

MEETING MINUTES
POPE COUNTY PLANNING ADVISORY COMMISSION
Thursday April 25, 2024

The Planning Advisory Commission convened in regular session on Thursday, April 25, 2024 at the Pope County Courthouse, 3rd floor Meeting Room.

Members Present: John Messenger, Roger Isdahl, Ivie Cooley, Ted Kannegiesser, Russell Barkeim, Mark Halls, Paul Gerde (County Commissioner) and Paul Wildman (County Commissioner/Alt)

Other Officials Present: Land & Resource Management staff, David Green (Director), Shelley Retrum (Senior Administrative Associate)

Call to Order

The meeting was called to order by Chairman Messenger at 6:55 p.m.

Acceptance of Agenda

There were no additions or corrections to the agenda noted. On motion by Gerde with second by Isdahl a unanimous vote by all members present was made to approve the agenda.

Review minutes of March 28, 2024

The minutes of the Planning Advisory Commission meeting held on Thursday, March 28, 2024 were submitted for approval. Motion by Kannegiesser to accept the minutes as written. Motion seconded by Gerde. Motion carried with no dissenting votes noted.

Tabled/Old Business/Other Business:

None.

Public Hearings and Other Matters for Discussion

Conditional Use Permit (C.U.P.) #24049 Construct a storage structure larger than 1100 sq ft in the Shoreland-Natural Environment Development (S-NE) zoning district.

Application by Joshua & Melissa Douvier (PID #11-0161-001)

Applicants are seeking the right to construct a 30 ft x 40 ft (1,200 square foot) personal storage structure with 12-foot side walls. The 3.57-acre parcel is zoned Shoreland-Natural Environment (S-NE) and located in Bangor Township. Chairman Messenger introduces the item followed by staff report as presented by Director Green. He concludes that staff does not object to a recommendation of approval provided that conditions as provided for in the staff report are considered. After presentation of the staff report, there was discussion with the applicant on site layout and building use. Josh and Melissa Douvier were in attendance and were offered an opportunity to defend their application. At 6:58 pm, Chairman Messenger opens a public hearing and seeks comments. There were no comments offered from the public in attendance, for or

against the proposal at this time. Chairman Messenger closes the public hearing and seeks a report from the Planning Advisory Commission site team. The site team commented that the location looked appropriate and that there were no neighbors that would be impacted. At the conclusion of the site visit report further discussion with the applicant and staff was had. With the conclusion of questions and discussion, Commissioner Gerde provides for a motion to approve of the C.U.P. request. This motion is seconded by Halls. Motion passes unanimously. Conditions as follows:

1. That the structure is limited to 1,200 square feet, maximum footprint.
2. That the structure is limited to 12-foot sidewalls.
3. A site plan shall be developed indicating proposed earthwork volumes and approximate finished ground surface elevations and drainage. This site plan shall be submitted with the Land Use Permit application.
4. Stormwater and erosion control best management practices shall be installed prior to construction activities commencing and maintained for the duration of the project until the site slopes have been stabilized and revegetated.
5. Land disturbing activities shall only occur in increments of workable size such that adequate erosion and sediment controls can be provided throughout all phases of development. The smallest practical area of land shall be exposed or otherwise disturbed at any one period of time.
6. Permanent or temporary soil stabilization shall be applied to disturbed areas (areas where vegetation has been removed or where cuts have been made), as soon as possible, but not to exceed fourteen (14) days after a substantial portion of rough grading has been conducted unless an extension is granted by the Administrator. Soil stabilization measures shall be selected to be appropriate for the time of year, site conditions and estimated duration of use.
7. That no water features (i.e., bathrooms) are to be included in the structure without the benefit of an approved septic system installation permit based on a design by a MPCA certified professional.
8. Any change in the use (other than the permitted uses in the zoning district or what is included in this permit) shall require a conditional use permit.
9. The owner understands that future development of this site is conditioned upon compliance with all provisions of the Pope County Land Use Controls Ordinance.
10. Failure to meet any of the conditions listed above may result in revocation of this permit following procedures established by and listed in the Pope County Land Use Controls Ordinance.
11. That the property owner is responsible for reaching out to the Township to assure compliance with any Township standards.

Interim Use Permit (I.U.P.) #24051 Locate an RV onsite for greater than 90 days.

Application by Michael and Nikole Kostuch (PID #03-0003-211)

Applicants are seeking the right to locate an RV long term on their Lake Reno property specifically identified as Lot 11, Block 1, Les Kalina Fourth Addition S2 T126 (Reno) R38. Lake Reno is designated as a Recreational Development type of lake. The applicants have prepared their lot including some shoreland alterations, installation of a well, and septic system in anticipation of locating an RV onsite. The long-term plan is to someday construct a full-time residence on the riparian parcel. Chairman Messenger introduces the item followed by staff report as presented by Director Green. He concludes that staff does not object to a recommendation of approval provided that conditions as provided for in the staff report are considered. After presentation of the staff report, there was discussion with the applicant regarding their long-term plans for the property. Michael Kostuch was in attendance and offered an opportunity to present/defend the application. At 7:05 pm, Chairman Messenger opens a public hearing and seeks comments. There were no comments offered from the public in attendance, for or against the proposal at this time. Chairman Messenger closes the public hearing and seeks a report from the Planning Advisory Commission Site Team. The site team commented that the location looked appropriate and that other property owners in the area were doing the same thing. At the conclusion of the site visit report further discussion with the applicant and staff was had. With the conclusion of questions and discussion, Isdahl provides for a motion to approve of the C.U.P. request. This motion is seconded by Cooley. Motion passes with Barkeim in opposition. Conditions as follows:

1. The Interim Use Permit being in effect for a period of 3 years. At that time, the site is to be re-evaluated by the Land & Resource Management department for compliance with use, septic, setbacks and other defined performance standards. If compliant, the Director may continue the permit for an additional 3-year period.
2. **Any** additional RVs are subject to the time limitation of seventy-two (72) hours as prescribed in Section 10.15.B.5.
3. Wastewater from the RV is not to be discharged to the ground surface. It is to be treated by an onsite Type I septic system, a Type II septic system consisting of a holding tank, or hauled off site to a recognized dumping station or treatment facility.
4. No part of this parcel or development is to be advertised to the public as a for fee campground or for any type of vacation rental offering.
5. As this application is being considered based upon standards and procedures as established by the Pope County Land Use Controls Ordinance, the effect of this Interim Use Permit is specific to those standards. The applicant is encouraged to familiarize themselves with any Township standards that may be applicable including setback provisions, special use permits and building permit requirements.
6. Failure to meet any of the conditions listed above may result in revocation of this permit

following procedures established by and listed in the Pope County Land Use Controls Ordinance.

Conditional Use Permit (C.U.P.) #24047 Locate, construct, and operate a dog boarding facility in a Non-Intensive Agriculture zoning district.

Application by Nicholas Molitor (PID #09-0410-001)

Applicant is seeking the right to construct and operate a dog boarding facility in Glenwood Township on land zoned as Non-Intensive Agriculture. The parcel of land is currently undeveloped grassland. The facility, as proposed, will be designed and constructed to accommodate up to 24 animals. Chairman Messenger introduces the item followed by a staff report as presented by Director Green. He concludes that staff does not object to a recommendation of approval provided that conditions as provided for in the staff report are considered. After presentation of the staff report, there was discussion with the applicant on site layout and building use. Nicholas and Sam Molitor were in attendance and were offered an opportunity to present/defend their application. They describe the layout of the facility and provision for the animal to exercise out of doors at least a couple of hours per day. They described effort to mitigate for the sounds of barking dogs including baffles in walls and rows of evergreen trees. Shortly thereafter, Chairman Messenger opens a public hearing and seeks comments. Katherine Chevalier provided comments to the Planning Advisory Commission stating that it seemed like the Molitor's were taking into account their neighbors and trying to minimize any impacts. She stated that her property was about quarter mile east of the boarding facility and was not too concerned about the potential noise as it certainly would not be more so than the frequent train traffic in the area. Also, providing some commentary was Toby Molitor, who is father to Nicholas and the current property owner. He stated that he also owns the property directly adjacent to the proposed facility which is a rental property for him. He said that he would not have allowed for this proposed use if he had concern that it would impact his rental property. Toby also mentioned the noise of the passing by trains. In closing Toby thought that the boarding facility would be an asset for the county and there was clearly a need. With no more public in attendance to provide comment, Chairman Messenger closes the public hearing. At this time, the Chairman asks Mr. Molitor to address the comments provided by a concerned neighbor and seeks a report from the Planning Advisory Commission site team. The site team commented that the location looked appropriate and that there were no neighbors that would be impacted. At the conclusion of the site visit report further discussion with the applicant and staff was had. With the conclusion of questions and discussion, Commissioner Gerde provides for a motion to approve of the C.U.P. request. This motion is seconded by Halls. Motion passes unanimously. Conditions as follows:

1. That all wastewater from the dog boarding facility is to be treated by an onsite Type I subsurface sewage treatment system.
2. That a management plan for animal waste product be developed and implemented to the satisfaction of the Pope County Feedlot Officer and the Director of Land & Resource Management.

3. All outside lighting must be hooded and directed straight down.
4. Any sign advertising the business may be no larger than 48 sq. ft., and may be no more than 12 ft. in total height. The sign may not be electronically/digitally lit.
5. Any change in the use (other than the permitted uses in the zoning district or what is included in this permit), expansion of the business (including construction of additional buildings) shall require a conditional use permit.
6. That all of the necessary permits are secured from Township, County and State agencies.
7. Failure to meet any of the conditions listed above may result in revocation of this permit following procedures established by and listed in the Pope County Land Use Controls Ordinance section 11.5.2.K.

Adjournment At 7:32 p.m. a motion was made by Kannegiesser to adjourn the Planning Advisory Commission meeting. Motion seconded by Barkeim. Motion carried with no dissenting votes noted.

Respectfully submitted,



David Green, Director
Pope County Land & Resource Management



Shelley Retrum, Senior Administrative Associate
Pope County Land & Resource Management