

Planning Commission

Becker Township

Town Hall
12165 Hancock Street
Becker, MN 55308

January 9, 2012

Agenda

- 7:00 p.m.**
1. Call Planning Commission Meeting to Order
 2. Approve Minutes of November 14th, 2011
 3. Division and Rearrangement Ordinance
- 7:00 p.m.**
4. Dean Johnson property Division Public Hearing
- 7:05 p.m.**
5. TJ Energy Wind Generator Conditional Use Permit Public Hearing
 6. Other Business/Updates
- 8:00 p.m.**
7. Adjourn

JANUARY 9, 2012
BECKER TOWNSHIP
PLANNING COMMISSION MEETING
AND PUBLIC HEARING

Becker Township Planning Commission met on Monday, January 9, 2012 at 7:00 p.m. at Becker Township Hall. Present: Brad Wilkening, Mark Limpert, Rodger Nordlund, Frank Kasowski, Jr., Gary Hammer, Judy Shermak. Absent: None. Also present: Kelli Neu & Nick Ziegelmann-Zoning Administrators, Dick Schieffer-Attorney, Virginia Johnson, Dean Johnson, Tom Hammer, Joe Herbst-Natural Energy Alternatives, Deb Watson.

Chair Wilkening called the meeting to order at 7:00 p.m.

- **Hammer moved second Kasowski minutes of November 14, 2011 meeting be approved as distributed. Motion carried all voting for.**
- **DIVISION AND REARRANGEMENT ORDINANCE – Verbiage changed amending the Joint Planning Board Land Use Regulations for Subdivision, Boundary Adjustment was explained by Neu and Atty. Schieffer. The ordinance will read:**
The division of one or more lots of record for the purpose of combining a portion or portions thereof with other lots of record, without creating additional lots and provided that no additional nonconforming lots shall be created, nor shall any existing nonconformity be increased nor any new nonconformity be created.

Hammer moved second Nordlund to recommend approval to the JPB Ordinance 2012-01 Amending the Becker Joint Planning Board Land Use Regulations. Motion carried all voting for.

- **DEAN JOHNSON PROPERTY DIVISION PUBLIC HEARING – Chair Wilkening opened the Dean Johnson Land Division and Rearrangement Public Hearing at 7:05 p.m. Dean Johnson, applicant and Donald and Virginia Johnson, owners submitted a subdivision application for the division and rearrangement of 3 parcels located at or near 12080 97th St. SE. The application is for a boundary line adjustment. Property is zoned Agricultural. They have submitted a survey in which the 3 existing lots will be adjusted to only have 2 parcels. The purpose is to remove the irrigated farm field from the homesteaded property. No additional non-conforming lots will be created. Nordlund moved second Kasowski to close the Public Hearing at 7:08 p.m. Motion carried all voting for.**
- **Kasowski moved second Nordlund to approve Resolution 2012-02 Recommending the Granting of a Boundary Line Adjustment for Dean Johnson, contingent on Parcel D being part of the larger parcel. Motion carried all voting for.**

TJ HAMMER WIND GENERATOR CONDITIONAL USE PERMIT PUBLIC HEARING – Chair Wilkening opened the Public Hearing at 7:11 p.m. TJ Energy; LLC, applicant, and Thomas Hammer Jr., owner, have submitted a conditional use permit application to allow for a 120 foot wind generator to be established at the corner of TH 10 and 137th Street. The property is zoned Agriculture. Gary Hammer excused himself from the discussion. The wind generator will be used for Mr. Hammer's farming operations as part of the existing agricultural operations. All setbacks have been met according to the site plan. The generator will be a 120 foot structure and maximum height with blade will not be greater than 135 Feet. Joe Herbst, Natural Energy

Alternatives, explained the operation and answered questions from the board. Discussion on the grant being applied for by Tom Hammer and timeline for local government approval. **Nordlund moved second Kasowski to close the Public Hearing at 7:22 p.m. Motion carried all voting for.**

- **Kasowski moved second Nordlund to approve Resolution 2012-01 recommending granting a Conditional Use Permit for a Windpower Management Tower as Requested by TJ Energy LLC. Discussed consideration of site line for FAA, and platting not being required. Voting for: Limpert, Kasowski, Nordlund, Wilkening. Abstain: G. Hammer. Motion carried.**
- OTHER BUSINESS/UPDATES
 - Staff received a call from the Sherburne County Assessor's Office regarding construction of agricultural buildings and permitting. State Statute provides an exemption so a permit is not required. The County requires a Land Use Permit for agricultural buildings. The County stated they have no way of tracking buildings for taxing purposes as the township does not have Land Use Permits. The board stated permits will not be issued at this point. Atty. Schieffer advised permits for agricultural buildings are not required legally and any change would be a policy decision. Currently Land Use Permit fees required by the County for township permits are being deducted on building permits.
 - The County Assessor requires copies of Township permits. Becker City and Township will be charging for copies as the County charges a fee when copies of documents are requested from them. All government entities are allowed to do so per State Statute. The County Assessor is objecting to the charges. The Board recommended keeping the current policy of charging for copies.

Limpert moved second Kasowski meeting be adjourned at 7:40 p.m. Motion carried all voting for.



Judy Shermak, Clerk



Brad Wilkening, Chair

Planning Commission

Becker Township

Town Hall
12165 Hancock Street
Becker, MN 55308

February 13, 2012

Agenda

- 7:00 p.m.**
1. Call Planning Commission Meeting to Order
 2. Approve Minutes of January 9th, 2012
 3. Ewing Property Split Discussion
 4. Telecommunications Tower Update
 5. Other Business/Updates
 - Salida Depot ROW Easement
- 7:45 p.m.**
6. Adjourn

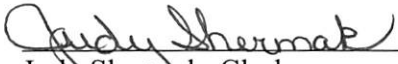
FEBRUARY 13, 2012
BECKER TOWNSHIP
PLANNING COMMISSION MEETING

Becker Township Planning Commission met on Monday, February 13, 2012 at 7:00 p.m. at Becker Township Hall. Present: Brad Wilkening, Mark Limpert, Rodger Nordlund, Gary Hammer, Judy Shermak. Absent: Frank Kasowski, Jr.
Also present: Kelli Neu-Zoning Administrator, Dick Schieffer-Attorney.

Chair Wilkening called the meeting to order at 7:00 p.m.

- **Limpert moved second Nordlund minutes of January 9, 2012 meeting be approved as distributed. Motion carried all voting for.**
- EWING PROPERTY SPLIT – Ewings would like to split land in order to build a house for their son. They would like minimum acreage allowable. The property would not have road frontage and is zoned agricultural, abutting general rural. A neighbor has offered access from his driveway. The proposed lot would not meet subdivision standards as anything less than 40 acres would need to be subdivided and rezoned.
- TELECOMMUNICATIONS TOWER – Staff received a call from a Sprint representative regarding antennas they have on the tower off County Road 67. They are changing out equipment. They were advised our ordinance does not require a permit and no zoning action is needed.
- OTHER BUSINESS/UPDATES
 - Salida Right of Way – Easements have been obtained from Bevin Mitchell-Becker Greenhouse, and Alan Gilyard-Chico's Restaurant, but not from Jane Dumonceaux-Salida's. New owners are Santiago State Bank and have indicated their willingness to provide the easement.
 - Staff received the AutoCAD drawings from BIKO Associates from the original Comprehensive Plan and have forwarded to T. VanderEyck-Township Engineer.

Hammer moved second Nordlund meeting be adjourned at 7:36 p.m. Motion carried all voting for.



Judy Shermak, Clerk



Brad Wilkening, Chair

Planning Commission

Becker Township

Town Hall
12165 Hancock Street
Becker, MN 55308

March 12, 2012

Agenda

- 7:00 p.m.**
1. Call Planning Commission Meeting to Order
 2. Approve Minutes of February 13th, 2012
 3. Erickson Acres Preliminary Plat Public Hearing
Resolution TPC 12-03
 4. Erickson Acres Final Plat
Resolution TPC 12-04
 5. Other Business/Updates
- 7:45 p.m.**
6. Adjourn

MARCH 12, 2012
BECKER TOWNSHIP
PLANNING COMMISSION MEETING AND PUBLIC HEARING

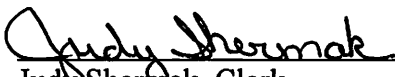
Becker Township Planning Commission met on Monday, March 12, 2012 at 7:00 p.m. at Becker Township Hall. Present: Brad Wilkening, Mark Limpert, Rodger Nordlund, Gary Hammer, Judy Shermak. Absent: Frank Kasowski, Jr.

Also present: Nick Ziegelmann-Zoning Administrator, Dick Schieffer-Attorney, Stephen Erickson.

Chair Wilkening called the meeting to order at 7:00 p.m.

- **Limpert moved second Nordlund minutes of February 13, 2012 meeting be approved as distributed. Motion carried all voting for.**
- **ERICKSON ACRES PRELIMINARY PLAT PUBLIC HEARING – Chair Wilkening opened the Public Hearing at 7:02 p.m. to consider a request from Stephen Erickson, Applicant, for the preliminary plat of Erickson Acres. The plat will consist of one (1) 12.25 acre lot in Sec. 3, Twp. 34N, Range 28W. The plat will be split from a 67 acre parcel owned by Gladys Erickson and meets our current standards for lot size, dimension, and setbacks. Wetland delineations will be done when weather permits this Spring and the property will not be able to be transferred until the wetland delineation is completed. Atty. Schieffer recommended dedication of a 12 foot utility easement to the Town on 67th Street, and he will verify ownership through the abstract and follow through with updating. Hammer moved second Limpert to close the Public Hearing at 7:10 p.m. Motion carried all voting for.**
- **Nordlund moved second Hammer to approve Resolution 2012-03 Recommending Approval of the Preliminary Plat for Erickson Acres, with amendments recommended by Atty. Schieffer. Motion carried all voting for.**
- **Hammer moved second Limpert to approve Resolution 2012-04 Recommending Approval of the Final Plat for Erickson Acres, with amendments. Motion carried all voting for.**
- **OTHER BUSINESS/UPDATES**
 - Staff received an inquiry from Jax Oil, Eden Valley, MN regarding the possibility of establishing a propane filling station at Gustafson Trailer Sales on the corner of Hwy. 10 and County Rd. 11. They were informed the current Interim Use Permit for Mr. Gustafson would have to be amended for accessory use.
 - Discussion held on the Salida right-of-way easement and shutting down the frontage road as far as Safe Bait. No action taken.

Hammer moved second Limpert meeting be adjourned at 7:33 p.m. Motion carried all voting for.



Judy Shermak, Clerk



Brad Wilkening, Chair

April 2012, ~~2012~~
BECKER TOWNSHIP
PLANNING COMMISSION MEETING

Meeting canceled due to lack of agenda items

Planning Commission

Becker Township

Town Hall
12165 Hancock Street
Becker, MN 55308

~~March 12, 2012~~
May 14,

Agenda

- 7:00 p.m.
1. Call Planning Commission Meeting to Order
 2. Approve Minutes of March 12, 2012
 3. Charles Marohn Litigation
 4. Dirt Bike Ordinance Discussion
 5. Other Business/Updates
 - Wruck Noncompliance
 - Recycle Center Concept
- 7:45 p.m.
6. Adjourn


MAY 14, 2012
BECKER TOWNSHIP
PLANNING COMMISSION MEETING

Becker Township Planning Commission met on Monday, May 14, 2012 at 7:00 p.m. at Becker Township Hall. Present: Brad Wilkening, Mark Limpert, Rodger Nordlund, Gary Hammer, Judy Shermak. Absent: Frank Kasowski, Jr.
Also present: Kelli Neu-Zoning Administrator, Dick Schieffer-Attorney.

Chair Wilkening called the meeting to order at 7:00 p.m.

- **Limpert moved second Nordlund minutes of March 12, 2012 meeting be approved as distributed. Motion carried all voting for.**
- CHARLES MAROHN LITIGATION – Attorney Schieffer informed the board Charles Marohn, Planning Consultant, stated he served a Summons and Statement of Claim against Becker Township in Sherburne County Conciliation Court in February, 2012. No one from the township was served. Mr. Schieffer was notified about the claim from the clerk of court. The invoice in question is for \$3,000.00 and the amount of claim is \$6,645.00. An Affidavit of Legal Counsel Supporting Motion to Dismiss was filed. Mr. Marohn requested the hearing date be continued to June 6, 2012 from May 2, 2012. A Statement of Counterclaim and Summons will be filed.
- DIRT BIKE ORDINANCE –A complaint was received regarding dirt bikes. Kelli reviewed the Sherburne County Ordinance for private motor sport vehicle tracks. Discussion on definition of tracks, multiple users, and courses built for use other than personal. All board members stated an ordinance was not necessary at this time and noise should be referred to the Sheriff’s Department.
- OTHER BUSINESS/UPDATES
 - Dan Krohn, Surveyor, advised that Ericksons Acres plat name was going to have to be changed as there already is a plat in the county with that name. It will be changed to Ericksons Addition. Atty. Schieffer advised the JPB should make the final decision with a resolution and easements must be redrafted.
 - A Notice of Violation of Permit will be sent to Anthony Wruck, 15096 102n St. SE, Becker. A contractor’s yard is in violation of the General Rural Zoning district and is not a permitted use.
 - An inquiry was received regarding the possibility of locating a metal recycling center in the former auction building on Highway 10. It would require rezoning as it is still in agricultural zone. This type of operation is allowed in heavy industrial zone, but not in the planned future zoning. No application has been received so no action is needed.
 - Knife River is doing gravel mining and has no permit. They stated they would be filling topsoil back in. The erosion control violation is not satisfactorily resolved yet. Violations have been brought to MnDOT’s attention.

Nordlund moved second Hammer meeting be adjourned at 7:50 p.m. Motion carried all voting for.



Judy Shermak, Clerk



Brad Wilkening, Chair

**BECKER TOWNSHIP
NOTICE OF MEETING
CANCELLATION**

The regularly scheduled Planning Commission Meeting for JUNE 11th, 2012 has been cancelled due to lack of agenda items.

Judy Shermak, Clerk

Planning Commission

Becker Township

Town Hall
12165 Hancock Street
Becker, MN 55308

July 18, 2012

Agenda

- 7:00 p.m. 1. Call Planning Commission Meeting to Order
2. Approve Minutes of May 14, 2012
- 7:00 p.m. 3. Stefan and Christine Schaub Interim Use Permit Public Hearing
Resolution PC 2012-05
- 7:10 p.m. 4. Shady Landing Preliminary Plat Public Hearing and Final Plat
Resolution PC 2012-06
Resolution PC 2012-07
- 7:20 p.m. 5. RSI Recycling Inc. Ordinance Amendment, Rezone, and Conditional
Use Permit Public Hearing
Resolution PC 2012-08
- 7:30 p.m. 6. Sherburne Country Interim Use Permit Public Hearing
Resolution PC 2012-10
7. Rodger Nordlund Planning Commission Membership
8. Other Business/Updates
- Wruck Noncompliance Update
 - Marohn Litigation Update
 - Ewing Easement Vacation
 - Community Development Coordinator Position Update
- 8:30 p.m. 9. Adjourn

JULY 18, 2012
BECKER TOWNSHIP
PLANNING COMMISSION MEETING
AND PUBLIC HEARINGS

Becker Township Planning Commission met on Wednesday, July 18, 2012 at 7:00 p.m. at Becker Township Hall. Present: Brad Wilkening, Frank Kasowski, Jr., Gary Hammer, Judy Shermak. Absent: Mark Limpert, Rodger Nordlund. Also present: Kelli Neu-Zoning Administrator, Dick Schieffer-Attorney, Tom Hammer, Christine Schaub, Michael and Patricia Zimmerman, Craig Wensmann-Surveyor, Troy Halverson-RSI, Marlin Marquette-Sherburne County Public Works, Dean Moeller.

Chair Wilkening called the meeting to order at 7:03 p.m.

- **Hammer moved second Kasowski minutes of May 14, 2012 meeting be approved as distributed. Motion carried all voting for.**
- **STEFAN AND CHRISTINE SCHAUB IUP PUBLIC HEARING** – Chair Wilkening opened the public hearing at 7:04 p.m. The Schaub's have submitted an application for an interim use permit to operate a dog kennel and training facility on their property at 11550 165th Avenue SE. Christine Schaub stated training will be primarily German Shepherds for police and military and dogs of all breeds in basic obedience. Their property is 5 acres, surrounded by agricultural land, in General Rural zoning where commercial kennels are not allowed. The IUP will expire on December 31, 2022 or when the property changes ownership, whichever occurs first. Two dogs plus personal pets are boarded and other training is done on site but dogs are taken home after the lesson. A kennel license will be needed. Staff will be two full time employees and one part time. Discussion held on number of dogs on site and number of events on site per year allowed. **Kasowski moved second Hammer to close the public hearing at 7:13 p.m. Carried all voting for.**
- **Hammer moved second Kasowski to approve Resolution 2012-05 Recommending Granting an Interim Use Permit for a Commercial Dog Kennel Facility located at 11550 165th Avenue SE, Becker with amendments to allow five dogs on the site for training and boarding at a time, and allow up to four events per year at the property. Carried all voting for.**
- **SHADY LANDING PRELIMINARY PUBLIC HEARING AND FINAL PLAT** – Chair Wilkening opened the public hearing at 7:14 p.m. Michael and Patricia Zimmerman have applied for a preliminary plat for the subdivision of Shady Landing, a five acre lot split from 30 acres, in Sec. 3-Twp. 34-Rg. 28. The property is abutting County Road 11 and a 50 foot easement was required by the county. Discussion on possible shared driveway but will not be required as a field access is already there. The county approved the 600 foot distance between driveways. **Kasowski moved second Hammer to close the public hearing at 7:24 p.m. Carried all voting for.**
- **Kasowski moved second Hammer to approve Resolution 2012-~~05~~⁰⁶ recommending approval of the Preliminary Plat for Shady Landing. Carried all voting for.**
- **Hammer moved second Kasowski to approve Resolution 2012-07 recommending approval of the Final Plat for Shady Landing. Carried all voting for.**

- **RSI RECYCLING, INC. ZONING ORDINANCE AMENDMENT, REZONE, AND CONDITIONAL USE PERMIT PUBLIC HEARINGS** – Chair Wilkening opened the public hearing at 7:25 p.m. RSI Recycling, Inc., applicant, and First National Bank of Elk River, property owner, have requested the following to allow for a recycling center/scrap yard at 15542 137th Street SE in Becker Township. 1: Amend the Becker Joint Planning Zoning Ordinance to allow recycling centers/scrap yards as permitted uses in the Industrial 1 zoning district. 2: Rezone the property at 15542 137th Street SE, Becker Township from Agricultural to Industrial 1. And 3: Grant a conditional use permit to RSI Recycling, Inc. to allow them to establish a recycling center/scrap yard at 15542 137th Street SE. The parcel identification number for the proposed project is 05-005-4105. This is the Alliance Auction House site. Troy Halverson, RSI Recycling, stated it would be a drive-thru center with no stockpiling and explained how their other facilities are operated. There would be some storage outside and a crane will be used. Concerns for screening discussed. A larger building and future rail spur are possibilities. Tom Hammer stated a “can of worms” may be opened for future land use if it is rezoned and is concerned about the agriculture area. Gary Hammer stated a scrapping facility can be anything and is concerned about the future and others going in. Property off Highway 10 would be better. A 60 day extension period was necessary to approve or deny applications because the time frame between submittal of applications and when the JPB meeting is held to take action extends beyond the original 60 day period required. Findings of fact include:

- Property; is currently zoned Agriculture which County allowed auction houses as a “special designation” prior to JPB taking over planning and zoning authority; applicant requesting rezone to Industrial 1
- Becker Township Comprehensive Plan identifies the proposed land use of the property as Serviced Industrial (Industrial 1)
- Recycling Facilities are currently not permitted in the Becker Joint Planning Board Zoning Ordinance Agriculture or Industrial 1 zoning classifications
- Scrap yards are currently not permitted in the Becker Joint Planning Board Zoning Ordinance Agriculture or Industrial 1 zoning classifications.
- Recycling Establishments are currently listed as a Permitted Use in the Industrial 2 zoning classification of the Becker Joint Planning Board Ordinance
- Scrap Material Yards are currently listed as a Conditional Use in the Industrial 2 zoning classification of the Becker Joint Planning Board Zoning Ordinance
- In order for RSI’s facility to locate at 15542 137th Street SE, Becker the property would either have to be zoned Heavy Industrial or the zoning ordinance would have to be amended to allow recycling centers and scrap material yards in the Agricultural or Industrial 1 zoning classification
- Current Industrial 1 zoning classification requires all storage, display, service, repair or processing be conducted wholly within an enclosed building or behind an opaque fence or wall, berm or dense landscape material not less than six feet high and the material cannot be stored higher than the fence

- Objective 3 of the Implementation section of the Comprehensive Plan reflects the Township's desire for high quality commercial and industrial development along the TH10 corridor in which strict Development Guidelines were established within the plan. **Kasowski moved second Hammer to close the public hearing at 7:46 p.m. Carried all voting for.**

- **Hammer moved second Kasowski to approve Resolution 2012-08 recommending denial of an Ordinance Amendment, Rezone Request, and Conditional Use Permit request as made by Troy Halverson, RSI Recycling, Inc., Applicant, and First National Bank of Elk River, Property Owner. Carried all voting for.**
- SHERBURNE COUNTY PUBLIC WORKS IUP PUBLIC HEARING – Chair Wilkening opened the public hearing at 7:55 p.m. Sherburne County Public Works has requested an interim use permit to stockpile and crush recycled asphalt pavement at their storage facility located at 9757 155th Ave. SE, Becker. The area is 6.38 acres and also has a radio tower on it. Marlin Marquette stated the material will be used for road maintenance. This is not a commercial site. He also requested screening to be allowed. Operations would be May to November of each year, hours of operation would be Monday-Friday 7:00 a.m. to 5:00 p.m. Dean Moeller stated he owns property on both sides of the site. Sherburne County Sheriff is using part of the area for impoundment. He is requesting that it be cleaned up and screening be installed. Can the operation be moved to the Highway 25 facility? Mr. Marquette responded those concerns should be addressed to the proper authorities. Attorney Schieffer advised the Township to pursue concerns and see if the impound lot is a permitted use, and table the decision until staff investigates and uses are studied. Neu will set up a meeting with John Mentor, County Public Works Director, and Mr. Marquette. **Hammer moved second Kasowski to continue the Public Hearing to the August 13, 2012 Planning Commission meeting, at 7:10 p.m. Carried all voting for.**
- OTHER BUSINESS/UPDATES

- Attorney Schieffer spoke with Rodger Nordlund regarding his position on the Planning Commission. Rodger will be resigning and the Town Board will need to appoint a new member.

- Neu met with Anthony Wruck regarding the noncompliance notice sent to him. His business should be in the industrial area. Nothing has been heard back from him so she will contact him again.

- Charles Marohn, Planning Consultant, settled for \$1,800.00 during mediation so the case will not have to go to court.

- An error on the easement vacation for Willard Ewing occurred when 6 feet instead of 12 feet was vacated. The correction will be done at the Joint Planning Board.

- Six candidates will be interviewed on July 19th for Nick Ziegelmann's position. Hammer is on the interview panel.

Kasowski moved second Hammer meeting be adjourned at 8:45 p.m. Motion carried all voting for.

Planning Commission

Becker Township

Town Hall
12165 Hancock Street
Becker, MN 55308

August 13, 2012

Agenda

- 7:00 p.m.**
1. Call Planning Commission Meeting to Order
 2. Approve Minutes of July 18, 2012
- 7:30 p.m.**
3. Sherburne Country Interim Use Permit Public Hearing Continued
Resolution PC 2012-10
 4. Other Business/Updates
 - Chris Gustafson
 - Wruck Noncompliance Update
- 8:00 p.m.**
5. Adjourn

AUGUST 13, 2012
BECKER TOWNSHIP
PLANNING COMMISSION MEETING
AND PUBLIC HEARING

Becker Township Planning Commission met on Monday, August 13, 2012 at Becker Township Hall. Present: Brad Wilkening, Mark Limpert, Gary Hammer, Judy Shermak. Absent: Frank Kasowski, Jr., Rodger Nordlund. Also present: Kelli Neu-Zoning Administrator, Dick Schieffer-Attorney, John Mentor and Marlin Marquette-Sherburne County Public Works, Mr. & Mrs. Dean Moeller, Michael Zimmerman-Shady Acres.

Chair Wilkening called the meeting to order at 7:00 p.m.

- **Limpert moved second Hammer minutes of July 18, 2012 meeting be approved as distributed. Motion carried all voting for.**
- **SHERBURNE COUNTY INTERIM USE PERMIT PUBLIC HEARING CONTINUED – Ch. Wilkening reopened the public hearing at 7:02 p.m. Sherburne County has submitted a permit application to allow the County to crush and screen asphalt millings for the purpose of recycling for use in the County’s shouldering operations. The property is located at CSAH 4 and CR 67. John Mentor, Public Works Director, advised the concerns that have been addressed. Trees will be planted in the spring of 2013 for screening, and dust control will be applied in internal roads when needed. He met with the Moeller’s, Sheriff Brott, Mr. Marquette, and Neu on site to review proposals. Concerns of storage of crash vehicles will be addressed by the Sheriff. There will be no activities before 7:00 a.m., ending at 5:00 p.m. except in emergency situations. The Planning Commission recommended approval. Hammer moved second Limpert to close the public hearing at 7:12 p.m. Carried all voting for.**
- **Hammer moved second Limpert to approve Resolution 2012-10 Recommending Granting an Interim Use Permit for Crushing Recycled Asphalt Pavement at the Property located at 9757 155th Avenue Southeast. Carried all voting for.**
- **OTHER BUSINESS/UPDATES**
 - Neu discussed non compliance issues with Chris Gustafson.
 - Neu met with Anthony Wruck regarding the noncompliance notice sent to him.

The only option would be an Interim Use Permit and an application has not yet been received.

- Mylars for Michael Zimmerman’s Shady Acres final plat were signed.

Hammer moved second Limpert meeting be adjourned at 7:29 p.m. Motion carried all voting for.



Judy Shermak, Clerk



Brad Wilkening, Chair

SEPTEMBER 10, 2012
BECKER TOWNSHIP
PLANNING COMMISSION MEETING
AND PUBLIC HEARING

Becker Township Planning Commission met on Monday, September 10, 2012 at Becker Township Hall. Present: Brad Wilkening, Gary Hammer, Frank Kasowski, Jr., Mark Rask, Judy Shermak. Absent: Mark Limpert.
Also present: Kelli Neu and Amanda Fiedler-Zoning Administrators, Dick Schieffer-Attorney, Tony and Val Wruck.


Chair Wilkening called the meeting to order at 7:00 p.m.
Mark Rask was given the Oath of Office and was sworn in as a member of the Planning Commission.

- **Hammer moved second Kasowski minutes of August 13, 2012 meeting be approved as distributed. Motion carried all voting for.**
- **WRUCK INTERIM USE PERMIT PUBLIC HEARING – Ch. Wilkening opened the public hearing at 7:02 p.m. Tony Wruck, Wruck Excavating, Inc. has submitted an application for an interim use permit to operate his excavation business including the storing of excavation equipment on his property at 15096 102nd Street, Becker, 13.15 acres. The property is currently zoned General Rural in which contractor yards are not allowed as a permitted or conditional use. The requested use of the property as a contractor yard does not conform with the land use designations outlined in the Comprehensive Plan because contractor yards are neither allowed as a permitted or conditional use in the general rural or low density residential land use or zoning classifications. Contractor Yards are currently permitted as a Conditional Use in the Industrial 2 zoning district. Concerns included truck traffic, outside stockpile storage, dust stormwater management, and wear and tear on nearby Town and County roadways. Current access is on County Road 67 which is a 9 ton road and constructed to standards for trucks. Mr. Wruck asked what is considered a contractors yard how many vehicles are allowed. Neu reviewed the ordinance. He now has approximately 10 trucks and 5 employees. Building a structure and office would be out of compliance in the General Rural district as the house is the primary structure for home businesses allowed. The board recommended planning for the future and locating in the Industrial area. Hammer stated the Township Ordinance is much the same as the County and probably would not be allowed by them. Mrs. Wruck stated it is not feasible to move to the industrial park because of expense and taxes. **Hammer moved second Rask to close the public hearing at 7:31 p.m. Carried all voting for.****
- Attorney Schieffer advised the Board to make a recommendation to staff for a resolution, or bring the resolution back to the next meeting. **Hammer moved second Kasowski to deny the Interim Use Permit based on discussion held, direct the staff to draft the resolution, and work with the Wrucks for a solution. Carried all voting for.**
- **OTHER BUSINESS/UPDATES**
 - Tim Holm has requested a variance to split property into two 5 acre lots. The shed would be on one lot and shed on the second. The split cannot be done with the house and shed together because of wetlands. A shed with no primary structure is not allowed in General Rural and the board recommended the shed be taken down.

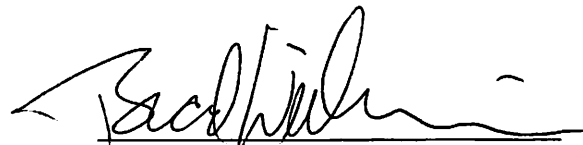
Planning Commission Meeting
September 10, 2012
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- Neu reported on the Becker City Comprehensive Plan update. A meeting will be held on Sept. 24th at 7:0 p.m. to discuss changing verbiage on the land use plan and downtown area. Wilkening will plan to attend.

Kasowski moved second Rask meeting be adjourned at 7:50 p.m. Motion carried all voting for.



Judy Sherma, Clerk



Brad Wilkening, Chair

Becker Planning Commission Meeting

October 2012

Cancelled due to lack of agenda items

Planning Commission

Becker Township

Town Hall
12165 Hancock Street
Becker, MN 55308

November 13, 2012

Agenda

- 7:00 p.m. 1. Call Planning Commission Meeting to Order
2. Approve Minutes of September 10, 2012
- 7:00 p.m. 3. Grabill Interim Use Permit Public Hearing
Resolution PC 2012-14
- 7:15 p.m. 4. Erickson Addition Plat 2 Preliminary Plat Public Hearing
and Final Plat
Resolution PC 2012-15
Resolution PC 2012-16
5. Other Business/Updates
- 8:00 p.m. 6. Adjourn

NOVEMBER 13, 2012
BECKER TOWNSHIP
PLANNING COMMISSION MEETING
AND PUBLIC HEARING

Becker Township Planning Commission met on Tuesday, November 13, 2012 at Becker Township Hall. Present: Brad Wilkening, Gary Hammer, Frank Kasowski, Jr., Mark Limpert, Mark Rask, Judy Shermak. Absent: None.


Also present: Kelli Neu and Amanda Fiedler-Zoning Administrators, Dick Schieffer-Attorney, Tami Grabill, Mark Nevale, Mary Erickson, Steve Erickson.

Chair Wilkening called the meeting to order at 7:00 p.m.

- **Hammer moved second Limpert minutes of September 10, 2012 meeting be approved as distributed. Motion carried all voting for.**
- **TAMI GRABILL INTERIM USE PERMIT PUBLIC HEARING** – Ch. Wilkening opened the public hearing at 7:01 p.m. Tami Grabill has submitted an application for an interim use permit to allow her to operate a dog grooming and pet sitting/boarding business out of an existing detached accessory structure on the property located at 8445 137th Avenue, 5 acres. It is currently zoned General Rural in which a home business in an accessory structure is not allowed as a permitted or conditional use. There are eight residences within ¼ mile. The grooming involves the customer leaving their dog and picking up on the same day. Hours of operation would be up to six days per week 8:00 a.m. to 5:00 p.m. There may be one additional part time employee. The dog sitting/boarding is for show dogs, boarding up to 15 dogs in house for up to a week, with the option of using the grooming shop and/or additional outbuilding when necessary. Tami does the training and showing for dog shows. It was recommended to have the septic system inspected, sized and designed properly. Permanent privacy fencing must be installed around the exercise area with access directly from the house. She has also operated the same type of business in Long Lake since 1989. Mark Nevale, next door neighbor, stated ducks and geese have been on the road and on his property. Barking dogs are a concern. Dogs would be in a gated area or crate when she is gone. Waste will be bagged and disposed in garbage. Outdoor time would be supervised or on leash. Atty. Schieffer requested information on the location of her current business. Discussion on existing accessory buildings and size in general rural zoning. **Kasowski moved second Rask to close the public hearing at 7:40 p.m. Carried all voting for.**
- The board concurred the grooming business would be acceptable in the existing accessory structure. Kenneling should be in house, not in accessory building. Number of boarding dogs is a concern and she also has four dogs of her own. Attorney Schieffer advised the Board to make a recommendation to reduce the number of permit years to one to two years and then revisit and make adjustments. The staff was directed to research other boarding businesses. **Limpert moved second Hammer to recommend approval of the grooming portion of the IUP. Discussion on existing size of building and expiration date of permit. Hammer moved to amend the motion to include grooming business only in the existing 360 sq. ft. accessory building and approving the permit for five years, or when the property changes ownership, whichever occurs first. Motion carried all voting for.**

- **Limpert moved second Kasowski to table the dog boarding business approval until further research. Carried all voting for.**
- ERICKSON ADDITION PLAT 2 PUBLIC HEARING – Ch. Wilkening opened the Public Hearing at 8:07 p.m. Mary Erickson has requested approval for the preliminary plat of Erickson Addition Plat 2 consisting of one 2.5 acre lot. The plat meets the existing standards for residential lots. There are no wetlands. A field access abuts County Road 11 will be used for a driveway and County Public Works must approve the right of way dedicated on the plat for CSAH 11. Atty. Schieffer will review updated title work. **Hammer moved second Rask to close Public Hearing at 8:15 p.m. Carried all voting for.**
- **Limpert moved second Hammer to approve Resolution 2012-15 recommending approval of the Preliminary Plat for Erickson's Addition Plat 2. Carried all voting for.**
- **Kasowski moved second Limpert to approve Resolution 2012-16 recommending approval of the Final Plat for Erickson's Addition Plat 2. Carried all voting for.**
- OTHER BUSINESS/UPDATES
 - Kelli has a draft of the Becker City Comprehensive Plan update for reviewal. The Township update needs to be completed and the goal is to have it done by the March Annual Meeting. Kelli will consult with SEH Engineering regarding finalizing the mapping and cost. The Town Board must approve.
 - Hammer informed the board that Lester Olson, 47 year member of the Becker Town Board, has passed away. Funeral services will be Saturday.

Kasowski moved second Rask meeting be adjourned at 8:30 p.m. Motion carried all voting for.



Judy Shermak, Clerk



Brad Wilkening, Chair

December 10, 2012
BECKER TOWNSHIP
PLANNING COMMISSION MEETING

Becker Township Planning Commission met on Tuesday, December 10, 2012 at Becker Township Hall. Present: Brad Wilkening, Gary Hammer, Mark Limpert, Mark Rask, Absent: Frank Kasowski, Jr., Judy Shermak.

Also present: Kelli Neu and Amanda Fiedler-Staff, Dick Schieffer-Attorney, Tami Grabill, Harold Simonsmeier, Anna Simonsmeier, and Shannon Bollman.

Chair Wilkening called the meeting to order at 7:00 p.m.

- **Limpert moved second Rask minutes of November 13, 2012 meeting be approved as distributed. Motion carried all voting for.**

TAMI GRABILL INTERIM USE PERMIT PUBLIC HEARING (Continued)–

- Ch. Wilkening opened the public hearing at 7:01 p.m.
- Tami Grabill discussed one similar property located at 3550 199th Avenue in Anoka, MN called Deja's Doggie Camp. Discussion continued among members regarding this facility.
- Neu indicated that General Rural designation indicates that 4 or more dogs are allowed in private kennels and no commercial boarding is allowed. Discussion was continued by board members regarding the number of dogs allowed onsite. Concern was expressed regarding the number of dogs being requested in the Interim Use Permit.
- **With no further discussion, Limpert motioned to close the public hearing, Rask seconded, motion carried.**
- Neu briefed members on resolutions 17A to approve the Interim Use Permit and 17B to deny the Interim Use Permit. She mentioned that temporary arrangements could be made if there are issues with the privacy fence. Neu stated in researching this request she asked the Sherburne County Zoning office for their regulations regarding kennels and if they had any similar facilities. She stated the County has a requirement that commercial dog kennel facilities must be a minimum of 500 feet from neighboring houses and Ms. Grabill's house is approximately 450 feet from the neighboring house.
- Further discussion was made to shorten the review time to 2 years instead of the previously discussed 5 year review for the Interim Use Permit. Hammer indicated that he was not in favor of the request since we haven't found a similar business like the one proposed by Ms. Grabill. Hammer indicated that there is no clear evidence that zoning ordinances even at the city level approve this type of home based business. Hammer further stated that this either means that this type of business is very specialized or simply not allowed. Discussion continued regarding changing the wording of the ordinance.
- Mr. Schieffer suggested that the only other option is to possibly have the ordinance changed to include taking care of farm animals, etc. and a 2 year limit on Interim Use Permits. Hammer suggested that guidelines could then be placed to prohibit noise and restrict nuisance against neighbors.
- **Hammer moved second Rask to recommend denial of the dog boarding portion of the IUP. Motion carried 3-1. Limpert opposed.**

- SIMONSMEIERS ESTATE PUBLIC HEARING – Ch. Wilkening opened the Public Hearing at 7:50 p.m. Neu explained Harold and Anna Simonsmeier have submitted a preliminary and final plat application to subdivide a three acre lot including the farmstead buildings from their 40 acre parcel. Hammer informed the Planning Commission that his brother was planning to purchase the remaining farmland and asked Attorney Schieffer if this was a conflict of interest. Schieffer stated it was not because Hammer had no personal interest or gain from the subdivision. Neu explained the platted lot meets all of the zoning standards for General Rural and recommended approval of the preliminary plat.
- **Limpert moved, second by Rask to close the Public Hearing at 8:15 p.m. Carried all voting for.**
- **Limpert moved, second by Hammer to approve Resolution 2012-18 recommending approval of the Preliminary Plat for Simonsmeier Estate. Carried all voting for.**
- **Rask moved, second by Limpert to approve Resolution 2012-19 recommending approval of the Final Plat for Simonsmeier Estate. Carried all voting for.**
- Atty. Schieffer will review updated title work before plat is signed.
- OTHER BUSINESS/UPDATES
 - Kelli reviewed the Sherburne County Interim Use Permit for properties zoned General Rural. Upon reviewing Neu found that home based businesses in an accessory building are allowed on non-platted property provided there is a minimum of 20 acres. She indicated that this may give us a basis to start from for an amendment to the current interim use permit section of the JPB's zoning ordinance.
 - Kelli gave an update on the Comp Plan Proposal from SEH. She indicated that Veronica at SEH provided her with an itemized cost list for updating the Township Comp Plan. She will be providing the numbers to Town Board next week.

Limpert moved, second by Rask meeting be adjourned at 7:58 p.m. Motion carried all voting for.



Amanda Fiedler



Brad Wilkening, Chair