown due diligence to the sewer system research and the staff recommendations. He explained this is the next best thing to orderly annexation.

Mr. Gasow stated the present sketch is presented with the recommendations of City and County staff including City Engineer John Rodeberg. He explained this sketch is the outcome of a mutual effort and compromise between developer and staff. He explained if they do away with Outlot B they would not need a cul-de-sac until it comes into the City.

Mr. Karg stated this plat will probably be an issue for the neighbors. He is more comfortable with lots 1-4 and Outlot B and leave the road as it is now.

Mr. Gasow stated there could be an issue with road access.

Discussion followed on past staff recommendations to keep orderly growth. Mr. Telecky reminded the board the staff makes recommendations only to advise the board. He explained the orderly annexation process and procedures and stated orderly annexation is not in place right now. He explained it makes sense to develop this area.

Discussion followed on the development and rezoning.

Mr. Karg made a motion to deny. Seconded by Mr. Lauer the motion failed 2 ayes to 3 nays. Mr. Knutson made a motion to recommend approval of the sketch with previous staff recommendations. Seconded by Mr. Wirt the motion carried 3 ayes to 2 nays. Mr. Gasow stated this will be on the County Board June 7, 2005, agenda at 10:00 a.m. He explained the Preliminary Plat must be submitted within 6 months. He also suggested the developer talk to the Acoma Townboard to discuss the road.

5. OLD BUSINESS

None

6. COMMUNICATION FROM STAFF

- Mr. Telecky commented on the progress of the orderly annexation agreements. He asked if the board would like to have a joint meeting with the County Board and Staff. Discussion followed to include City Council and County and City Planning Commissioners. Mr. Wirt made a motion to secure a date to meet with the City and County officials, possibly after the June 15th Joint Planning meeting. Seconded by Mr. Karg the motion carried unanimously.

7. ADJOURNMENT

There being no further business the meeting adjourned at 6:50 p.m.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, June 15, 2005
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present: Tom Wirt, Larry Karg, Grant Knutson, Jim Lauer and Chairman Arndt. Absent: Carl Runke Also present: Julie Wischnack, AICP, Planning Director and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated May 18, 2005.

Mr. Knutson made a motion to approve the corrected minutes of May 18, 2005. Seconded by Mr. Karg the motion carried unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF A **VARIANCE** REQUESTED BY JOHN AND SANDY LIETZ, 1540 JEFFERSON RD, TO CONSTRUCT A 3 SEASON PORCH ONTO AN EXISTING NON-CONFORMING DWELLING

Chairman Arndt reopened the hearing at 5:35 p.m. with the reading of publication #7344 published in the Hutchinson Leader on Thursday, June 1, 2005.

Ms. Wischnack commented on the request and explained the location of the three season porch. She commented on the four questions in granting a variance and stated the staff does not object to this request. The hardship being the home was constructed a long time ago.

Ms. Lietz, property owner, explained the placement of the porch and the roof line. She stated the porch will be placed on footings.

Ms. Wischnack suggested the footings be large enough to hold a four season porch in the event the property owners in the future would change the porch to 4 season. Ms. Lietz stated they have no intention of making this a four season porch in the future.

Mr. Lauer moved to close the hearing. Seconded by Mr. Knutson. The hearing closed at 5:40 p.m. Mr. Knutson made a motion to approve the request. Seconded by Mr. Lauer, the motion carried unanimously. Ms. Wischnack stated this item would be forwarded to the County Board of Adjustment and placed on their agenda June 23, 2005 at 10:00 a.m.

4. **NEW BUSINESS**

a) CONSIDERATION OF A TWO LOT SKETCH PLAN SUBMITTED BY ROLLIN AND CAROL KUBASCH, 19288 JUDSON CIRCLE

Ms. Wischnack commented on the request and location of the property in Judson Woods development. She stated the proposal is to split the lot into 2 parcels of 1.5 acres and 1.25 acres. She explained this area is zoned rural residential. She commented on lot size as stated in Section 5, Subd. 6 (A) of the Joint Planning Ordinance “Every lot on which a single-family dwelling is erected shall contain an area of not less than one (1) acre of buildable area,” She explained this area is in the City staged growth plan for 2010-2015 and ghost or shadow platting would be recommended. She commented on the following staff recommendations:

1. The southern most lot would need to be shadow platted to show future subdivision upon possible annexation.
2. A septic site and an alternate septic site would need to be identified for both lots.

Ms. Wischnack explained the next step is to preliminary plat. She stated the deadline was today and this won't go to the County Board until July 5th. This means the preliminary plat will not be on the agenda until August 17th provided the plat and application are in by July 20th. Then the final plat will have to be applied for and placed on the next agenda.

Discussion followed on the shadow platting requirements went into effect and if Judson Woods original plat was required to shadow plat. There was a question regarding the potential or other lot splits in Judson Woods and what happens when that area is annexed to the City. Ms. Wischnack stated the fiscal impact usually determines the need to subdivide.

David Broll, representing the Kubach's, explained they are not sure of the exact acreage. He stated the parcel could be smaller than 2.75 acres. The lots may be smaller than 1.25 acres. Ms. Wischnack commented on Section 5 regarding the acre of buildable area. She stated the parcel would need a survey to accurately split the property. Discussion followed on the definition of buildable area.

Mr. Karg explained the roads in Acoma Township are in an SSD (Subordinate Service District) and the cost is assessed to the property owners.

Discussion followed on the length of the SSD.

Mr. Karg made a motion to recommend approval of the sketch with staff recommendations. Seconded by Mr. Wirt, the motion carried unanimously. Ms. Baumetz stated the sketch will be on the County Board agenda July 5, 2005 at 9:00 a.m.

5. OLD BUSINESS

6. COMMUNICATION FROM STAFF

- a) Joint meeting update – June 21, 2005 – 8:00 p.m.

Ms. Wischnack reminded the board of the meeting and explained the format. She stated the meeting will last approximately one hour.

7. ADJOURNMENT

There being no further business the meeting adjourned at 6:30 p.m.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, July 20, 2005
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present: Tom Wirt, Larry Karg, Grant Knutson (5:35 p.m.), Jim Lauer and Chairman Arndt. Absent: Carl Runke Also present: Julie Wischnack, AICP, Planning Director, Marc Sebora, City Attorney, Larry Gasow, McLeod County Zoning Administrator and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated June 15, 2005.

Mr Wirt made a motion to approve the minutes of June 15, 2005. Seconded by Mr. Lauer the motion carried unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF A **CONDITIONAL USE PERMIT** TO ALLOW FOR A 30' X 80' ADDITION ONTO RIVERSIDE ASSEMBLY OF GOD CHURCH LOCATED AT 20924 HWY 7 WEST, ACOMA TWP

Chairman Arndt opened the hearing at 5:35 p.m. with the reading of publication #7359 published in the Hutchinson Leader on Thursday, July 7, 2005.

Mr. Gasow commented on the request. He stated the addition would meet the setback requirements. He explained the property is zoned commercial and surrounded by residential zoning. He stated the addition will be in character and direct use with the existing church and will be used for additional office and classroom area. He stated staff recommends approval of the request.

Discussion followed on the amount of parking to meet the requirements. Mr. Gasow stated they meet the requirements.

Mr. Lauer moved to close the hearing. Seconded by Mr. Karg. The hearing closed at 5:40 p.m. Mr. Karg made a motion to approve the request with staff recommendations. Seconded by Mr. Knutson. The motion carried unanimously. Mr. Gasow stated this item would be forwarded to the County Board and placed on their agenda , August 2, 2005 .

4. **NEW BUSINESS**

None

5. **OLD BUSINESS**

- a) DISCUSSION OF NONCONFORMANCE OF CONDITIONAL USE PERMIT GRANTED TO DALE HARBARTH FOR PROPERTY LOCATED AT 20641 HWY 7 WEST, ACOMA TWP

Mr. Gasow stated Mr. Harbarth has not complied with the conditions or the wetland requirements to be completed by July 1, 2005. He stated there are 140 vehicles on the lot and his permit was for 160 vehicles so he does comply with that requirement.

Discussion followed on the communication problems between Mr. Harbarth and the DNR. Chairman Arndt commented on the fact the County was able to fill in the flood plain without a permit. Mr. Gasow stated they did rectify the mistake.

Ms. Wischnack explained Mr. Harbarth is out of compliance with the permit. He was to provide a stormwater plan by June 30th. Mr. Knutson stated this must be rectified by Mr. Harbarth the question is how long do we give him.

Chairman Arndt stated R & R Excavation has indicated they are going to do the work and he believes Mr. Harbarth is trying.

Discussion followed on the process to remind the applicant to conform to the Conditional Use Permit conditions.

Mr. Lauer made a motion to take no action and ask Mr. Harbarth to attend the August 17th meeting to show compliance or let us know how he will comply if not in compliance by that meeting. Seconded by Mr. Knutson, the motion carried unanimously.

Mr. Harbarth arrived and stated R & R has the job and due to the location and wet Spring could not get to the property. Ms. Wischnack reminded Mr. Harbarth the condition asks for an "as built" stormwater management plan. Mr. Gasow stated Mr. Harbarth should give Roger Berggren a call about the wetlands.

6. **COMMUNICATION FROM STAFF**

None

7. **ADJOURNMENT**

There being no further business the meeting adjourned at 6:00 p.m.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, August 17, 2005
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present: Tom Wirt, Larry Karg, Grant Knutson, Jim Lauer and Chairman Arndt. Absent: Carl Runke, Also present: Larry Gasow, McLeod County Zoning Administrator, Marc Telecky, McLeod County Assistant Zoning Administrator and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated July 20, 2005.

Mr. Knutson made a motion to approve the minutes of July 20, 2005. Seconded by Mr. Lauer. The motion carried unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF **PRELIMINARY PLAT** TO BE KNOWN AS KUBASCH ADDITION LOCATED IN JUDSON WOODS SUBMITTED BY ROLLIN AND CAROL KUBASCH

Chairman Arndt reopened the hearing at 5:35 p.m. with the reading of publication # 7372 published in the Hutchinson Leader on Thursday, August 4, 2005.

Mr. Gasow commented on the request to plat one lot into two lots. He stated the lots met the building area minimum lot requirements. He reported the site elevation drawings show both sites will handle two septic. He noted there is a tight area near the well which must be closed and sealed. He commented on the following staff recommendations:

1. The building on the lots must not interrupt the future subdivision lines.
2. The areas for septic shall not be disturbed.
3. A document committing to well sealing by a certain date should accompany the final plat information.
4. A final plat must be prepared and submitted.

Discussion followed on the lot sizes in the shadow plat for future development. Mr. Gasow explained any development in the future would be after the lots were brought into the City.

Mr. Kubasch stated the well was sealed in 2003.

Mr. Knutson moved to close the hearing. Seconded by Mr. Wirt. The hearing closed at 5:47 p.m. Mr. Knutson made a motion to approve the request with staff recommendations. Seconded by Mr. Karg. The motion carried unanimously. Mr. Gasow stated this item would be forwarded to the County Board and placed on their consent agenda, September 6, 2005.

4. NEW BUSINESS

a) DISCUSSION OF TOWNSHIP ROAD SPECIFICATIONS

Mr. Karg stated he asked for this item and explained he wanted to discuss the Quade Addition road and item number 11 on recommendations requiring the road to be to Township standards. He stated the road was planned for City standards. He asked how do we build a road in the Joint Planning Area.

Discussion followed on the development of roads in the Joint Planning Area. Mr. Knutson stated roads should stay with the Townships. Mr. Lauer asked how the roads can be built to City specifications when the City does not maintain the road and why did the City Engineer have input on this matter.

Mr. Gasow commented on the extenuating circumstances with drainage in the area. He stated it was recommended the City and County Engineers review the plan.

Mr. Telecky stated City staff reviewed the plan but did not design the road. Otto and Assoc. designed the road. There was a problem in that area. Condition 11 was before Acoma Township had a plan adopted. He stated a Developer's Agreement would have alleviated the problem. He explained you can not legally condition a plat.

Discussion followed on how to address this issue for the future.

There was also discussion of the water flow over the road and the 20 year life of a road. Discussion followed regarding the Township standards and the developer's standards.

Mr. Telecky again stated a developer's agreement would clarify road development.

5. OLD BUSINESS

a) REVIEW OF NONCONFORMANCE OF CONDITIONAL USE PERMIT GRANTED TO DALE HARBARTH FOR PROPERTY LOCATED AT 20641 HWY 7 WEST, ACOMA TWP

Mr. Telecky stated he talked to Mr. Harbarth today. The pond is in and Justin Black will provide as-built elevation next week. He stated everything looks good. Mr. Harbarth is making progress.

Chairman Arndt asked why the DNR is placing dirt out there. Mr. Telecky stated he doesn't know however the DNR trail runs half way through the driveway and Mr. Harbarth leases that land from the DNR.

Discussion followed on the black topping. Mr. Telecky stated that was requested by Mr. Harbarth and not a requirement.

6. COMMUNICATION FROM STAFF

a) UPDATE OF THE ORDERLY ANNEXATION AGREEMENT PROCESS

Ms. Baumetz updated the Board on the Orderly Annexation agreements with the townships. Lynn Township has signed the document and it will be on the City Council agenda August 23, 2005. She commented on the Annexation payment report provided by City Finance Director, Ken Merrill.

7. ADJOURNMENT

There being no further business the meeting adjourned at 6:30 p.m.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, September 21, 2005
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present: Tom Wirt, Grant Knutson (5:40 p.m.), Carl Runke, Jim Lauer and Chairman Arndt. Absent: Larry Karg Also present: Julie Wischnack, AICP, Planning Director, Marc Sebor, City Attorney, Larry Gasow, McLeod County Zoning Administrator, Marc Telecky, McLeod County Assistant Zoning Administrator and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated August 17, 2005.

Mr Lauer made a motion to approve the minutes of August 17, 2005. Seconded by Mr. Runke, the motion carried unanimously.

3. PUBLIC HEARINGS

None

4. NEW BUSINESS

a) CONSIDERATION OF **FINAL PLAT** TO BE KNOWN AS KUBASCH ADDITION SUBMITTED BY ROLLIN AND CAROL KUBASCH LOCATED IN JUDSON WOODS, ACOMA TOWNSHIP

Mr. Gasow commented on the final plat for a simple lot split. He stated the standards have been met except for providing the opinion of title for review by the County Attorney. He stated the Board may act on the plat however the plat can not be recorded until the County Attorney reviews the title opinion.

Mr. Wirt made a motion to recommend approval of the final plat with the staff recommendation regarding the title opinion. Seconded by Mr. Lauer, the motion carried unanimously. Mr Gasow stated the final plat will be on the County Board consent agenda on October 4, 2005. Mr. Gasow reminded the applicants to return the Opinion of Title to the County Zoning Office.

b) CONSIDERATION OF **SKETCH PLAN** SUBMITTED BY BRENT REINER LOCATED IN SECTION 9, HASSAN VALLEY TOWNSHIP

Mr. Telecky commented on the request for a two lot subdivision. He explained the ordinance regarding "hard to farm" property for platting. He

Minutes

Joint Planning Board – October 4, 2005

Page 2

commented on the physical characteristics and the soil types of the property. Mr. Telecky commented on the following staff recommendations:

1. The City's long range comprehensive plan indicates this area as outside of a 20 year staged growth plan (meaning sewer and water accessibility are beyond that time frame).
2. The long range designation for this area, in the comprehensive plan is agricultural.
3. This area's soil types are indicated as prime farm land.
4. Creating (2) 10 acre lots could create small and irregular shaped lots, which would then meet the criteria for platting at even a higher density.

Mr. Runke stated the Hassan Valley Townboard is against losing ag land.

Mr. Knutson stated ag land must be treated differently in the Joint Planning area. He stated prime ag land is not a good excuse for denying the sketch.

Mr. Lauer stated there are differing philosophies in the County. He explained the Joint Planning area works with the City plan of growth and this does not work with the plan since it is not immediately adjacent to the City limits.

Mr. Reiner, property owner, stated he is open to changing the shape and size of the lots. He stated the lots must access the township road. The narrow area on the sketch is the access to the westerly portion of the property. He stated he could change the lots to two 20 acre parcels and utilize the entire acreage. He stated no roads would be platted in this plat. Discussion followed on the curve of the road and driveway access.

Discussion followed on McPherson's subdivision and possible lot splits.

Mr. Telecky reminded the Board of the feedlot to the South. This request is under the limit of lots however more development would require a feedlot variance which is very difficult to grant.

Discussion followed on the County feedlot ordinance and whether or not it should apply to the Joint Planning Area.

Mr. Telecky stated the County ordinance is more restrictive.

Ms. Wischnack stated staff is wanting to change the ordinance but are waiting until the Orderly Annexation agreements are solidified.

Mr. Runke made a motion to deny the sketch plan. Seconded by Mr. Wirt, the motion carried. There was a roll call vote; Mr. Wirt, Mr. Runke and Mr. Lauer voted to deny the request; Mr. Arndt and Mr. Knutson voted against

Minutes

Joint Planning Board – October 4, 2005

Page 3

denying the request. Mr Gasow stated the sketch plan will be on the County Board regular agenda October 4, 2005.

5. OLD BUSINESS

a) FURTHER DISCUSSION OF TOWNSHIP ROAD SPECIFICATIONS REQUESTED BY LARRY KARG

Mr. Karg was not present for this item.

6. COMMUNICATION FROM STAFF

Ms. Wischnack updated the Board on the progress of the Orderly Annexation documents. She stated Lynn Townboard signed the agreement and it has been sent to the State. Hassan Valley and Hutchinson Townboards are waiting for the March Annual meetings to discuss the document and Acoma Townboard is sending the agreement to their attorney. Atty. Seborá stated they should not try to cut separate deals with the townships. Ms. Wischnack stated there seems to be misunderstanding in the townships and suggested an open house and/or informational pamphlets.

7. ADJOURNMENT

There being no further business the meeting adjourned at 6:15 p.m.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, October 19, 2005
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present: Larry Karg, Grant Knutson, Carl Runke, Jim Lauer and Chairman Arndt. Absent: Tom Wirt Also present: Julie Wischnack, AICP, Planning Director, Larry Gasow, McLeod County Zoning Administrator, Marc Telecky, McLeod County Assistant Zoning Administrator and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated September 21, 2005.

Mr Knutson made a motion to approve the minutes of September 21, 2005. Seconded by Mr. Runke, the motion carried unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF A CONDITIONAL USE PERMIT REQUESTED BY DAN HUEBERT TO ALLOW CONSTRUCTION OF A DETACHED GARAGE IN THE FRONT YARD LOCATED AT 20126 – 205TH DRIVE, ACOMA TOWNSHIP

Chairman Arndt opened the hearing at 5:32 p.m. with the reading of publication #7392 published in the Hutchinson Leader on Thursday, October 6, 2005.

Mr. Gasow commented on the request for a detached 28' x 32' garage to be placed in the front yard. He stated staff has no concerns with setbacks and no sight issues with traffic. Mr. Huebert has submitted a septic compliance. Discussion followed on the need for screening. Ms. Wischnack explained that screening is required for commercial uses not residential.

Mr. Knutson moved to close the hearing. Seconded by Mr. Lauer. The hearing closed at 5:36 p.m. Mr. Karg made a motion to approve the request with staff recommendations. Seconded by Mr. Runke. The motion carried unanimously. Mr. Gasow stated this item would be forwarded to the County Board and placed on their consent agenda November 8, 2005.

b) CONSIDERATION OF A CONDITIONAL USE PERMIT REQUESTED BY AMERICAN TOWERS TO ALLOW THE CONSTRUCTION OF A 199

FOOT MONOPOLE CELL TOWER LOCATED IN SECTION 35, ACOMA TOWNSHIP

Chairman Arndt opened the hearing at 5:37 p.m. with the reading of publication #7393 published in the Hutchinson Leader on Thursday, October 6, 2005.

Ms. Wischnack commented on the request and the ordinance which is the same as the City tower ordinance. She explained the ordinance allows only monopole construction (no guy wires). A tower is allowed in Industrial or Ag zoned property and the setback is equal to the height of the tower. She stated the nearest house is to the Northwest. She commented on the following staff recommendations:

1. Follow recommendations submitted by Owl Engineering (consultant providing a report on Wednesday).
2. The tower must meet FAA and FCC requirements.
3. The fencing proposed, is not opaque and must be changed to meet the requirements of ordinance.
4. No landscaping details have been submitted.
5. Future abandonment would require removal within 6 months or as otherwise determined by the Joint Planning Board.

Garrett Lysiak, Owl Engineering, gave input on this proposal. He presented a packet with the site map and aerial photos. He reported on demonstrating a need for the tower with a coverage study and research of tower sites within 5 miles of the proposal. Mr. Lysiak reported on the strength of the tower. He stated he did not receive a letter from the Hutchinson Airport Commission to date. He reported no impact from the FAA.

Ms. Wischnack explained the Airport Commission discussed the request last night and did not have time to put the report in writing. She reported the Commission would like the tower placed further west but are comfortable with the proposal.

Mr. Lysiak commented on the approach distance.

Discussion followed on the number of approaches in the long range future. Mr. Lauer stated he would like to see the Airport Commission report. He stated this tower could limit the potential expansion of the airport.

Ms. Wischnack stated we could ask for a response in writing.

Mr. Lysiak stated transmission interference can be a concern of emergency services. He stated there is no RF radiation hazard. This is a co-location tower.

Discussion followed on the Hansen property and addition of buildings to their property with the tower setbacks. Ms. Wischnack explained the setback is from the property line not within the property.

There was discussion on the site selection. There had to be a willing land owner, the zoning had to be appropriate and there are no co-location towers in the area.

Discussion followed on an additional recommendation to provide a copy of the radiation test report annually. Mr. Lysiak also suggested to require and annual list of frequencies on the tower.

The representative from American Tower stated he has no issues with the lists, fence or landscaping plan.

Mr. Knutson moved to close the hearing. Seconded by Mr. Karg. The hearing closed at 5:55 p.m. Mr. Lauer made a motion to table the request until the Airport Commission provides a written report. Seconded by Mr. Runke the motion carried unanimously. The item will be placed on the November 16, 2005, Joint Planning agenda.

4. NEW BUSINESS

a) CONSIDERATION OF A 5 LOT SKETCH PLAN SUBMITTED BY BRIAN SPORTELLI LOCATED ON RAVEN AVE. IN HUTCHINSON TOWNSHIP

Ms. Wischnack commented on the request and explained the elevation drawing. She commented on rural developments near the city and the property owner costs of public improvements if the development were annexed into the city. She explained the need for the ability to resubdivide the lots when annexed. She commented on the staff comments as follows:

1. The proposal would prompt a request for rezoning and feedlot setback variance, which has not been considered previously in the joint planning area.
2. The proposed development layout would only allow for 1 additional lot to be subdivided if there urbanization occurred, making infrastructure improvements very costly.
3. It is difficult to justify, whether this area is appropriate for rural lot subdivision, given its proximity to the City, high costs of infrastructure improvements and the negative impacts to the persons who would eventually purchase the properties (i.e. disruption with urbanization).
4. It would be important to identify the minimum basement floor elevations for each unit to ease eventual sewer hookup.
5. There would need to be two septic locations identified for each parcel or discussion regarding a community septic system, again to ease future connection issues.
6. There should be discussion regarding the need for drainage improvements.

Discussion followed on the availability of service to the area.

Mr. Knutson explained a feedlot variance is difficult to obtain.

Mr. Sportelli stated this is a new process to him and he has concerns with potential city costs. He stated this may never be in the city. He explained the neighbors are ok with the development.

Ms. Wischnack explained the rezoning requirement after 8 lots are platted in a quarter quarter. She stated the rezoning would invoke the feedlot setback requirement.

Ms. Sportelli asked about the Auction Barn being deemed a feedlot when animals are not housed there for long periods of time.

Mr. Knutson stated they have a feedlot permit because of the animals.

Mr. Sportelli stated this is one idea and they would consider other options. He stated this is for future financial purposes.

Discussion followed on the variance and rezoning process with the preliminary plat.

Ms. Wischnack commented on the forester's report.

Discussion followed on suggestions how to change the plan.

Mr. Karg stated this plan makes sense to him.

Mr. Knutson made a motion to table the sketch plan to the November 16th meeting. Seconded by Mr. Karg. The motion carried unanimously.

b) CONSIDERATION OF A 1 LOT SKETCH PLAN SUBMITTED BY RICHARD SCHMIDTBAUER LOCATED ON HWY 15 IN HASSAN VALLEY TOWNSHIP

Mr. Telecky commented on the request and explained the property is in the airport zone which will require a 3 acre parcel. He reported on the staff recommendations as follows:

1. A septic site and an alternate septic site would need to be identified by a licensed septic contractor for the proposed lot.
2. A shared access should be used to conform to MnDot's access management standards.

Mr. Telecky stated there has been approval from MnDOT to move the field access for separate driveways.

Minutes

Joint Planning Board – October 19, 2005

Page 5

Mr. Patrick Wiedemann, MnDOT District 8, explained the trade off of accesses. He stated this will eliminate an access which is favorable.

Mr. Lauer made a motion to recommend approval of the sketch plan with staff recommendation number 1. Seconded by Mr. Knutson the motion carried unanimously. Mr. Gasow stated this item will be forwarded to the County Board consent agenda on November 8, 2005.

c) CONSIDERATION OF A 13 LOT SKETCH PLAT SUBMITTED BY RICH WESTLUND AND TIM ULRICH LOCATED ON HWY 22 IN HASSAN VALLEY TOWNSHIP

Mr. Telecky explained the request and commented on the soil types in the area. He commented on the floodplain line and explained the FEMA maps have no definite elevations. He commented on the following staff comments:

1. A right-out shall be constructed onto Hwy 22.
2. Soil borings would need to be submitted to McLeod County Environmentalist to determine primary and secondary septic sites prior to preliminary plat.
3. Wetland Delineation would need to be submitted to the McLeod County Environmentalist prior to preliminary plat.
4. Shadow platting shall be reflected on preliminary plat.

Mr. Telecky commented on staff concerns with the length of the cul-de-sac for emergency purposes. He also commented on the delineation of the wetland area.

Discussion followed on a second access for emergency vehicles.

Mr. Weidemann, MnDOT, stated they cannot engineer a right out only access. He explained it is impossible to restrict. After several thoughts on the second access problem, he stated he would rather see Lot 13 a potential street right-of-way.

Mr. Telecky stated the recommended cul-de-sac length is 500' and if MnDOT is agreeable to the field access for emergency purposes staff is also agreeable.

Discussion followed on the Lot 13 right-of-way. There was also discussion on the possible consolidation of septic.

Mr. Telecky stated this property is outside the 20 year growth plan. Ms. Wischnack explained there is a difference for property outside the 20 year growth plan. Mr. Gasow stated the lots are larger than required and there is room for individual septic.

Mr. Ulrich asked what should be left for a corridor. Mr. Telecky stated 66 feet of right-of-way paralleling Hwy 22. Mr. Ulrich stated they could move

Minutes

Joint Planning Board – October 19, 2005

Page 6

lot lines. Discussion followed on preserving the corridor. Mr. Ulrich stated they will work on developing a corridor. Mr. Weidemann stated he is satisfied with that decision.

Mr. Runke made a motion to approve the sketch with staff recommendations 2–4 and preserving a right of way to future development. Seconded by Mr. Knutson. The motion carried unanimously.

Discussion followed on marking the wetland boundary or delineating the wetland. The board directed to mark the wetland boundary.

Mr. Gasow stated this item will be placed on the County Board November 8, 2005, consent agenda.

5. OLD BUSINESS

A. FURTHER DISCUSSION OF TOWNSHIP ROAD SPECIFICATIONS REQUESTED BY LARRY KARG

Mr. Karg suggested the use of Subdivision Agreements in the townships when approving developments.

Mr. Telecky explained what is in the agreements to protect the township and on-site inspectors. Mr. Gasow commented on the County Subdivision Ordinance and stated what may be done.

Mr. Karg stated he just wanted to plant the idea because we need more than what we have now.

Discussion followed with the pros and cons of the agreements.

7. COMMUNICATION FROM STAFF

8. ADJOURNMENT

There being no further discussion the meeting adjourned at 7:20 p.m.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, November 16, 2005
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present: Tom Wirt, Larry Karg, Grant Knutson, Carl Runke, Jim Lauer and Chairman Arndt. Absent: None Also present: Julie Wischnack, AICP, Planning Director, Larry Gasow, McLeod County Zoning Administrator, Marc Sebor, City Attorney, Marc Telecky, McLeod County Assistant Zoning Administrator and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated October 19, 2005.

Mr Runke made a motion to approve the minutes of October 19, 2005. Seconded by Mr. Knutson the motion carried unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF A ONE LOT **PRELIMINARY PLAT** TO BE KNOWN AS SCHMIDTBAUER'S FIFTH ADDITION SUBMITTED BY RICHARD SCHMIDTBAUER LOCATED IN SECTION 19, HASSAN VALLEY TOWNSHIP

Chairman Arndt reopened the hearing at 5:33 p.m. with the reading of publication #7406 published in the Hutchinson Leader on Thursday, November 3, 2005.

Mr. Telecky commented on the request and location of the plat. He stated the soil borings have been approved. He read the letter of approval from MnDOT and commented on the following staff recommendations:

- 1) Final Plat shall conform with the requirements of M.S.A 505
- 2) Tax Certifications shall be submitted prior to recording.
- 3) Attorney's opinion of title showing title or control of the property to be subdivided shall be submitted.

Discussion followed on the proximity to the airport zone. Mr. Telecky explained the area is in the safety zone B and must be a minimum of 3 acres. There was further discussion regarding the possibility of airport expansion.

Minutes

Joint Planning Board – November 16, 2005

Page 2

Doris Sturges, neighboring property owner, questioned taking prime farmland for development. Mr. Lauer explained the property will remain residential agricultural. This is one lot for a single family home. Mr. Knutson commented on his view of property in the Joint Planning Area as appropriate for development even if it is prime farmland. Discussion followed on development near the City.

Mr. Schmidtbauer commented on the one per forty rule in the county and this lot would fit that category.

Mr. Knutson moved to close the hearing. Seconded by Mr. Lauer. The hearing closed at 5:43 p.m. Mr. Runke made a motion to approve the request with staff recommendations. Seconded by Mr. Knutson. The motion carried unanimously. Mr. Gasow stated this item would be forwarded to the County Board and placed on their regular agenda, December 6, 2005 at 10:00 a.m.

4. **NEW BUSINESS**

None

5. **OLD BUSINESS**

- a) **CONSIDERATION OF A CONDITIONAL USE PERMIT REQUESTED BY AMERICAN TOWERS TO ALLOW THE CONSTRUCTION OF A 199 FOOT MONOPOLE CELL TOWER LOCATED IN SECTION 35, ACOMA TOWNSHIP. THIS REQUEST WAS TABLED AT THE OCTOBER MEETING.**

Ms. Wischnack updated the Board on the November 3, 2005, letter from the Airport Commission regarding tower placement. She reported the Airport Commission has no objection to Conditional Use Permit approval. She commented on the following staff recommendations:

1. Follow recommendations submitted by Owl Engineering at the October meeting.
2. The tower must meet FAA and FCC requirements.
3. The fencing proposed, is not opaque and must be changed to meet the requirements of ordinance.
4. No landscaping details have been submitted.
5. Future abandonment would require removal within 6 months or as otherwise determined by the Joint Planning Board.

Mr. Karg made a motion to recommend approval with staff recommendations. Seconded by Mr. Runke. Discussion followed on the affect of precision approach in the future. The motion carried unanimously.

Mr. Gasow stated this item will be placed on the County Board regular agenda on December 6, 2005, at 10:00 a.m.

b) CONSIDERATION OF A 3 LOT **SKETCH PLAN** SUBMITTED BY BRIAN SPORTELLI LOCATED ON RAVEN AVE. IN HUTCHINSON TOWNSHIP

Ms. Wischnack commented on the request and the scenario of resubdivision with the larger lots. She stated staff has the same concerns as reported last month being so near the city limits. She explained “ghost platting” and reported on the current elevations and septic elevations.

Discussion followed on future platting and staff comments as follows:

1. The proposal would prompt a request for rezoning and feedlot setback variance, which has not been considered previously in the joint planning area.
2. The proposed development layout would only allow for 1 additional lot to be subdivided if there urbanization occurred, making infrastructure improvements very costly.
3. It is difficult to justify, whether this area is appropriate for rural lot subdivision, given its proximity to the City, high costs of infrastructure improvements and the negative impacts to the persons who would eventually purchase the properties (i.e. disruption with urbanization).
4. It would be important to identify the minimum basement floor elevations for each unit to ease eventual sewer hookup.
5. There would need to be two septic locations identified for each parcel or discussion regarding a community septic system, again to ease future connection issues.
6. There should be discussion regarding the need for drainage improvements.

Mr. Knutson made a motion to recommend approval of the sketch with staff recommendations number 2,4 and 5. Seconded by Mr. Wirt. The motion carried unanimously. Mr. Gasow stated this item will be forwarded to the County Board consent agenda on December 6 2005. He explained the property owner will have 6 months to present the preliminary plat.

6. COMMUNICATION FROM STAFF

Mr. Gasow reported a six month review for the Conditional Use Permit issued to Rath Racing for additional employees must be completed. He also reported the Heikes outdoor display Conditional Use Permit which was granted for 5 years must be reviewed.

Mr. Knutson asked the staff to look at the feed lot setbacks in the Joint Planning Area.

There was discussion of a meeting called by Acoma, Hutchinson and Hassan Valley townships scheduled for January 10, 2006, to discuss the orderly annexation agreements. Mr. Lauer stated the townships should

Minutes

Joint Planning Board – November 16, 2005

Page 4

include City and County staff at the meeting to answer questions along with representation from Lynn Township.

7. ADJOURNMENT

There being no further business the meeting adjourned at 6:10 p.m.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, December 21, 2005
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present: Tom Wirt, Larry Karg, Carl Runke, Jim Lauer and Chairman Arndt. Absent: Grant Knutson Also present: Julie Wischnack, AICP, Planning Director, Marc Sebor, City Attorney, Marc Telecky, McLeod County Assistant Zoning Administrator and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated November 16, 2005.

Mr. Lauer made a motion to approve the minutes of November 16, 2005. Seconded by Mr. Karg. The motion carried unanimously.

3. PUBLIC HEARINGS

None

4. NEW BUSINESS

a) CONSIDERATION OF FINAL PLAT TO BE KNOWN AS SCHILLER ADDITION SUBMITTED BY RICHARD SCHMIDTBAUER

Mr. Telecky commented on the one lot final plat. He stated the Opinion of Title was approved by the County Atty.

Mr. Runke made a motion to approve the final plat. Seconded by Mr. Wirt the motion carried unanimously.

Mr. Telecky stated the plat will be placed on the December 27th County Board consent agenda.

5. OLD BUSINESS

a) REVIEW OF RATH RACING CONDITIONAL USE PERMIT INCREASING NUMBER OF EMPLOYEES

Ms. Wischnack explained there was to be a 6 month review of the conditional use permit granted for additional employees at the Rath Racing home based business. She stated in her site inspection there

Minutes

Joint Planning Board – December 21, 2005

Page 2

were 5 employees plus the owners. She commented on the ordinance requirement. She explained a conditional use permit for 6 employees was issued. Hours of operation were also a part of the conditional use permit. She stated the hours are until 8:00 p.m. There have been no noise complaints or negative feedback regarding the operation which is in compliance with the requirements.

Discussion followed on the lighted sign Mr. Telecky will check the sign. Ms. Wischnack stated the owners said it was in place last year. Mr. Telecky stated there are standards to be met.

It is the consensus of the board to allow the operation as regulated by the conditional use permit.

6. COMMUNICATION FROM STAFF

Acoma and Hutchinson township committees will be meeting with the township attorney to review the orderly annexation agreement. The meeting will be on January 13th. Mr. Wirt state this is not a public meeting. The public meeting will be in March. Atty. Sebor asked if McLeod Coop Power was giving input. Mr. Karg stated that issue is over.

7. ADJOURNMENT

There being no further business the meeting adjourned at 5:55 p.m.