

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, February 17, 2010
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 Sebora, City Attorney, Marc Telecky, McLeod County Assistant Zoning Administrator and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated September 16, 2009.

Mr. Wirt made a motion to approve the minutes of September 16, 2009. Seconded by Mr. Karg the motion carried unanimously.

3. PUBLIC HEARINGS

4. NEW BUSINESS

a) CONSIDERATION OF A TWO LOT SKETCH PLAN SUBMITTED BY SCOTT CRIPPS, 20100 RAVEN AVE., HUTCHINSON TOWNSHIP

Mr. Gasow explained that Mr. Scott Cripps has submitted a sketch plan for a two lot split to create a two lot subdivision within Lot 4 Auditor's Plat in Hutchinson Township. He stated the existing zoning is agricultural and the lot is an oversized residential lot. There are residential homes and City of Hutchinson adjacent to the property. He explained the present home and septic were built in 2003. This application meets the McLeod County Comprehensive Land Use Plan. Mr. Gasow explained the quarter-quarter has six existing residences. This split will become the seventh residence which will keep it zoned agricultural. He stated more than eight residences is the threshold for rezoning to residential in the Joint Planning Area. Staff has concerns with potential low lying areas to the southerly portion of the property. The McLeod County Environmentalist and a septic contractor completed soil borings last fall within the proposed lot area. Initial findings would support a septic system but the environmental services will have an opinion prior to the preliminary plat application date. He explained the best location for the new home. Mr. Cripps explained his proposed location of the home. Mr. Gasow commented on setbacks. He explained soil boring locations should be placed on the preliminary plat along with locating the site on the plat and easement over future septic.

Discussion followed on the need to ghost plat with the wetlands in the area. There was also discussion on the direction of the run off. Mr. Cripps explained the size of each lot and the location of the building.

Staff would recommend approval with the following conditions:

1. The new access must be from Raven Avenue.

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2. An opinion by environmental services regarding septic system support on the property must be provided prior to the preliminary plat application date of March 17, 2010.
3. Soil boring locations must be placed on the preliminary plat.

Mr. Wirt 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 consent agenda March 2, 2010 .

5. OLD BUSINESS

6. COMMUNICATION FROM STAFF

7. ADJOURNMENT

There being no further business Mr. Haugen moved to adjourn. Seconded by Mr. Luthens, the meeting adjourned at 5:43 p.m.

**MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, April 21, 2010
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: None 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. ELECTION OF OFFICERS

Chairman Lauer called for nominations for Chairman. Mr. Wirt moved to nominate Mr. Lauer for Chairman. Mr. Knutson moved nominations cease. Seconded by Mr. Wirt nominations ceased. Mr. Wirt moved to cast a unanimous ballot to elect Mr. Lauer as Chairman, seconded by Mr. Knutson the motion carried for Mr. Lauer as Chairman. Chairman Lauer called for nominations for Vice Chairman. Mr. Haugen moved to nominate Mr. Wirt for Vice Chairman. Mr. Knutson moved to cast a unanimous ballot for Mr. Wirt as Vice Chairman. Seconded by Mr. Haugen the motion carried to elect Mr. Wirt as Vice Chairman.

3. APPROVAL OF MINUTES

a) Consideration of Minutes dated February 17, 2010.

Mr. Wirt made a motion to approve the minutes of February 17, 2010. Seconded by Mr. Luthens the motion carried unanimously.

4. PUBLIC HEARINGS

a) PRELIMINARY PLAT OF CRIPPS ADDITION LOCATED IN SECTIONS 30 AND 31, HUTCHINSON TOWNSHIP AT 20100 RAVEN AVENUE SUBMITTED BY SCOTT CRIPPS, PROPERTY OWNER

Chairman Lauer opened the hearing at 5:33 p.m. with the reading of publication #7800 published in the Hutchinson Leader on Thursday, April 8, 2010

Mr. Gasow commented on the request for a two lot plat. He stated the soil boring are compatible. He stated Environmentalist Roger Berggren recommends the northwesterly area for septic. Mr. Gasow stated The existing lot is currently zoned "Agricultural". The quarter-quarter has six existing residences. This split will become the seventh residence which will keep it zoned as agricultural. He explained more than eight residences is the threshold for rezoning to residential in the Joint Planning Area.

Mr. Gasow reported staff has concerns with potential low lying areas in the southerly portion of the property. The McLeod County Environmentalist and a septic contractor did soil borings last fall within the proposed lot area. Initial findings would support a septic system.

Mr. Gasow commented access from the new lot must be from Raven Ave. Mr. Cripps commented on the plat and discussed driveway access. This is the preliminary work and the

plat will go to the township for driveway access. Discussion followed on concerns with the low lot. Mr. Cripps explained where the water accumulates when there is a heavy rain. Discussion followed on the access drive as a recommendation of staff and recommending the building and septic on the north ½ of the lot. Mr. Gasow stated this is preliminary and when the building application comes in the recommendation will be then.

Mr. Cripps wanted clarification for the future when he wants a building permit. Mr. Knutson stated the site meets the specs of the ordinance today. Mr. Telecky commented on the ordinances and the process in the past noting access must be 225 feet from the right of way of any intersection. The plat shows the buildable area. Mr. Cripps commented on his perception of placement of a future building.

Mr. Karg moved to close the hearing. Seconded by Mr. Wirt. The hearing closed at 5:44 p.m. Mr. Wirt 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, May 4, 2010 at 10:00 a.m.

5. NEW BUSINESS

- a) FINAL PLAT OF JOHNSON'S ADDITION TO WOODVIEW ACRES LOCATED IN SECTION 25, ACOMA TOWNSHIP, SUBMITTED BY WAYNE JOHNSON, PROPERTY OWNER

Mr. Telecky commented on the request of a 2 lot final plat. The Title Opinion has met approval from the County Attorney. Staff recommends approval noting the plat must be recorded within 90 days of County Commissioners approval.

Mr. Johnson will be writing covenants for the additional lot.

Mr. Karg made a motion to approve the request with staff recommendations. Seconded by Mr. Haugen, the motion carried unanimously. Mr. Telecky stated this item would be forwarded to the County Board and placed on their consent agenda, May 4, 2010 at 9:00 a.m.

6. OLD BUSINESS

7. COMMUNICATION FROM STAFF

Atty. Sebora reported the City has identified several topics including orderly annexation in the next 5 years. Discussion followed regarding townships being proactive with orderly annexation. Atty. Sebora reported the city is in the process of hiring a planning director which will aid in the process. Mr. Plotz stated the comp plan was part of the discussion with planner candidates. He explained that hopefully a planner will be on board in 30 days. The City was looking for a planner with experience in comprehensive planning and writing comp plans. He explained the city would write the plan in-house to save money and definitely involve the townships. Discussion followed to invite the townships in the early stages of writing the plan.

8. ADJOURNMENT

There being no further business Mr. Wirt moved to close the meeting. Seconded by Mr. Karg, the meeting adjourned at 5:57 p.m.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, June 16 , 2010
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, Jim Haugen and Chairman Lauer. Absent: Garrett Luthens Also present: Larry Gasow, McLeod County Zoning Administrator, Dan Jochum, City 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 April 21, 2010.

Mr. Knutson made a motion to approve the minutes of April 21, 2010, with corrections. Seconded by Mr. Karg, the motion carried unanimously.

3. PUBLIC HEARINGS

None

4. NEW BUSINESS

a) CONSIDERATION OF FINAL PLAT OF "CRIPPS ADDITION" LOCATED IN HUTCHINSON TOWNSHIP AT 20100 RAVEN AVENUE SUBMITTED BY SCOTT CRIPPS, PROPERTY OWNER

Mr. Gasow commented on the plat and explained the County Attorney is reviewing the title opinion. He reported staff would recommend approval of the final plat pending Title Opinion approval from the County Attorney's office.

Mr. Wirt made a motion to approve the request with staff recommendations pending title opinion approval by the County Attorney. Seconded by Mr. Knutson, the motion carried unanimously. Mr. Gasow stated this item would be forwarded to the County Board and placed on their July 6, 2010, agenda.

5. OLD BUSINESS

None

6. COMMUNICATION FROM STAFF

Mr. Jochum introduced himself and commented on the township participation in updating the City of Hutchinson Comprehensive Plan.

7. ADJOURNMENT

There being no further business Mr. Karg moved to adjourn. Seconded by Mr. Wirt, the meeting adjourned at 5:44 p.m.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, September 15, 2010
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, Dan Jochum, City 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 June 16, 2010.

Mr. Haugen made a motion to approve the minutes of June 16, 2010. Seconded by Mr. Wirt the motion carried unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF AMENDING SECTION 4, SUBDIVISIONS 3 AND 5, OF THE HUTCHINSON JOINT PLANNING AREA CODE ADDING LANGUAGE TO INCLUDE WIND TOWERS

Chairman Lauer opened the hearing at 5:32 p.m. with the reading of publication #7830 as published in the Hutchinson Leader on Thursday, September 2, 2010.

Mr. Telecky explained the need to add language to include wind towers. The language to be added is the same as from the McLeod County Zoning Ordinance. He commented on the addition to Subdivision 3 – Conditional Uses number 19 and Subdivision 5 (3) – Height Requirements and limitations.

There was discussion on the possibility of wind farms coming into the Joint Planning area and the rules for allowing wind farms. Questions followed regarding the municipal requirements. Mr. Telecky explained the ordinance changes are limited to the agricultural district and the equidistance setback should be sufficient in the agricultural district. Mr. Jochum commented on the City standard of a maximum 200 feet in height and the setback at 1.1 times the height. He explained all wind tower requests are by conditional use permit and in some districts towers are not permitted at all. Discussion followed regarding the need for a conditional use permit. There was also discussion to use the 1.1 times tower height for setback. Atty. Sebor commented on the density of structures in the city and the additional setback footage would give extra assurance if the tower would fall. In the agricultural district, adding the .1 change may be minimal. Discussion followed on the placement of towers before annexation to the city. There was discussion of the risks and concerns. There was further discussion on the need for language to include future growth of the airport within 5 nautical miles. Discussion followed on the possible problems of expanding the airport in the future. It was noted there are terrain problems on the airport property making it difficult if impossible for expansion.

There was consensus of the board to keep the ordinance consistent and change Subd. 5 (3)(c) to read: "Towers – up to 200 feet with setbacks from property lines or roads at the same as the height of the tower".

Mr. Knutson moved to close the hearing. Seconded by Mr. Karg, the hearing closed at 5:57 p.m. Mr. Knutson made a motion to approve the request with staff recommendations. Seconded by Mr. Haugen, the motion carried unanimously. Chairman Lauer asked if the language should be revised to change 5 (3)(C). Motion by Mr. Knutson, seconded by Mr. Haugen, to make the revision. The motion carried unanimously. Mr. Telecky stated this item would be forwarded to the County Board and placed on their regular agenda, Oct 5, 2010 at 10:00 a.m. He explained there will be one reading of the ordinance.

b) CONSIDERATION OF A CONDITIONAL USE PERMIT TO ALLOW INSTALLATION OF A 185 FOOT WIND TOWER AT 21161 YORK RD. IN LYNN TOWNSHIP REQUESTED BY ANDY COTTER

Chairman Lauer opened the hearing at 6:00 p.m. with the reading of publication #7830 published in the Hutchinson Leader on Thursday, September 2, 2010.

Mr. Telecky commented on Mr. Cotter's request to construct a 39.9 KW wind tower 185' in height. He explained the property owner has informed him that the setbacks will be met. The site is 92.8 acres and the tower is proposed to be located 800 feet from any property line or road right of way. The property is zoned agricultural and the adjacent property is agricultural. He explained the need for the Board to decide how many years would be appropriate to remove the tower if it should become inoperable to complete the recommendation. He explained staff would recommend approval with the following recommendation:

- 1) If tower becomes inoperable for a period of ___ years, the tower shall be removed and the land restored to the pre-existing condition.

Mr. Telecky explained the limiting of years if unused and commented on the 1 year requirement being too short. He reminded the Board that a change in use would be by conditional use permit. Discussion followed on the time it may take to construct the tower if the property owner is waiting for parts to complete the construction. It was discussed to use the words "total abandonment". Discussion followed on the terminology of inoperable. There were concerns voiced regarding the tower being located on non-farmable land not ag land.

Mr. Cotter explained the location will be on top of a hill which was a residence and not on prime farm land. Mr. Downey, Renewable Energy, explained the size of the base footprint. Mr. Cotter explained the tower will be not on high quality farm land. Mr. Downey explained they will need final approval from the FAA when within 1000 ft of the airport. Discussion followed on sound levels and excess power.

Mr. Wirt moved to close the hearing. Seconded by Mr. Karg, the hearing closed at 6:17 p.m. Mr. Knutson made a motion to approve the request with staff recommendations to include 2 years to the recommendation. Seconded by Mr. Karg, the motion carried unanimously. Mr. Telecky stated this item would be forwarded to the County Board and placed on their regular agenda, October 5, 2010, 10:00 a.m.

4. **NEW BUSINESS**

5. **OLD BUSINESS**

6. **COMMUNICATION FROM STAFF**

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- a) Mr. Jochum commented on the work plan for the Comp plan. He explained the townships will have input in the process along with the County and City. There will be several meetings in the process.

7. ADJOURNMENT

Motion by Mr. Wirt, seconded by Mr. Knutson, the meeting adjourned at 6:25 p.m.

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, October 20, 2010
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, and Chairman Lauer. Absent: Jim Haugen and Garrett Luthens Also present: Larry Gasow, McLeod County Zoning Administrator, Dan Jochum, City Planning Director, Marc Telecky, McLeod County Assistant Zoning Administrator and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated September 15, 2010.

Mr. Wirt made a motion to approve the minutes of September 15, 2010. Seconded by Mr. Karg the motion carried unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF A CONDITIONAL USE PERMIT TO ALLOW AN ACCESSORY STRUCTURE IN THE FRONT YARD LOCATED IN ACOMA TOWNSHIP, SECTION 35, BACHMANS 1ST ADDITION, AT 19261 TURNER AVENUE REQUESTED BY TERRENCE BURICH

Chairman Lauer opened the hearing at 5:30 p.m. with the reading of publication # 7838 published in the Hutchinson Leader on Thursday, October 7, 2010.

Mr. Gasow commented on the request for a conditional use permit to place a 26' x 30' storage shed within the front yard setback on the inside curve of 192nd Street and Turner Avenue within the R-1 Residential District of Bachman's First Addition. He explained the existing land use is rural residential. The adjacent zoning and land use is residential, fringe commercial and church. The lot is located on an inside curvature of a road that goes around the outside of the lot. He explained that Mr. Burich has an existing house located 108 feet from the centerline of Turner Avenue. Turner Avenue/192nd Street are roads servicing a subdivision which allows for the setback to be 77 feet from the centerline. Mr. Burich proposes to construct his shed 85 feet from the centerline meeting the 77 foot setback. His house is 108 feet from the centerline which becomes the setback distance for all detached accessory structures.

Staff recommends approval of the request as it will not create a site clearance issue for traffic and due to other circumstances with the location of trees, tank and mound area there are no other options that would meet the requirements from the road.

Discussion followed on the placement of the shed behind the windbreak. Mr. Karg stated Acoma Township has no problem with this request. Mr. Burich explained the access will not be used on a daily basis.

Mr. Wirt moved to close the hearing. Seconded by Mr. Karg, the hearing closed at 5:35 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 consent agenda November 2, 2010.

4. **NEW BUSINESS**

5. **OLD BUSINESS**

6. **COMMUNICATION FROM STAFF**

- a) Mr. Jochum reported on the City Comprehensive Plan process. He explained he would like to begin the project in January, 2011.

7. **ADJOURNMENT**

There being no further business Mr. Knutson moved to adjourn the meeting, seconded by Mr. Wirt the meeting adjourned at 5:39 p.m.