MEETING MINUTES
POPE COUNTY PLANNING ADVISORY COMMISSION
Thursday March 24, 2022

The Planning Advisory Commission convened in regular session on Thursday, March 24, 2022 at the Pope County Courthouse, 3rd floor Meeting Room.

Members Present: John Messenger (C), Ivie Cooley (VC), Mark Halls, Roger Isdahl, Ron Fiegum, Ted Kannegiesser, Larry Lindor (County Commissioner) and alt Paul Gerde (County Commissioner)

Other Officials Present: David Green (Land & Resource Management Director)

The meeting was called to order by Chairperson Messenger at 7:25 p.m. with the following items being addressed by the chair:

Additions and Corrections to the Agenda

There are no additions or corrections to the agenda

Review minutes of January 27, 2022

The minutes of the Planning Advisory Commission meeting held on Thursday, February 24th, 2022 were submitted for approval. Motion by Kannegiesser to accept the minutes as written. Motions seconded by Feigum. Motion carried with no dissenting votes noted.

General Business

Chairman Messenger addressed the need to appoint a Vice Chair. Feigum makes motion for Cooley as Vice Chair. Which is seconded by Isdahl and followed by unanimous support.

Public Hearing:

At 7:18 p.m. Chairman Messenger opens hearing to the public to receive any comments, questions, or concerns relating to proposed changes to sections 6, 7 and 8 of the Land Use Controls Ordinance. With no public in attendance and no submitted comments to consider, Chairman Messenger closes the Public Hearing at 7:20 p.m.

New Business

IUP-RV use, Ryan and Cheryl Fernholz

Chairman Messenger introduces the item followed by staff report as presented by Director Green. Staff concludes that a recommendation of approval with conditions is appropriate. Ryan and Cheryl present their application and a provide a draft Rental Agreement for the Planning Advisory Commission to consider. Ryan and Cheryl field questions from the members of the Planning Advisory Commission. Isdahl asks if the septic is adequate and if it were hard plumbed. Ryan states that the septic system is new and oversized. The site is not

specifically plumbed (pipe in the ground) for hook up and draining from individual RVs but that you could just use hose or dump station. Cooley asks if they have a porta potty on site yet. Cheryl states that that issue is for their other site but that they will be getting on onsite prior to use. Fernholz states that it is their long term plan to build a home on this particular site.

Public Hearing- At 7:35 pm, Chairman Messenger seeks comments from members of the public who may be in attendance. No one spoke in favor of the proposal. When asked for those speaking in opposition, Jeanne Frederick offered a comment and question. She stated that she was neither in favor or against the proposed use but had some questions. She asked about how the septic waste would be handled. Frederick also asked if tenters would be allowed. Chairman Messenger allows for direct response from Fernholz's. They state that there is a septic system in place and that the RV may either hook up directly to the system or that there will be a station/access that would allow for the duping of the RV wastewater. They also stated that perhaps there may be tents but that would probably only occur on holidays or special events. Chairman Messenger closes the Public Hearing portion of the meeting.

The site Team weighs in on the issue stating that Feigum state, "it's a nice little spot and it shouldn't pose any problems. Once the trees are in foliage, no one could even see the place." Kannegeisser and Messenger agree.

Motion is made by Kannegiesser. "Based on the information as presented in the staff report and facts as gathered this evening. I move to offer a recommendation of approval of the Interim Use Permit provided that the conditions as identified in the staff report are complied with." Motion is seconded by Feigum. The motions is supported by a unanimous vote of all members.

Tabled/Old/Other Business:

CUP Renewal-Elder Pit, Duininck Incorporated

Chairman Messenger introduces the item followed by brief presentation by Director Green. Jason VerSteeg, Duininck, gives presentation outlining the need for continuing the operation at the Elder pit. He states that the mining will progress northerly (NE). Commissioner Lindor asks question regarding the stored asphalt on site. VerSteeg replies that Duininck intends to use some of the reclaimed asphalt on upcoming projects. A comment is made regarding considering conditions for storing of asphalt onsite. VerSteeg comments that reclaimed asphalt is considered an asset and that the company manages it as such. Halls asks about blading the township road. VerSteeg replies that they will blade the township road. He also states that they usually improve the road surface as they need it to be travelable as well. Cooley questions the ten-year IUP time limit as recommended by staff and the limit of the township issued permit. Director Green responds that the ten year time limit is a staff recommendation based on the intensity of use at the site. The township permit is current and does not require

renewal. Cooley asks whether the reclamation of the mined areas are undertaken progressively or do they wait until all areas are mined out? VerSteeg replies that they reclaim as they go in a progressive manner. He discussed the reclamation plan and shared photos of what previously mined areas of the Elder pit look like post reclamation. Motion made by Kannegiesser, "Based on the information as presented in the staff report and facts as gathered this evening. I move to offer a recommendation of approval to renew CUP#16071, to be reissued as an IUP expiring in 2032, provided that the conditions as identified in the staff report are complied with." Motion is seconded by Isdahl. The motions is supported by a unanimous vote of all members.

Proposed Ordinance Amendment Sections 2.2, 6, 7 and 8

Director Green presents a summary of the proposed ordinance amendments section 2.2 definitions, 6 Agriculture Non-Intensive, 7 Agriculture Protection and 8 Commercial Industrial. Director Green states that the additional definitions are necessary to define terms that are either already in use in the Land Use Controls Ordinance or those that will be used as the ordinance is amended going forward. The proposed definitions relate to agriculture and agriculture uses and commercial and industrial uses. The proposed amendment to section 6 and 7 relate to permissible conditional and interim uses in the agricultural zoning districts. These zoning districts have the most limited list of uses. The proposed amendments will broaden the list of identified land uses in the district. Most defined uses still relate directly to agricultural use. Amendments to section 8 are related to a recent zoning change that created an industrial zoning district. This amendment embellished upon the current list of industrial uses, creates a list of identifiable uses within a commercial district (which does not currently exist), and provides for some performance standards for each district.

This meeting constitutes the second consecutive meeting that these amendments were discussed with the Planning Advisory Commission. A noticed public hearing on this matter was held on February 24th. There has been no public input received in either the meeting, online, email, regular mail or via telephone communications. There are several questions posed regarding impact to agricultural uses including some hypothetical questions about manufacturing use on farm properties. Director Green states that most of the proposed amendments do not result in a more restrictive set of standards for agricultural zoned areas but rather a recognition that agricultural properties should be afforded more permitted opportunities to generate revenue from product derived on the farm. Regarding manufacturing in agricultural zone areas, Director Green states that it is not currently a permissible use nor do any of the amendments change that status. Green states that a manufacturing facility could be more in conflict with agricultural uses than residential is to agricultural uses. With no further question, motion is made by Kannegiesser to recommend adoption of the proposed amendments. The motion is seconded by Feigum. The motion is supported by a unanimous vote of all members.

Other Comments: Commissioner Lindor states for the record, that "the Hancock girls basketball team had won the state tournament."

Adjournment 7:54 p.m. Chairperson Messenger seeks motion to adjourn the Planning Advisory Commission meeting. Motion to adjourn is offered by Commissioner Lindor with a second by Kannegiesser. Motion carried with no dissenting votes noted.

Respectfully submitted,

David Green/Director
Pope County Land & Resource Management