

BECKER TOWN PLANNING COMMISSION  
7:00 P.M. JUNE 10, 2019  
BECKER TOWNSHIP HALL  
PLANNING COMMISSION MEETING MINUTES

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Board Members Present: Brad Wilkening, Frank Kasowski (arrived 7:15), Ryan Peckskamp, Cole Petroske

Absent: Brian Kolbinger

Staff Present: Damien Toven - Township Attorney; Lucinda Messman - Clerk; Fran Seeley - Deputy Clerk

Others present: Craig Schwarzkopf, Tony Wruck, Brandon Hines, Nicolle Hines

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Chair Wilkening called meeting to order at 7:00 p.m. Quorum verified present.

**Motion to approve minutes as distributed by Petroske, second by Peckskamp. Motion carried, all voting in favor.**

**Motion to approve agenda as distributed by Peckskamp, second by Petroske. Motion carried, all voting in favor.**

Craig Schwarzkopf – Messman reviewed memo sent by Ben Wikstrom, Township Planner who was unable to be in attendance this evening.

- Public Hearing tabled in May. Timeline to be revisited.
- We have been in contact with Mr. Scwarzkopf about the potential lot division.
- He is not yet the owner, and the bank (current owner) has not signed off on the application. We cannot render a decision or recommendation on the subdivision at this time, but can extend the initial 60-day period by another 60 days with a notification sent out.
- The question is whether the application itself is valid and should be extended, since the bank never signed - as owner - in the first place.
- Attorney Toven: There could be an extension, in writing with signatures. Reasons for extension need to be included. It appears it may be in the best interest of everyone present to deny this application for now given the understanding that we all thought at the time of application it was good and ownership was clearly Mr. Schwarzkopf's. Once title issues are cleared up, applicant can reapply.
- Mr. Schwarzkopf: one of the documents stated delay is due to financing, want the board to understand it is due to Clear Title issues, not money that is the cause of these delays. Frustrating situation.

**Motion by Peckskamp to deny the current application with the understanding the applicant may reapply once clear title is held. Second by Petroske. Motion carried, all voting in favor.**

Carefree Country Club – Messman reviewed memo and documentation with Planning Commission.

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- Sherburne County made a written request that Becker Township determine if Carefree Country Club needs to amend their Conditional Use Permit (CUP).
- Sherburne County issued the original CUP 3/3/1981 with 5 conditions:
  - 1) 6 MONTH OPERATION
  - 2) NO PERMANENT BUILDINGS ON CAMP LOTS
  - 3) AREA FARMED
  - 4) NO MOBILE HOMES
  - 5) NO ENTRANCE ON CO.75 HWY
- In 2009, Becker Township took over their own planning and zoning duties, therefore the enforcement of CUP conditions is now the responsibility of the Township.
- Original CUP documentation and various site maps/blueprints were reviewed with the Planning Commissioners.
- None of the 5 conditions in the original CUP state the number of sites/lots allowed.
- Several documents, including County Board minutes and the EAW mention 400 lots.
- The MN Health Department notes 400 lots in 1981 then in 1995 or 1998 it changed to 404 lots. Due to pen marks, they cannot make out if it was 1995 or 1998.
- Staff counted lots on the only map(s) we had prior to this request – there are 404 lots. One map is indicated as Carefree Map with wetlands in paperwork, the other is the Septic Compliance map.
- DNR Permitting does not have information indicating a number of lots.
- Board Discussion
  - CUP doesn't say 400 sites anywhere – only in minutes of County Board – is that enforceable/legality?
  - Blueprint is not complete map of Carefree
  - Request to view septic compliance map
  - If the CUP is amended, Carefree would need to conform to current ordinances and regulations. Many things have changed since 1981 and it is unlikely a permit such as this would be granted for 400 lots. Sites are close to lakes.
  - Planning Commissioner Wilkening reviewed EAW and DNR information/procedures with those present

**Motion by Peckskamp to recommend that no amendment of the original Carefree Country Club Conditional Use Permit issued 3/3/1981 by Sherburne County be required. The Planning Commission does not feel amendment is required since the original conditional use permit did not/does not specifically state the number of units/sites permitted. Second by Kasowski. Motion carried, all voting in favor.**

#### Wruck Excavating

- Tony Wruck is interested in purchasing a parcel in the Commercial district for the purposes of running his business.

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- In staff conversation he stated that it would essentially be a base for his operations, but he may sell some quantity of landscape material.
- After reviewing the ordinance, there isn't really an allowed use under which the business as described would fall (it would meet the definition of a "contractor's yard" which is only allowed in Industrial), unless the retail portion is a significant part of the operation.
- Mr. Wruck is in attendance this evening to discuss possibilities with the board.
- Board Discussion
  - Location, 6 acre site, commercial district
  - Site plan viewed, not 100% clear on goals/plans
  - Landscaping business
  - Truck sales
  - Storage of equipment
  - If this is a Contractors yard, it would not be a good fit.
  - If this is mainly retail sales it is a very good fit in the Commercial district.
  - Board informed Mr. Wruck and more complete site layout would be necessary for them to understand exactly what his plans were with this site.

Other Business

- Solar Farm inquiry in its infancy – Michigan Company contacted Township regarding zoning regulations. Definite Solar Farm, not an accessory use.
- Violation notices
  - Diesel mechanic operating in General Rural – notice being prepared and will be sent. Diesel shop is not allowed in General Rural district. They are advertising as such in their current location.
  - Kennel situation. Kennel has an IUP to operate. Office received notification that they may be in violation of their IUP. Site visit will be scheduled. Board directed staff to have Sheriff accompany.

Adjourn 7:37 p.m.

  
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Brad Wilkening, Chair

  
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Lucinda Messman, Clerk