

CARVER COUNTY PLANNING COMMISSION
Regular Meeting – March 20, 2018
Minutes

Members Present: Jim Burns, Jim Ische, Scott Smith, John P Fahey, Gabrielle Theis, Mark Willems

Members Late: None

Members Absent: Frank Mendez

Staff Present: Jason Mielke, Emily Schmitz, Jennifer Tichey

Pursuant to due call and published notice thereof, the March 20, 2018, regular meeting of the Carver County Planning Commission was called to order by Chairman Burns at 7:00 p.m.

Chairman Burns recognized and welcomed John P Fahey to the Planning Commission. He will be completing the term vacated by the resignation of Alan Herrmann.

Minutes – A motion was made by Smith and seconded by Willems to approve the minutes from the February 20, 2018 meeting. All voted aye. Motion carried.

File #20180006 – Joshua Kloos – Chairman Burns called the public hearing to order at 7:01 p.m. to consider a request by Joshua Kloos. The purpose of the public hearing was to consider a request for a contractor’s yard pursuant to Chapter 152 of the County Code. The property is located in Section 34 of Laketown Township.

The following were present: Joshua Kloos, Charles Held

The following items were entered into the record:

Exhibit A – Legal Description

Exhibit B – Proof of Publication of the Hearing Notice

Exhibit C – Proof of Mailing of the Hearing Notice

Exhibit D – Letter from the applicant

Exhibit E – Site map

Exhibit F – Letter to the Planning Commission and Laketown Township dated March 13, 2018, and attachments

Schmitz explained the applicant’s request to operate his commercial landscaping business, Gardeneer, from the property. The proposed hours of operation during the summer months, May through November, would be 6:00 a.m. to 6:00 p.m., and winter hours are typically limited and include off-site snowplowing from December to April. Approximately 10 – 14 employees would report to the site daily, generating up to 20 trips to and from the site daily. Nine business vehicles would be associated with and stored on the site in the ‘equipment parking’ area and/or ‘outside storage’ area as shown on the site

plan. She used an aerial photo to illustrate the property and the operational areas. Proposed outside storage would include typical landscape materials, such as mulch, black dirt, rock, etc. and would be stored in landscape bins/bunkers. The existing second dwelling would be converted into an accessory use for office space and restrooms for employees. Appropriate building permits would be required to convert the structure from a dwelling to the accessory use. Future plans include construction of a new building for business equipment storage and office space, at which time this structure would be removed. Landscape screening is proposed on the west side of the outdoor storage area and on the north side of the building site, screening activities from the westerly neighbor and also County Rd 10. No signage is being proposed at this time. The request has been reviewed by Carver County Public Works with recommendations for minor upgrades to the access, as addressed in their memo. Laketown Township reviewed the request at two local meetings and recommended approval with three proposed conditions. Schmitz read the proposed conditions for consideration if the request is approved.

Charles Held, representing Laketown Township, reiterated their concern that all materials are stored in bunkers and that the site is adequately screened from the neighbors. He spoke of a prior owner who had used that second dwelling as a rental unit, and they wanted to be assured it would be accessory use for the business and not a residential dwelling.

Mr. Kloos confirmed that he intends to use it only for the business and not as a rental dwelling.

A motion was made by Theis and seconded by Ische to close the public hearing. All voted aye. Motion carried. The public hearing was closed at 7:07 p.m.

A motion was made by Theis and seconded by Willems **to approve and issue Resolution #18-02** incorporating the findings of fact and staff recommendations in recommending the Conditional Use Permit for a contractor's yard be approved. All voted aye. Motion carried.

File #20180005 – Mike Wellens – Chairman Burns called the public hearing to order at 7:08 p.m. to consider a request by Mike Wellens. The purpose of the public hearing was to consider a request for a contractor's yard pursuant to Chapter 152 of the County Code. The property is located in Section 26 of Dahlgren Township.

The following were present: Mike Wellens, Larry Wellens, James Abraham

The following items were entered into the record:

Exhibit A – Legal Description

Exhibit B – Proof of Publication of the Hearing Notice

Exhibit C – Proof of Mailing of the Hearing Notice

Exhibit D – Letter from the applicant dated February 12, 2018

Exhibit E – Site map

Exhibit F – Letter to the Planning Commission and Dahlgren Township dated March 13, 2018, and attachments

Exhibit G – Letter of support from Russell Dunker received on March 15, 2018

Mielke explained the applicant's request to operate his commercial erosion/sediment control business, Wellens Agronomics, LLC, from the proposed site. The property is used primarily as a farming operation for crop production and the erosion control business is a secondary use that shares equipment with the farming operation. The business performs work on projects that include County Soil & Water projects, agricultural buffers and waterways, CRP, RIM, residential, commercial, City, County, and State, as well as their own farms. Proposed hours of operation are 7:00 a.m. to 7:00 p.m., Monday through Friday, with limited Saturdays, with the busiest months being April through December. Approximately 7 – 10 employees report to the site daily and typically, 2 – 4 vehicles leave the site in the morning and return in the evening. There are 2 existing accesses to the property, with Mount Carmel Rd used as the residential access and Maplewood Rd used for the farming/business equipment access. The applicant is requesting to construct an addition to an existing building to be used as office space and breakroom for the business employees, which would require appropriate building permits. Mielke used an aerial map to illustrate and explain the operational area, outdoor storage area, and use of the existing buildings. There is no screening being proposed, as the property's nearest residential neighbor is over 500 feet away and the primary use of the property will continue to be agricultural. The City of Carver was notified as the property is in their Transition Area Overlay and they had no concerns about the proposed use. Dahlgren Township reviewed the request and recommended approval at their February meeting. Mielke read the proposed conditions for consideration, and noting the language about screening requirements, if the request is approved.

Mark Willems, representing Dahlgren Township, confirmed the Township's review of the request and recommendation for approval.

Ische suggested that the language about the screening be removed from the conditions, since it is not being required for this request, and could be cause for scrutiny in the future. He asked the applicant to identify the size of the proposed addition, if not specifically, then at least with a '*not to exceed*' size, as it will be difficult for the County Board to act on something that is open-ended or not more specifically defined.

Mr. Wellens explained the preliminary plan as drawn and submitted as a part of the application. He stated the reason for the proposed size and configuration and said he would work on getting more definite dimensions.

Ische again mentioned even if the exact dimensions were not available, language of 'not to exceed' a specific size would offer the County Board something to act on.

A motion was made by Willems and seconded by Theis to conclude the public hearing. All voted aye. Motion carried. The public hearing was concluded at 7:20 p.m.

A motion was made by Ische and seconded by Willems to **approve and issue Resolution #18-03** incorporating the findings of fact and staff recommendations, removing the language relating to screening requirements, in recommending the Conditional Use Permit for a contractor's yard be approved. All voted aye. Motion carried.

Adjournment

A motion was made by Smith and seconded by Ische to adjourn the meeting. All voted aye. Motion carried. The meeting was adjourned at 7:22 p.m.