

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, March 18, 2009
Hutchinson City Council Chambers

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

The meeting was called to order by Vice Chairman Jim Lauer at 5:30 p.m. with the following members present: Tom Wirt, Larry Karg, Robert Anderson, Jim Haugen and Vice Chairman Lauer. Absent: Grant Knutson and Larry Karg. Also present: Larry Gasow, McLeod County Zoning Administrator, Rebecca Bowers, City Planning Director, and Marc Telecky, McLeod County Assistant Zoning Administrator.

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated December 17, 2008.

Mr. Anderson made a motion to approve the minutes of December 17, 2008. Seconded by Mr. Wirt, the motion carried unanimously.

3. PUBLIC HEARINGS

a) PRELIMINARY RE-PLAT BY JOSEPH R. III & K.A. MCPHERSON TO BE KNOWN AS "MCPHERSON'S SECOND SUBDIVISION"

Vice Chair Lauer opened the hearing at 5:35 p.m. with the reading of publication #7739 published in the Hutchinson Leader on Thursday, March 5, 2009.

Mr. Gasow commented on the request for a re-plat to the existing 10.59 acres one lot plat of McPherson Subdivision and create a total of 5 smaller lots to be known as McPherson's Second Subdivision, for sale of the property. The property is zoned Agricultural and located in Hassan Valley Township. He reported the application meets the McLeod County Comprehensive Land Use Plan for clustering rural residential concentrations. The property was platted shortly after the organization of the Hutchinson Joint Planning Area. The plat met the criteria of difficult to farm due to the drainage ditch on the south boundary line of the subdivision. The site is fairly flat with a low lying area to the east having a private drainage ditch to the rear of the property and a low traffic township road for access.

Mr. Gasow explained that Mr. McPherson has not submitted soil borings at this time due to the snow cover. The McLeod County Environmentalist has requested that there be four soil borings and two perc tests completed prior to recording the final plat. There are two lots in which there is concern due to elevations with low wet areas and a swale that runs through the property. Staff will find out if the sites are buildable after

the soil borings are completed. There is a 50 foot natural gas pipeline easement, through the western portion of Lot 4. There is a buildable area on the eastern portion of Lot 4, however it has less area than the other lots. If changes are needed, revisions could be reviewed with a revised preliminary plat or at the time of final plat.

Mr. Wirt asked what the applicant would do if Lot 5 was not buildable. Applicant would combine lots 4 & 5 together. Mr. Haugen asked if the lots could be filled to bring up the elevation of the lots. Mr. Gasow stated that a small area of fill could be allowed, however if it is a wetland there would be limitations and requirements. The Board discussed wetland requirements and if there is standing water on the lots. The applicant stated that the center area is occasionally wet. Applicant wants to sell property and move quickly. Mr. Wirt asked about joint driveways onto Noble Road. Staff responded that shared driveways are not required on township roads.

Staff would recommend the following if approved:

- 1) Soil borings and perc tests would need to be completed prior to approval by McLeod County Board of Commissioners approval of a final plat.

Mr. Wirt moved to close the hearing. Seconded by Mr. Haugen. The hearing closed at 5:42 p.m. Mr. Anderson was contacted by a neighbor who had concerns over the plat. The Board discussed whether Hassen Valley and the Board should review the preliminary plat again or if the final plat could go directly to the County. The primary reason for changes would be is there were problems with the ability to provide septic systems on the lots. The Board discussed the timing issues.

Mr. Anderson made a motion to approve the request with staff recommendations, with the ability of reviewing a revised final plat before it comes back to the Board instead of requiring approval of a revised preliminary plat. Seconded by Mr. Wirt the motion carried unanimously. Mr. Gasow stated this item would be forwarded to the County Board and placed on their consent agenda, April 7, 2009 at 10:00 a.m. If the soil tests are not ready, the final plat will need to be delayed. A final opinion of title is also required before the final plat can be considered. Staff discussed the application deadline is today for consideration at the April Joint Planning meeting.

4. **NEW BUSINESS**
5. **OLD BUSINESS**
6. **COMMUNICATION FROM STAFF**

Ms. Bowers invited the Board to a town hall meeting on the 2010 Census, which is being held by the State Demographers office at Hutchinson City Center at 6:30 p.m. on March 26th.

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Staff reminded townships to reappoint officers at their meeting, if they have not already. Hassan Valley township will not have met by the next meeting in order to appoint officers. Election of officers for the Joint Planning Board will be at the next meeting in May.

7. ADJOURNMENT

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

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, May 20, 2009
Hutchinson City Council Chambers

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

The meeting was called to order by Vice Chairman Jim Lauer at 5:30 p.m. with the following members present: Tom Wirt, Larry Karg, Grant Knutson, Garrett Luthens and Vice Chairman Lauer. Absent: Jim Haugen Also present: Rebecca Bowers, City Planning Director, Marc Sebor, City Attorney and Marc Telecky, McLeod County Assistant Zoning Administrator

2. OATH OF OFFICE OF NEW JOINT PLANNING BOARD MEMBER GARRETT LUTHENS

City Attorney Sebor gave the oath of office to Garrett Luthens, new Joint Planning Board member representing Hassan Valley Township.

3. APPROVAL OF MINUTES

a) Consideration of Minutes dated March 18, 2009. A correction was noted to show Larry Karg was absent at the last meeting. Correction was also made to show that Jim Lauer should be noted as Vice Chair throughout the minutes as there is no chair. Mr. Karg made a motion to approve the minutes of March 18, 2009, with the changes noted. Seconded by Mr. Knutson the motion carried unanimously.

4. PUBLIC HEARINGS

5. NEW BUSINESS

a) FINAL PLAT OF MCPHERSON'S SECOND SUBDIVISION SUBMITTED BY JOE MCPHERSON LOCATED IN HASSAN VALLEY TOWNSHIP

Mr. Telecky explained that Mr. McPherson is requesting a three (3) lot final plat, which is a re-plat of the existing 10.59 acres one lot plat of McPherson Subdivision to be known as McPherson's Second Subdivision. He stated the criteria for a preliminary and final plat have been met. The zoning on the property will remain as Agricultural. This area meets the McLeod Comprehensive Land Use Plan in regards to clustering rural residential concentrations.

Mr. Telecky commented on the preliminary plat that was approved for 5 lots, however the plat was revised to 3 lots due to site issues. He explained based on the findings of the soil borings and perc tests for SSTS purposes it was determined that buildable areas were too restraining based on soil conditions. The McLeod County Board approved the preliminary plat based on the reconfiguration of the proposed five lots down to three lots. The plat is 10.59 acres in size which meets the criteria of difficult to farm due to the south boundary line of the subdivision being a drainage ditch. Lot #3 has a 50' wide natural gas pipeline easement running through it as noted on the preliminary plat.

Mr. Telecky stated that Mr. McPherson has submitted soil borings, the McLeod County Environmentalist has reviewed and approved the four soil borings and two perc tests done prior to the final plat being presented for approval. The McLeod County Attorney has reviewed and accepted the Title of Opinion. The McLeod County Recorder's office has reviewed the final plat

and requested a name change of the plat and a correction on the signature page, which have both been completed.

The Hassan Valley Town Board had an opportunity to review and comment on the plat. This property is located on a township road and the township is the local road authority. The township has requested that there be only one access per lot.

Mr. Luthens stated that the township reviewed the item and does not have concerns since the number of lots was reduced from 5 to 3 lots. The township wants to see that a condition be placed upon the sale of lot 3 that there will not be a driveway located on the curve. As the township is the road authority, it has the option to review and approve the access location.

Motion to approve by Mr. Luthens, seconded by Mr. Knutson

b) ELECTION OF OFFICERS

Vice Chairman Lauer called for nominations for Chair. Mr. Wirt nominated Mr. Lauer for Chairman. Mr. Knutson seconded. Nominations ceased and a unanimous motion carried for Mr. Lauer as Chairman.

Chairman Lauer called for nomination for Vice Chair. Mr. Karg nominated Mr. Knutson for vice chair. Mr. Wirt seconded. Nominations ceased and a unanimous motion carried for Mr. Knutson as Vice Chair.

5. **OLD BUSINESS**

6. **COMMUNICATION FROM STAFF**

The Board discussed the need for review of Joint Planning agenda items at township boards. The Board stated that the townships should discuss with the clerks the need to bring agenda items to their township boards so that comments can be received before the items are considered at the Joint Planning board. The agendas are sent to township clerks early in the process so that they have time to make the Board aware of applications in their areas.

7. **ADJOURNMENT**

There being no further business the meeting adjourned at 5:55 p.m. Motion by Mr. Luthens and seconded by Mr. Karg.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, June 17, 2009
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Lauer at 5:30 p.m. with the following members present: Tom Wirt, Larry Karg, Grant Knutson, Jim Haugen, Garrett Luthens and Chairman Lauer. Absent: Also present: Larry Gasow, McLeod County Zoning Administrator, Rebecca Bowers, City Planning Director, Marc Sebor, City Attorney and Marc Telecky, McLeod County Assistant Zoning Administrator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated May 20, 2009.

Mr. Wirt made a motion to approve the minutes of May 20, 2009. Seconded by Mr. Luthens, the motion carried unanimously.

3. PUBLIC HEARINGS

None

4. NEW BUSINESS

a) SKETCH PLAN OF WOODVIEW ACRES LOT 5 LOCATED IN ACOMA TOWNSHIP SUBMITTED BY WAYNE JOHNSON

Mr. Telecky commented on the request for a sketch plan to split a lot to create an additional buildable lot in the Wood View Acres subdivision. He outlined the size of the lots and noted the proposed lots would be 1.89 acres and 1.1 acres. He explained the Wood View Acres final plat was approved on May 8, 1984, prior to the creation of the DNR lake classification. The original 6 lots were platted prior to the existence of the Hutchinson Joint Planning Area. Lots 4, 5, and 6 were platted large enough for future subdivision potential per the current ordinances, except shore land regulations. Section 9 of the Hutchinson Area Joint Planning Ordinance requires all un-sewered lots created within 1,000' of a natural environment lake be required to be 2 acres in size and 200 feet wide. This request does not meet those requirements, thus the need for a variance if the concept to plat is approved. Mr. Telecky spoke about meeting the criteria for clustering, although it would not meet the shoreland district requirements and a variance would be required.

Mr. Lauer spoke about other lots in the area and noted others may come forward with similar requests. Mr. Telecky stated each lot should be reviewed upon its own merits and whether the lots were riparian could be an issue. Discussion was held on shoreland district requirements and the classification of lakes. Mr. Karg stated Acoma Township would prefer that the house be built here in a cluster rather than in an agricultural field. The variance will be discussed in July after the application is considered by the Board of Adjustment. Staff recommends that if the sketch plan is

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approved, the variance be approved prior to the preliminary plat application being accepted.

Mr. Karg made a motion to recommend approval of the sketch plan, subject to the condition noted. Seconded by Mr. Knutson, the motion carried unanimously.

5. **OLD BUSINESS**

6. **COMMUNICATION FROM STAFF**

7. **ADJOURNMENT**

There being no further business the meeting adjourned at 5:48 p.m., motion by Mr. Wirt, seconded by Mr. Luthens.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, July 15, 2009
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Lauer at 5:30 p.m. with the following members present: Larry Karg, Grant Knutson, Mr. Haugen, and Chairman Lauer. Absent: Tom Wirt and Garrett Luthens. Also present: Rebecca Bowers, City Planning Director and Marc Telecky, McLeod County Assistant Zoning Administrator.

2. APPROVAL OF MINUTES

a) Consideration of minutes dated June 17, 2009.

Mr. Haugen made a motion to approve the minutes of June 17, 2009. Seconded by Mr. Knutson the motion carried unanimously.

3. PUBLIC HEARINGS

a) VARIANCE FOR LOT SIZE AND WIDTH IN THE NATURAL ENVIRONMENTAL SHORE LANDAREA IN LOT 5, WOOD VIEW ACRES, SECTION 25, ACOMA TWP., REQUESTED BY WAYNE JOHNSON

Chairman Lauer opened the hearing at 5:35 p.m. with the reading of publication # 7763 published in the Hutchinson Leader on Thursday, July 2, 2009.

Mr. Telecky provided an overview of the request by Wayne Johnson for a variance for lot area and lot width for two lots. The variance request for lot 2 would be to allow a lot area of 47,813.4 square foot (1.1 acre), rather than the required 87,120 square feet (2 acres) for a non-riparian natural environment lakeshore lot. The variance for lot 1 would be to allow 82,537.2 square feet (1.89 acre). Mr. Johnson is also requesting a variance to reduce the lot width from 250' to 181.8' in a natural environment lake shore area.

Wood View Acres final plat was approved on May 8, 1984. The original 6 lots were platted prior to the existence of the Hutchinson Joint Planning Area. Lots 4, 5, & 6 were platted large enough for future subdivision potential per the current ordinances (except shore land regulations). Section 5 of the Hutchinson Area Joint Planning Ordinance requires 1 acre for a build-able lot in the Rural Residential District (2 acre lots in a natural environment lake shore land area). These lots shall be a minimum depth of 250' and a minimum width of 150' (200' width in natural environment shore land area). The overall lot shall be wider or deeper than the stated minimums to accommodate the 1 acre requirement in Rural Residential District, (87,120 square feet = 2 acres) in natural environment shore land area).

However, MN Rule 6120, which is also Hutchinson Area Joint Planning Ordinance Section 9, requires all lots created within 1,000' (defined shore land area) of a natural environment lake (that are un-sewered) be required to be 2 acres in size and 250' wide. This request does not meet those requirements and a variance is required. The sketch plan was approved by McLeod County Board of Commissioners July 7, 2009. Mr. Telecky reviewed the variance standards.

Dean Sabacky, 20957 Skyview Avenue, Hutchinson, who lives west of the property, spoke on the request. He stated his only concern is that development on the lot would not be detrimental to his property. He wants to assure that there would be restrictive covenants to limit what could go onto the property. Discussion occurred on whether there were any restrictive covenants currently. Mr. Sabacky stated that Woodview 4th addition had covenants and he would like the property to have those covenants at a minimum, with size and structure requirements. He doesn't have issue with the lot size, but is concerned about what type of home would be allowed on the lot.

Mr. Johnson said he would not have a problem with having covenants on the property and would be willing to do so. The neighbors will work on determining what was previously established and if it was recorded. Mr. Telecky stated that if the covenants were not recorded, they don't exist yet.

Mr. Knutson moved to close the hearing. Seconded by Mr. Karg. The hearing closed at 5:52 p.m. Mr. Karg clarified that only one lot would be built on, the other lot has a home on it already. Mr. Karg asked what the reason is for the location of the lot line. The lot line was established based upon a natural tree line. Discussion was held on the various lake classifications.

Mr. Knutson made a motion to recommend approval of the request with staff recommendations, with the hardship being that the original plat was created prior to the shoreland ordinance requirements. Acoma Township Board stated there was no objection from the Board. Motion seconded by Mr. Karg. The motion carried unanimously. Mr. Telecky stated this item would be forwarded to the County Board of Adjustment and placed on their agenda , July 23rd , 2009.

4. **NEW BUSINESS**

5. **OLD BUSINESS**

6. **COMMUNICATION FROM STAFF**

Discussion was held on agenda item placement on the County Board and changes that have recently occurred. Discussion occurred on next steps for the Johnson

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preliminary plat and whether the final plat would need to come back to Joint Planning Board.

7. ADJOURNMENT

There being no further business the meeting adjourned at 6:05 p.m. Motioned by Mr. Karg, seconded by Mr. Haugen.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, September 16, 2009
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Jim Lauer at 5:30 p.m. with the following members present: Tom Wirt, Larry Karg, Grant Knutson, Garrett Luthens, Jim Haugen and Chairman Lauer. Absent: Also present: Larry Gasow, McLeod County Zoning Administrator, Gary Plotz, City 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 July 15, 2009.

Mr. Lauer commented on changes to the minutes and on the corrections to be made. Discussion followed on the suggested changes. Mr. Telecky explained the reason Section 5 should be noted as the residential district. Atty. Sebor stated the important part is the accuracy of the motion and action. Discussion followed on the history being relevant to the minutes. Mr. Knutson made a motion to approve the minutes of July 15, 2009, with changes of time the meeting opened and time the public hearing began. Seconded by Mr. Karg, the motion carried unanimously.

3. PUBLIC HEARINGS

a) PRELIMINARY PLAT OF JOHNSON'S ADDITION TO WOODVIEW ACRES LOCATED IN WOOD VIEW ACRES SECTION 25, ACOMA TOWNSHIP SUBMITTED BY WAYNE JOHNSON, APPLICANT

Chairman Arndt opened the hearing at 5:41 p.m. with the reading of publication #7772 as published in the Hutchinson Leader on Thursday, September 3, 2009.

Mr. Telecky commented on the request for a preliminary plat approval of a single lot split to create an additional buildable lot. He stated Mr. Johnson owns the property contract for deed. He explained the location of the plat in Acoma Township off of 210th Street. He commented on the size of the lots to be created as stated in the staff report. He reminded the Board that Mr. Johnson has been granted a variance to vary from the required lot width and setback from Fernold Lake. County Environmentalist Roger Berggren has reviewed the soil boring log and it has been determined that 2 areas have been identified for standard septic systems to be constructed. Staff has no objections to the request. The request meets the requirements set forth in the McLeod County Comprehensive Land Use Plan

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Mr. Haugen moved to close the hearing. Seconded by Mr. Wirt, the hearing closed at 5:43 p.m. A variance was previously granted. Mr. Telecky will check if the variance is recorded on the plat. Mr. Karg made a motion to approve the request with staff recommendations. Seconded by Mr. Luthens, the motion carried unanimously. Mr. Telecky stated this item would be forwarded to the County Board and placed on their consent agenda October 6, 2009 .

4. NEW BUSINESS

5. OLD BUSINESS

6. COMMUNICATION FROM STAFF

7. ADJOURNMENT

There being no further business the meeting adjourned at 5:47 p.m. Motion by Mr. Karg. Seconded by Mr. Haugen.