

BECKER TOWN PLANNING COMMISSION

7:00 P.M.
PLANNING COMMISSION

MARCH 9, 2020
MEETING MINUTES

Board Members Present: Brad Wilkening, Brian Kolbinger, Ryan Peckskamp, Cole Petroske, Frank Kasowski

Absent: none

Staff Present: Damien Toven – Township Attorney, Ben Wikstrom – Township Planner, Jacob Sanders – City of Becker Planner, Lucinda Messman - Clerk, Fran Seeley – Deputy Clerk

Others present: Brad & Lisa Hiltz

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

Motion to approve February 2020 minutes as distributed by Petroske, second by Peckskamp. Motion carried, all voting in favor.

Motion to approve Agenda after striking item 5b from a portion of agendas with it still listed by Kolbinger, second by Petroske. Motion carried, all voting in favor.

Public Hearing Brad & Lisa Hiltz – Conditional Use Permit Application
- Occasional Special Events Application

Wikstrom reviewed Staff Report with Planning Commissioners. Full text on file.

- 17508 117th Street SE
- Held Daughter’s wedding at this location and were asked about hosting others, so proceeding.
- Ordinance requirements are going to be met – all looks good and reflects intent of ordinance.
- Relatively secluded site with topography allowing sufficient parking.
- Section 16 language relating to Occasional Special Events:
- Occasional Special Events definition: Events for business purposes conditionally permitted on properties in the Agriculture or General Rural zoning districts, limited to sixteen (16) occurrences per year in the Agriculture district and eight (8) occurrences per year and two (2) per month in the General Rural district. A weekend-long event up to three (3) consecutive days is considered one (1) occurrence.
- Applicants interested in holding more than 8 events per year, staff has determined that
 - Applying for a variance to allow more would be considered a ‘Use Variance’ which is prohibited by state law.
 - Rezoning to agriculture would not be appropriate either as it would require spot zoning – also prohibited by state law.
- Other discussion items:
 - Dust control for the minimum maintenance road (117th Street SE) leading to the event
- Conditions listed below are based on the standards listed in section 16 of ordinance.

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1. Events are limited to eight (8) occurrences per year in the General Rural district.
2. Event parking or proof-of-parking shall be shown on a site plan or depicted on an aerial photograph and submitted with the application for the CUP and must be approved by the Township.
3. Location of the event shall have a minimum 100-foot setback from any side or rear property line and be separated by 500 feet or by a platted right-of-way from any existing residential dwelling other than the applicants'.
4. Town staff, the Planning Commission, or the Joint Planning Board may request a noise study, sight-line study, traffic study, or other information germane to the CUP application and the proposed use's impact on the neighboring area.
5. One sign to alert event-goers to the location and temporary, portable signage on site are allowed from one day before to one day after the event, and shall be removed between events. On-site signage for the purposes of advertising the site is prohibited; permanent signage is allowed as permitted in the zoning district.
6. If portable toilets remain on site throughout the event season, they shall be screened from view from neighboring properties by fencing, landscaping, placement, or other means.
7. Plans for trash removal after events shall be in place prior to the event season.
8. Outdoor music shall be limited to the hours of the events and must conclude by midnight of the night of the event.
9. Any new structures must be approved through the building permitting process at the Township offices.
10. Food and alcohol service must be properly permitted by the State of Minnesota and by any other permitting jurisdictions.
11. Restaurants are not allowed in the General Rural zoning district.
12. Food trucks require approval and seasonal permitting from the Township office.

This ordinance is fairly new due to the number of requests for these type of event requests.

Applicant intends

- Full septic and ADA compliance for the bathrooms in the new structure
- Professional trash removal
- 1 acre for parking – currently sand/gravel with solar lights
- 500 more trees to be planted
- Bands/music in the venue to be done by 11:30 p.m.

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- No food prep on-site. There is a grill there they can use for the dinner the night before, but that is the attendees bringing their own food/cooking on their own.
- Caterer will be required.
- No liquor license

Planner Sanders – noted

- The driveway is not wholly on the lot in the application. Prior permit should not have gone through
- Condition 9 should be re-worded as building permits are accepted and handled by City of Becker staff.

Township is currently working with 117th Street SE – road is not in the location shown. Driveway may need to move to match the road if anything moves.

Attorney Toven suggested language could be added as a condition to the effect that “should the Township relocate 117th Street SE, the applicant will move their driveway to line up with 117th Street”

Applicants asked if now was appropriate to ask for 12 events or if they could ask the board look into allowing 12 events for 40+ acre parcels in general rural. They are more secluded than a 5 acre parcel would be. Chair Wilkening asked that they make a formal request via email.

No further comments.

Motion to close public hearing by Peckskamp. Second by Petroske. Motion carried, all voting in favor.

Discussion

All seems in order and fits with ordinance.

Motion to approve Resolution 2020-06: A Resolution Recommending Approval of a conditional use permit for the property located at 17508 117th Street Southeast after amending the verbiage in condition #9 to indicate City of Becker handling permits and adding condition 13 stating that should 117th Street SE be relocated, applicant shall move their driveway to the appropriate location by Kolbinger. Second by Kasowski. Motion carried, all voting in favor.

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Public Hearing – Accessory Structures Ordinance Amendment

Accessory Structure size amendment has been discussed for several months. On file is the final version that has emerged from these discussions. Full text on file.

Some cleanup of language

- 1) Changing rear lot line to read rear setback or easement.
- 2) Addition of the text 'installation or' between when referencing land available for sewer system replacement

Change in ordinance

- 1) Platted lots 1,200 square foot minimum allowed or 3% of lot area – whichever is greater
- 2) Unplatted lots – 4% of lot area

Other item – 25' peak max limit on parcel less than 5 acres. Is this an issue? Max height is calculated to mid point of highest gable in other parts of ordinance, but here it is to highest point. Discussion of how to change to same definition as house.

County ordinance includes maximum building size, but we are not including that portion.

Motion to close public hearing by Kasowski. Second by Kolbinger. Motion carried, all voting in favor.

No further discussion

Motion to recommend language as presented, striking the height portion in language for adoption by the Joint Planning Board by Kasowski. Second by Peckskamp. Motion carried, all voting in favor

Other Business

Shipping Containers

- No final decisions at this time.
- Planned for ordinance in April

Framework 2030 – Sanders

- Discussion of what CMRP (Central Mississippi River Regional Planning Partnership) is and is not
- Structure chart handed out and discussed
- Survey requested of Planning Commissioners. These can be completed online
- This is not a comprehensive regional plan – lots of land use and transportation items to help guide comprehensive plans of the partner members.

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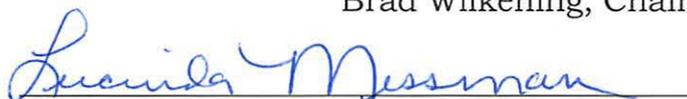
- This was the Highway 25 Coalition, 3 years ago. Evolved into what it is now.
- Liaisons meet weekly
- Town board gets some communication – mainly tactical at this time
- Developing a leave behind/fact sheet now
- Consulting firm from Columbus with experience now helping
- Funding from each jurisdiction discussed
- Goals for CMRP?
 - Another river crossing/better transportation
 - Prove – cohesiveness to help all communities
 - Number of people live here/work here
 - Number of people who live here/don't work here
 - Travel along various corridors (ex: highway 10 and CR 11)
 - Help us to become who we want to become
 - Brings all factors with a goal of win-win to obtain state funding to improve regional transportation.

Enforcement Actions Update

Adjourn 8:03 p.m.



Brad Wilkening, Chair



Lucinda Messman, Clerk