

Planning Commission Meeting Minutes
January 6th, 2021
Completed by: Jamie Christenson, P&Z Staff

Site Visits conducted by Jacob Nosbush on January 4th, 2022.

Meeting attended by board members: Chair Mike Wiener, Vice Chair Jim Pratt, Lloyd Graves, Ken Hovet, and Arnie Boie.

Staff members: Adam Ossefoort and Jamie Christenson

Other members of the public: Sign-in Sheet is available for viewing upon request.

Mike called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited as a collective group.

Introduction of the staff and board members by Mike.

Ken motioned to have the November 4th, 2021 meeting minutes approved. Lloyd seconded the motion. Voice vote, no dissent heard. Motion carried.

AGENDA ITEM 1: Moses D. Borntreger – PID 20-0001700 – Reynolds Township

Applicant Request: Request for a Conditional Use Permit for temporary family housing in AF-1 Zoning.

The applicant requested to table this application until the February meeting.

AGENDA ITEM 2: Shane Keck – PID 15-0041904 – Leslie Township

Request for Conditional Use Permit for a tree trimming service in Shoreland - GD Zoning.

Shane Keck & Carrie Horkey were present as the applicants. Shane stated the property was purchased for his tree service to burn brush, park equipment, and to cut wood for heating his personal dwelling.

Staff Findings: Adam read the staff report. The staff report is available for viewing upon request in the Planning & Zoning Office.

Proposed Condition(s):

1. Applicant must abide by all applicable federal, state, and local standards and obtain additional permitting as necessary.
2. Hours of operation shall be limited to 8:00 AM to 6:00 PM CST, Monday through Saturday.
3. Applicant must establish vegetative screening along the southern property boundary.
4. Applicant must apply for an E-911 Address through Todd County GIS department.

Correspondence received:

Christy Werden submitted an e-mail message and is available upon request in the Planning & Zoning Office.

Public comment: None

Board discussion:

Mike asked about the drain tile. Adam stated any tile that is there was legally placed or prior to the rule.

Lloyd inquired on the nature of the business in tree trimming. Shane stated 90% of the brush is hauled to the local dump. Lloyd asked about equipment to chip on site. Shane stated he does have equipment to do chipping on site, however, hauling debris and disposing of it is more cost effective.

Ken asked to clarify what he does with the wood from his business. Shane stated the wood is sometimes left on site. Shane stated there are times when the wood is brought back to his parcel for processing and eventually burned personally for heating his home.

Ken asked if any wood is sold. Shane stated he does not sell any wood.

Ken clarified that the applicant has equipment parked on site. Ken stated he understands the concern from the written notice regarding equipment being left on site that is unusable or broke. Shane stated all the equipment parked on the parcel is operational. He also stated there is a personal boat parked on site. Shane stated he does pile the byproduct wood from job sites on the site to further process to heat his home personally.

Ken stated he expects the sounds of chainsaws is heard on any given day. Shane stated there are others in the area operating chainsaws for heating as well.

Ken stated concern for the hours of operation and discussed what is realistic with the applicant. The applicant stated he typically leaves his parcel to head to a job site before the recommended hours and returns to his parcel after the recommended hours.

Lloyd asked if he has any staff. Shane stated he currently doesn't have any employees.

Adam stated his intention for the hours of operation is for enforcing quiet hours in a residential area to limit noisy activities such as sawing, outside of moving vehicles.

Ken would prefer to see the hours changed.

Shane stated the chainsawing for the business is done on the job site. He clarified the chainsawing on the parcel is typically on the weekends for his own personal use.

Discussion on the applicant's dwelling location in reference to this parcel.

Arnie clarified where the noise happens. Shane stated the noise taking place will be unloading with a dump truck and organizing wood piles.

Mike inquired on the drainfield located on the parcel. Adam stated there is an old drainfield there and it's highly unlikely that it would be developed.

Mike asked to clarify there is a field to the east. Adam said there is only one house in the area.

Lloyd inquired about the zoning and if it's possible to zone as commercial. Adam clarified the parcel is shoreland zoned and a majority of the parcel would fall under the DNR classification of shoreland and could not be changed.

Mike shared hours a local company is working on site nearby. He voiced concern about restricting hours of operation and if it will be consistent for all businesses. Mike stated he would prefer to remove the hours entirely.

Lloyd asked if there have been any complaints for the parcel yet. Adam stated there is not.

Jim mentioned adding notes to the hours of operation to exclude certain activities such as chippers and chainsaws. Lloyd mentioned revising the hours of operation to during daylight hours. Mike concerned about policing noise.

Mike asked to define vegetative screening. Adam stated some kind screening would be important. Adam stated vegetative is natural looking, however, it takes time to establish. Ken stated that would be restricting advertising. Mike stated other applicants have required screening. Jim stated he'd rather have a sign put up on site.

Lloyd suggested two rows of trees 10 feet apart. Adam voiced concern with different types of trees needing different spacing.

Mike asked if the parcel is mowed. Shane stated the land was previously farm fields and has now gone feral. Shane stated in the last year it's been mowed twice.

Mike voiced concern with the brush burning. Mike suggested options for processing brush and containing the fire. Shane stated previous precautions and plans for burns. Mike recommended minimizing impacts on neighbors.

Lloyd inquired on previous burning permits. Carrie clarified no previous burns have been done on site.

Ken clarified some burning requirements, DNR website permitting, and times a permit may not be needed.

Lloyd also suggested notified the sheriff's department prior to a burn.

Ken motioned to approve, Jim seconded with three conditions.

Conditions:

1. Applicant must abide by all applicable federal, state, and local standards and obtain additional permitting as necessary.
2. Applicant must establish 2 rows of trees to provide vegetative screening along the southern property boundary.
3. Applicant must apply for an E-911 Address through Todd County GIS department.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
Arnie Boie	Yes
Lloyd Graves	Yes
Ken Hovet	Yes
Jim Pratt	Yes
Mike Wiener	Yes

Motion carried. Mike noted the application will be presented to the County Board of Commissioners on January 18th, 2021. Applicant asked a few questions on the final steps and clarification on the conditions.

AGENDA ITEM 3: Proposed Creation of Planning and Zoning Ordinance Section 9.23 Vacation Rental and related Definitions & Use Table entries

Adam stated neighboring counties have ordinances already in place and currently Todd County does not have any.

Adam reviewed the staff report.

Adam requested the board does not take action on it tonight. Adam stated there is more information coming in from Minnesota Department of Health and staff.

Katherine Mackedanz Community Health Manager

Katherine stated it was brought to their attention the City of Osakis was creating a vacation rental ordinance. Katherine also shared there have been a number of calls received with question from property owners on the requirements for operating a vacation rental.

Katherine learned the Department of Health requires vacation rentals to be licensed and inspected. Since there is no clear definition and standard on what a vacation rental is. Multiple departments have come together to work on this new ordinance.

Adam clarified there have been calls into the Planning and Zoning Department inquiring about starting a vacation rental as well as complaints for current vacation rental properties. Adam stated it's important to get local controls that are enforceable to maintain order in residential areas. Establishing this ordinance is also important to the County Assessor's office to identify vacation rentals for taxing purposes.

Adam stated the vacation rental ordinance was drafted from neighboring county ordinances and presented to the commissioners work session twice. The Commissioners had stated concern with restrictions to landowners' property rights is important to them.

Jason Kuboushek provided feedback on the proposed vacation rental ordinance. Jason recommended vacation rentals be allowed by interim use and not conditional use as interim use will lapse with the sale of the property. Adam stated Todd County does not have an interim use standard in the ordinance currently. Jason's

recommendation is not applicable unless an interim use standard is established.

Jason also commented that the license for vacation rentals has no vested rights in it. Adam stated a section was then added stating the owner/operators need to reapply yearly for the vacation rental license.

Jason also suggested to add a section on parking and providing proof of garbage disposal. Adam clarified the garbage requirement is already captured in the licensure, but added a note to submit proof to Planning and Zoning.

Mike stated there are two aspects of this ordinance – private use (renting their own home out) and business use (investment firm owned). Mike asked if there is any differentiating between the two. Adam indicated the vacation rental would be triggered when it hits the criteria.

Katherine stated they are only targeting publicly promoted rental properties.

Mike asked about trash disposal and what types of things are covered under the license. Katherine stated public health nuisance covers garbage pickup and the system for garbage pickup will have to be communicated with the renters.

Ken motioned to table and seconded by Jim. Voice vote. Motion carries.

Ken asked about training date on Thursday the 20th. Adam stated members are welcome to attend either training at 4:30 and 6:00.

Mike asked about the Lien Plat. Adam clarified it will be on the agenda for the February meeting.

Lloyd asked if there is a rental company who advertise/manages rental. Adam said there are some available.

Mike motioned to adjourn and Ken seconded. Voice vote to adjourn the January Planning Commission Meeting, no dissention heard. Motion carried and meeting adjourned 7:06 PM.

**Minutes of the Todd County Board of Adjustment Special Training Meeting
& Todd County Planning Commission Special Training Meeting**

January 20th, 2022

Submitted by Jamie Christenson, P&Z Staff

Meeting conducted by BOA board members: Chair Rick Johnson, Vice Chair Bill Berscheit, Mike Soukup, Danny Payton, and Larry Bebus.

Planning Commission board members present: Chair Mike Wiener, Vice Chair Jim Pratt, Arnie Boie, Lloyd Graves, Ken Hovet, and Roger Hendrickson.

Staff members present: Adam Ossefoort, Jacob Nosbush, and Jamie Christenson

Public in attendance: None

Meeting was called to order at 4:30 PM by Chair Rick Johnson. Each board and staff member introduced themselves.

BOA training commenced with Jason Kuboushek.

Break was taken at 5:40 PM. At 6:00 PM additional Planning Commission members arrived and introduced themselves.

Planning Commission training commenced with Jason Kuboushek.

Motion to adjourn made by Mike Wiener and second by Larry Bebus. Voice vote to adjourn. No dissent heard. Meeting adjourned at 7:08 PM.