

OTTER TAIL COUNTY PLANNING COMMISSION

Otter Tail County Government Services Center, 540 West Fir, Fergus Falls, MN 56537 218-998-8095

October 10, 2018

Meeting of the Otter Tail County Planning Commission was held on October 10, 2018 at 6:30 P.M. in the Commissioner's Room, Government Services Center, Fergus Falls, Minnesota.

Roll Call:

Members Present: Loren Bailey, Rod Boyer, Richard Gabe, Bert Olson, Jack Rosenthal, Bruce Stone, David Trites, David Wass and Rick Wilson.

Members Absent: Brent Frazier.

Michelle Eldien represented the County Attorney's Office and Kyle Westergard represented the Land & Resource Management Office.

Minutes of September 12, 2018: A motion by Wass, second by Gabe to approve the September 12, 2018 Minutes as presented. **Voting:** All members in favor.

Bert Olson recused himself from the Meeting.

Robert James Loots – Approved As Presented:

A Conditional Use Permit Application (*as stated by the Applicant on the Application*): After-the-Fact Request. Remove rotted landscaping timbers on sand/grass edge. Replace with retaining wall block and fabric. 56' long with a curve on each end that is 8' total length. Fill in approx. 15 yards of black dirt on grass area to level out and hold fabric so no erosion. Block will be 15' farther from lake than the old timbers. Seed all dirt, add irrigation system. The proposal is located in Pt GL 1, Section 26 of Everts Township; West Battle Lake (56-239), GD.

Robert Loots represented the Application.

Written correspondence was read into the record.

Richard Richter commented on the location of the railroad ties versus the existing retaining wall. Pat Rademacher expressed concerns on setting precedence when After-the-Fact Permit requests are approved.

Motion: A motion by Trites, second by Bailey to approve as presented. **Voting:** All Members in favor.

Bert Olson returned to the Meeting.

“Olson Acres” / Olson Living Trust – Approved As Presented:

A Preliminary Plat of “Olson Acres”, consisting of 3 Single Family Residential Non-Riparian Lots, 1 Block. The proposal is located in Pt Government Lot 3 (10.6 acres), Section 4 of Pine Lake Township; Big Pine Lake (56-130), General Development (GD).

Josh Pfeffer (Meadowland Surveying) represented the Application.

No correspondence was received on this Application.

Motion: A motion by Boyer, second by Wilson to approve as presented. **Voting:** All Members in favor.

David Trites recused himself from the Meeting.

Timothy & Charlene Greene – Tabled to November 14, 2018:

A Conditional Use Permit Application (*as stated by the Applicant on the Application*): 1. Excavate for new construction & walkout: (EXCAVATION). A. Basement excavation 34'x28' avg depth 7' = 247 cubic yds. B. Basement excavation 14'x12' avg depth 7' = 44 cubic yds. C. Walkout excavation 34'x10' avg depth of 2.5' when tapered to 0' = 31 cubic yds. D. Detached garage 38'x32' avg depth 1' = 45 cubic yds. 2. Driveway constructed over existing terrain, excavated material from dwelling to be added to level out area closest to dwelling: (FILL). A. 64'x28' avg depth 2' = 133 cubic yds. B. 20'x30' avg depth 2' = 44 cubic yds. C. 100'x10' avg depth 6" = 19 cubic yds. Total earth moving for project 563 cubic yds. Will construct driveway approaches in accordance with Township regulations. Silt fences to be placed where necessary for erosion control, grass and sod to be started as soon as possible. The project will be located on Lots 16 & 17 of Fair Oaks, Section 32 of Girard Township; West Battle Lake (56-239), General Development (GD).

Tim & Char Greene represented the Application.

No correspondence was received on this Application.

Pat Rademacher expressed concerns on inconsistencies with the review process on this Application and the previous after-the-fact request.

Motion Failed: A motion by Rosenthal, second by Wilson to approve provided: 1. The Applicant works with SWCD for a drainage plan. 2. Land & Resource Management approves an erosion control plan. 3. The proposal meets the 3' vertical separation as required by the Shoreland Management Ordinance. 4. The impervious surface does not exceed the 25% requirement of the Variance approval. 5. The Applicant should work with Land & Resource regarding a completion date. Voting Yes: Olson & Rosenthal. Voting No: Bailey, Boyer, Gabe, Stone, Wass & Wilson.

The Applicants requested to have their Application tabled to the November 14, 2018 Meeting.

Motion: A motion by Wilson, second by Bailey to table (as requested by the Applicants) to November 14, 2018 allowing the Applicants to: 1. Provide Land & Resource with verification of the 3' vertical separation requirement. 2. Provide Land & Resource with a drainage plan that will control runoff. 3. Provide Land & Resource with an erosion control plan that will be in place during construction. 4. Work with Land & Resource for an immediate erosion control plan. Voting: All Members in favor.

David Trites returned to the Meeting.

Herbert Christensen Jr. – Tabled to November 14, 2018:

A Conditional Use Permit Application (*as stated by the Applicant on the Application*): Proposing a Plat of "Balken Addition" which will be submitted at a later date. Currently there is an existing Road and Cul-De-Sac (High Vista Drive) to the proposed Plat. The existing Road meets the requirements that is required for a Subdivision and the Road is also maintained by the Township. The Cul-De-Sac does not meet the requirements required by the Subdivision Controls Ordinance. We will be removing trees, raising the Cul-De-Sac area and will also place Class 5 on top. The fill that is needed to raise the Cul-De-Sac will be borrowed onsite. Will need to raise Cul-De-Sac area a max of 3.5' to 4' on the east side to make level and place Class 5 on top. Will build new drive surface to the specified 100' diameter required. Will shape and replace the salvaged topsoil on the borrow area and ditch areas as well as seed and stabilize areas. Total cubic yards of earthmoving requested are 830 cubic yards which will include topsoil removal, re-shaping and class 5 surface. The proposal is located in Lot 1 &

NE1/4 NE1/4 Ex Platted (71.70 Acres), Section 31 of Ottertail Township; Otter Tail Lake (56-242), General Development (GD).

Lora Balken and John Christensen (contractor) represented the Application.

Dave Hanson (Otter Tail Township Supervisor) commented on the existing road. Brad Wadsten expressed concerns on the location of the proposed cul-de-sac impeding on his buildable area and drainage onto his lot.

No correspondence was received on this Application.

The Applicant requested to be tabled to November 14, 2018.

Motion: A motion by Trites, second by Wilson to table (at the Applicant's request) to November 14, 2018. Voting: All Members in favor.

Jerry & Cindy Humphrey – Denied:

A Conditional Use Permit Application (*as stated by the Applicant on the Application*): After-the-Fact Request. Stop erosion on hill from top of hill. Left side 60 ft. long 6 ft of beach sand from rock to top of brick. Right side 70 ft. long 8 ft sand from rock to brick. Black fill dirt and seed above bricks to keep grass from eroding back to lake. The proposal is located on Lot 51 & 52 of Oak Manor Shores, Section 02 of Dora Township; Loon Lake (56-523), Recreational Development (RD).

Jerry & Cindy Humphrey represented the Application.

No correspondence was received on this Application.

Motion: A motion by Trites, second by Rosenthal to deny the request for the following reasons: 1. The work took place in a bluff. 2. The existing retaining wall has not been engineered & does not appear to provide stabilization. The Applicant is encouraged to work with Land & Resource and the Lakeshore Specialist at the SWCD (or similar agency), to determine methods of stabilization. Voting: All Members in favor.

Break: At 8:12 p.m. the Commission took an 8-minute break.

Bryan & Vicki Severson – Approved As Presented:

A Conditional Use Permit Application (*as stated by the Applicant on the Application*): Replace one 18" culvert with one 36" culvert (arched) under the driveway. There will be no permanent wetland impact. There will be no additional fill needed for this project. Culvert will be set at an elevation of 1326. The proposal is located at Lots 1 & 9 Ex Trs, Section 25 of Sverdrup Township; North Turtle Lake (56-379), Natural Environment (NE).

Bryan & Vicki Severson represented the Application.

Written correspondence was read into the record.

Mike Carlson (South Turtle Lake Improvement District) expressed concerns regarding the environmental impact that North Turtle Lake's water would have on South Turtle Lake, and that the request would lower North Turtle Lake below its OHWL. Marvin Johnson expressed concerns on the effects high water has on North Turtle Lake and its nutrient overload. Jim Wilkus (President North Turtle Lake Association) expressed concerns on the DNR's comments referencing elevations, discussed the proposed water flow / drainage, various lake elevations; he spoke in favor of the request. Sue Wilkus spoke in favor of the request. John Christensen (contractor) commented on the construction process.

Motion: A motion by Wass, second by Bailey to approve as presented; making reference to the letter from the DNR Hydrologist stating that it is her understanding that the driveway was never intended to retain water in North Turtle Lake, therefore improving efficiency of the culvert appears reasonable. **Voting:** All Members in favor, except Trites, Rosenthal and Wilson voted no, expressing that the hydrology and culvert sizing did not provide adequate information on the impact downstream.

Old Town Townhouses – CIC #26 / Discussion:

Darby Bradly, Attorney (Cline Jensen Law Firm), representing Old Town Townhouses (CIC #26), explained to Members that there is a need to amend the legal description for a building that encroaches on the common area of the association. Members of the Planning Commission indicated that it appears reasonable they could consider the request on November 14, 2018 provided a Conditional Use Permit Application (PUD) was filed by October 24, 2018.

Adjourn: At 9:40 P.M., Chairman Olson set the Meeting. The next Meeting is scheduled for 6:30 P.M. on November 14, 2018.

Respectfully submitted,

A handwritten signature in cursive script that reads "Marsha Bowman".

Marsha Bowman
Recording Secretary