POPE COUNTY
MINNESOTA

MEETING MINUTES
POPE COUNTY PLANNING ADVISORY COMMISSION
Thursday, May 22, 2025

The Planning Advisory Commission convened in regular session on Thursday, May 22, 2025 at the Pope County Courthouse, 3rd floor Meeting Room.

Members Present: Roger Isdahl, John Messenger, Kathy Christiansen, Mark Halls, Russell Barkeim, and Paul Gerde (County Commissioner)

Other Officials Present: David Green (Land & Resource Management, Director), Shelley Retrum (Sr Administrative Associate) and Paul Wildman (County Commissioner alt).

Call to Order

The meeting was called to order by Chairman Messenger at 6:36 p.m.

Additions and Corrections to the Agenda

There were no additions or corrections to the agenda. A motion to accept the agenda as prepared was made by Commission Gerde and seconded by Planning Commissioner Halls. Motion carried unanimously.

Review minutes of April 24, 2025 Regular Meeting of the PAC

The minutes of the Planning Advisory Commission meeting that was held on April 24, 2025 were submitted for approval. Motion to accept the minutes as written was made by Planning Commissioner Barkeim and seconded by Planning Commissioner Christiansen. Motion carried unanimously.

Tabled/Old Business

None.

New Business

Interim Use Permit #IUP-25-003, **Central Specialties, Inc**. PID# 15-0089-000

The applicant seeks permission for the use of a temporary, portable hot mix asphalt (HMA) plant. Previously, the landowner, Josh Sundheim (IUP-24300), applied and gained approval to re-establish and expand an existing mine site.

Director Green identifies that Luke Lippert with Central Specialties is in attendance virtually (via Webex) and available to answer questions as the Commission may have. Director Green proceeds to present the staff report and noted that staff recommends approval of the application with conditions.

Planning Commissioner Barkeim asks staff if there were any public comments made in opposition of the previous approved Interim Use Permit (IUP-24300). Director Green comments he does not recall any such comments. Green stated that *staff did send out notifications to everyone within the ¼ mile of the site for this specific application and there were no comments received in opposition.*

Planning Commissioner Barkeim asks applicant how long do they expect this (HMA) site to be active?

Applicant Luke Lippert comments *we would like to keep it open for bidding in the future. We currently have a project and expect this project to be approximately six days in duration.*

Planning Commissioner Halls asks applicant if the projects normally take around this six-day time frame.

Applicant Luke Lippert comments *it depends on the amount of mix but typically one to three weeks.*

Planning Commissioner Isdahl asks if the reclamation still falls on the pit owner.

Director Green comments that *I suspect that we identified the owner/operator to be the responsible party* (referring to the previously issued I.U.P.).

Applicant Luke Lippert was present (via Webex) and given an opportunity to provide additional information. Luke comments *the reason this is brought forward today is because it didn't get included on the initial approved Interim Use Permit (for the mining/extraction operation).* Stating that: *It was just an oversite on my part.* He also stated that: *there was not any opposition from the public with the previously approved Interim Use Permit.*

Chairman Messenger opened the hearing for public comments. There were no comments offered form the public in attendance, for or against the proposal. Chairman Messenger closed the public hearing.

Hearing no further discussion, Chairman Messenger called for a motion.

Motion:

Planning Commissioner Barkeim made a motion to recommend approval of the Interim Use Permit provided that the conditions as identified in the staff report are complied with. Conditions are as follows:

1. Acceptance that the Hot Mix Asphalt (HMA) plant may be subject to compliance inspection and monitoring pursuant to law, regulation, rule, or ordinance, by city, township and county officials which may include:
    a. On site visits; and/or
    b. Collecting photographic evidence including the use of Unmanned Aerial Vehicles (UAVs) (drones) and other technologies as available.

2. A Hot Mix Asphalt (HMA) plant is permitted to be located in the extraction area as indicated and approved by the Board of County Commissioners.
3. Operator to provide an on-site bathroom facility, such as a Porta John, for the safe storage and disposal of human waste.
4. Compliance with the operating standards as specified in Section 10.2.3.D of the Pope County Land Use Controls Ordinance.
5. Compliance with the permitting requirements of Township and State agencies.
6. No waste materials may be disposed of on the property including trees, stumps, asphalt, concrete, metal, construction materials, or plastics.
7. The Interim Use Permit is in effect for **ten (10) years**. The site is to be re-evaluated for compliance with the operation and reclamation plan at that time. If compliant, including evidence of concurrent reclamation activities, it can be reissued by the Zoning Administrator for an additional ten (10) years. However, continuance beyond twenty (20) years will require an amendment to the IUP as approved by the County Board.

This motion was seconded by Planning Commissioner Halls. Motion carried unanimously. Findings as follows:

1. **The project is in compliance with the setback and other provisions of this ordinance unless a variance has been granted:**

   Finding: The proposed project involving the operation of a Hot Mix Asphalt (HMA) plant will be in compliance with the setback requirements and other provisions of the Pope County Land Use Controls Ordinance for such operations unless a variance is granted.

2. **The use is not in conflict with the County Comprehensive Land Use Plan:**

   Finding: The proposed use does not appear to conflict with the comprehensive plan which supports aggregate mining and processing as a use in rural, agricultural areas of the county.

3. **That the use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish or impair neighborhood property values in the area and will not interfere with the best interest of the surrounding area or the community as a whole:**

   Finding: Aggregate mining and processing that is conducted in accordance with the standards outlined in section 10.2 of the Land Use Controls Ordinance and in locations away from incompatible uses generally does not negatively impact neighboring properties. The aggregate mine is located in the A-2 (Agriculture Protection) zoning district where agriculture is the predominant use and residential development is limited. The primary adjacent land use is agricultural production, agricultural processing, and a former mining site. The processing of materials is not likely to diminish or impair uses on neighboring properties or interfere with the surrounding community as a whole.

4. **The use will not create an excessive burden on parks, schools, streets, water supply, public drainage systems and other public facilities and utilities which serve or are proposed to serve in the area:**

   Finding: The processing of materials will not affect any public facility other than the local roads. County and state highways to and from the mining site. Normal wear and tear are expected on the road surface and can be managed by routine road maintenance methods as determined by the appropriate road authority.

5. **The structure and sites shall have an appearance that will not have an adverse effect on adjacent properties:**

   Finding: There are no permanent structures to be located onsite. The site will consist of portable and temporary trailers and equipment as needed for processing of materials. The gravel operation site is expected to remain neat and orderly in appearance, being free of debris, waste materials, and noxious weeds.

6. **The road on which the project is proposed is adequate to handle increased traffic during operation, and that the use will not cause traffic hazards or congestion:**

   Finding: The identified haul route is a township maintained roadway that provides a conduit to County and State highways. The truck traffic during daylight hours is not expected to create congestion or additional hazard given the current use of the road.

7. **Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare, odor, or general unsightliness:**

   Finding: There are no other non-farm businesses nearby. Therefore, there is no impact to existing businesses as a consequence of this mining operation.

8. **That the establishment of the use will not impede the normal and orderly development and improvement of surrounding vacant property uses predominant to the area:**

   Finding: The aggregate mining operation is located in the A-2 (Agriculture Protection) zoning district, where the predominant adjacent use is agricultural production. The site will be reclaimed back to open space when mining is complete.

9. **That adequate utilities, drainage and other necessary facilities have been or are being provided:**

   Finding: Any necessary utilities, drainage, septic systems or other facilities will be addressed prior to and as a condition of issuance of any land use permit including the use of portable toilets for wastewater.

10. **That adequate measures have been or will be taken to prevent or control rodents, insects, offensive odors, fumes, dust, noise, and vibration in order that none of these will constitute a nuisance, and that adequate measures have been or will be taken to prevent negative impacts on surface water, groundwater, and air quality, and that measures have been taken to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result:**

    Finding: Standards for aggregate mining and processing, and specific conditions proposed to be included in the approval of this permit are expected to mitigate and/or significantly limit any negative impacts to resources, infrastructure, and the neighboring residences. Applicant is responsible for adherence to the requirements of MPCA permits to prevent any impacts to public waters or other environmental systems.

Conditional Use Permit #CUP-25-004, **Kerri & Matthew Mattson** PID# 05-0007-000

The applicants are seeking right to operate a commercial business enterprise on their farm property. The commercial enterprise is an onsite store that sells locally grown and processed meats, eggs and raw goat milk for human consumption. Also to be offered are some pet products that are derived from processing the scraps not fit for human consumption.

Director Green presented the staff report and comments that *staff recommends approval of the application with conditions as provided.*

Applicants Kerri & Matthew Mattson were present and given an opportunity to provide additional information. Kerri explained that *they worked together with their adult children to raise our own beef, pork, and goats. They have sold beef for about 30 to 40 years. Their daughter works for Jenniges Meats out of Brooten and currently delivers meats almost daily. This operation would alleviate some of that running around. The Minnesota Department of Agriculture (MDA) is going to be the biggest hurdle. If we sold raw frozen meat, we are exempt. If we add seasonings or salt, we have to be permitted by the MDA. Until we get MDA involved and go through their rules we cannot do anything. We intend to have freezers and a checkout counter but there will be no butchering on site. All of our butchering will be done off site at Jenniges Meats. Everything is sold frozen. We plan to have raw goat milk that our neighbor makes into lotions and soaps.*

Chairman Messenger opened the hearing for public comments. There were no comments offered from the public in attendance, for or against the proposal at this time. Chairman Messenger closed the public hearing.

The Planning Advisory Commission site team, comprised of members, Barkeim and Christiansen, provided comments about their onsite observations. Barkeim commented that *it is a typical farm operation in which they intend to use a building that already exists on the property. They are pretty remote so there shouldn't be any neighbors annoyed by the extra traffic. Christiansen commented that there is enough room for parking and doesn't see any issues.*

Director Green provides comment regarding compliance with Dept of Labor and Industry standards for accessibility including door openings, counter heights and parking.

Hearing no further discussion, Chairman Messenger called for a motion.

Motion:

Planning Commissioner Halls made motion to recommend approval of the Conditional Use Permit provided that the conditions as identified in the staff report are complied with. Conditions as follows:

1. All outside lighting must be hooded and directed straight down.
2. Any sign advertising the business must be located outside of the right-of-way, may be no larger than 48 sq. ft. on each side, and may be no more than 15 ft. in total height. The sign may not be lighted except for ground level-flagpole type lighting.
3. Any change in the use (other than the permitted uses in the zoning district or what is included in this permit) or expansion of the business shall require a conditional use permit.
4. Owner(s) are to obtain/secure any other state and local approvals and permits as required for the operation of the business and must maintain compliance with all applicable local, state and federal standards.
5. The owner understands that future development of this site is conditioned upon compliance with all provisions of the Pope County Land Use Controls Ordinance.

This motion was seconded by Commissioner Gerde. Motion carried unanimously. Findings as follows:

1. **The project is in compliance with the setback and other provisions of this ordinance unless a variance has been granted:**

   Finding: This proposal includes that conversion of an existing onsite structure. There are no other setback issues to consider or that raise concern.

2. **The use is not in conflict with the County Comprehensive Land Use Plan:**

   Finding: The current Comprehensive Plan includes goals that state a recognition of diverse and existing land uses throughout the county. It is noted that not all uses are compatible and that there should be consideration as to separation, siting, development requirements and operating standards. The Comprehensive Plan also states that the ground and surface water resources should be protected for future use and enjoyment and that there should be ample overview, regulation and standards to prevent activities that are not sound from an environmental perspective. Based on the proposed land use including distance from sensitive environmental features, roadway and neighboring properties, the proposed use is not in conflict with the County Comprehensive Plan.

3. **That the use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish or impair neighborhood property values in the area and will not interfere with the best interest of the surrounding area or the community as a whole:**

   Finding: The proposed use is located in an open space/agricultural setting. The adjacent land

uses include agricultural grazing and crop production. There should be no negative impact on existing uses.

4. **The use will not create an excessive burden on parks, schools, streets, water supply, public drainage systems and other public facilities and utilities which serve or are proposed to serve in the area:**

   Finding: This land use is not expected to have a significant negative impact on public infrastructure.

5. **The structure and sites shall have an appearance that will not have an adverse effect on adjacent properties:**

   Finding: The site is expected to remain neat and orderly in appearance.

6. **The road on which the project is proposed is adequate to handle increased traffic during construction and operation, and that the use will not cause traffic hazards or congestion:**

   Finding: The road network is adequate to handle traffic associated with the expected number of patrons.

7. **Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare, odor, or general unsightliness:**

   Finding: There should not be any negative impacts related to the intrusion of noise, glare, odor or general unsightliness upon nearby existing businesses.

8. **That the establishment of the use will not impede the normal and orderly development and improvement of surrounding vacant property uses predominant to the area:**

   Finding: The proposed land use will not conflict with existing uses.

9. **That adequate utilities, drainage and other necessary facilities have been or are being provided:**

   Finding: Any necessary utilities, drainage or other facilities will be addressed prior to and as a condition of issuance of any construction activities permit.

10. **That adequate measures have been or will be taken to prevent or control rodents, insects, offensive odors, fumes, dust, noise, and vibration in order that none of these will constitute a nuisance, and that adequate measures have been or will be taken to prevent negative impacts on surface water, groundwater, and air quality, and that measures have been taken to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result:**

    Finding: The site is expected to remain neat and orderly in appearance. As such, the site should not have a negative impact on neighboring properties with noise, dust, appearance, and other nuisances or impacts.

Interim Use Permit #IUP-25-004, **Todd & Carla Beecher** PID# 03-0016-600

The applicants are seeking to be able to have two (2) Recreational Vehicles (RVs) onsite on their Lake Reno riparian lot. The RVs are not being used as temporary living quarters but rather for intermittent recreational use by family members.

Director Green presented the staff report and comments that *staff recommends approval of the application with conditions as provided.*

Applicants Todd and Carla Beecher were present and given an opportunity to provide additional information. Todd comments that *the second camper is for his son and his family. Their son's camper will not be staying there permanently, but if it does happen to be there longer than the two-week time frame that is allowed, we want to permit the use correctly. It would not be located on the site over the winter months. We do plan to build a home on this site once we retire. We have a septic system and well on the property.*

Conversation ensued after Director Green pointed out that there were *floodplain and wetland areas on the parcel. These areas need to be taken into consideration when locating the RVs.* There was continuing discussion relating to changes in stormwater runoff as a result of recent highway improvements.

Chairman Messenger opened the hearing for public comments. There were no comments offered form the public in attendance, for or against the proposal at this time. Chairman Messenger closed the public hearing.

The Planning Advisory Commission site team, comprised of members, Barkeim and Christiansen, provided comments about their onsite observations. Christiansen comments *the applicants have done a lot of work and is well-cared for. The camper is on the higher portion of the lot. Great place for his family to enjoy.* Barkeim comments he is *in agreement and it seems like a perfect solution until the house is built.*

Hearing no further discussion, Chairman Messenger called for a motion.

Motion:

Planning Commissioner Christiansen made motion to recommend approval of the Interim Use Permit provided that the conditions as identified in the staff report and as amended, submission of a floodplain application, are complied with. 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 or Zoning Administrator may continue the permit for an additional 3-year period.
2. The RVs designated for extended stay/use, (**limited to two**) are to be located in a manner to reduce visibility as viewed from the public waters and adjacent shorelands by taking into account vegetation and topography. **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 RVs is not to be discharged to ground surface. It is to be treated by the onsite Type III septic system (SEW-23138), 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.

This motion was seconded by Commissioner Gerde. Motion carried unanimously. Findings as follows:

1. **The project is in compliance with the setback and other provisions of this ordinance unless a variance has been granted:**

   Finding: The proposed use involving the locating of two (2) RVs on a shoreland designated parcel will be in compliance with the setback requirements and other provisions of the Pope County Land Use Controls Ordinance for such use. In addition, mitigation measures and additional standards are proposed to be included as conditions of the granting of this Interim Use Permit that will address visual impact.

2. **The use is not in conflict with the County Comprehensive Land Use Plan:**

   Finding: The current Comprehensive Plan includes goals that state a recognition of diverse and existing land uses throughout the county. It is noted that not all uses are compatible and that there should be consideration as to separation, siting, development requirements and operating standards. Based on the proposed land use including distance from sensitive environmental features, roadway and neighboring properties, the proposed use is not in conflict with the County Comprehensive Plan.

3. **That the use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish or impair neighborhood property values in the area and will not interfere with the best interest of the surrounding area or the community as a whole:**

   Finding: The use of shoreland recreational property to locate RVs upon is permissible based on the Pope County Land Use Controls Ordinance. There are many examples of RVs being used on recreational properties. The use will not likely diminish or impair the use and enjoyment of neighboring properties or interfere with the surrounding community as a whole.

4. **The use will not create an excessive burden on parks, schools, streets, water supply, public drainage systems and other public facilities and utilities which serve or are proposed to serve in the area:**

   Finding: This land use is not expected to have any negative impacts on public infrastructure.

5. **The structure and sites shall have an appearance that will not have an adverse effect on adjacent properties:**

   Finding: The owners have improved the site and it is expected to remain neat and orderly in appearance.

6. **The road on which the project is proposed is adequate to handle increased traffic during operation, and that the use will not cause traffic hazards or congestion:**

   Finding: The existence of the two RVs on the riparian parcel is not likely to have any impact relating to traffic or use of the roadway system.

7. **Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare, odor, or general unsightliness:**

   Finding: There are no known nearby nonagricultural businesses. So, the existence of the two RVs on the riparian parcel will not have any impact on nearby businesses.

8. **That the establishment of the use will not impede the normal and orderly development and improvement of surrounding vacant property uses predominant to the area:**

   Finding: The adjacent properties are platted with intent for shoreland recreational development. A few of the nearby properties have residential structures. To the north and the west, the land is open space and used for agricultural purposes. So, the proposed use to locate two RVs on the riparian parcel will not conflict with existing uses or impede orderly development of adjacent properties.

9. **That adequate utilities, drainage and other necessary facilities have been or are being provided:**

   Finding: Any necessary utilities, drainage, septic systems or other facilities will be addressed prior to and as a condition of issuance of any land use permit.

10. **That adequate measures have been or will be taken to prevent or control rodents, insects, offensive odors, fumes, dust, noise, and vibration in order that none of these will constitute a nuisance, and that adequate measures have been or will be taken to prevent negative impacts on surface water, groundwater, and air quality, and that measures have been taken to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result:**

    Finding: The site is expected to remain neat and orderly in appearance. As such, the site should not have a negative impact on neighboring properties with noise, dust, appearance, and other nuisances or impacts.

Ordinance Amendment Consideration:

1. **Solid Waste Ordinance**

Director Green discusses the proposed Solid Waste Ordinance and provides information for review by the Planning Advisory Commission. He stated *that it will be the responsibility of the Planning Advisory Commission to host a public meeting to gather public input on the proposed ordinance. Staff will potentially set this public hearing for next month's meeting of the Planning Advisory on June 26th.*

2. **Land Use Controls Ordinance Amendments**

(a.) **Section 10.15 Recreational Vehicles**

Director Green presented a briefing of staff ordinance changes for Recreational Vehicles.

Chairman Messenger opened the hearing for public comments. There were no comments offered from the public in attendance, for or against the proposal at this time. Chairman Messenger closed the public hearing.

Hearing no further discussion, Chairman Messenger called for a motion.

Motion:

Planning Commissioner Barkeim made motion to recommend approval of the changes as shown in the staff report. Christiansen seconded this motion. Motion carried unanimously.

(b.) **Section 10.30 Vacation Home Rentals**

Director Green presented a briefing of staff ordinance changes for Vacation Home Rental (VHR) specifically the sensitive area requirements for lakes designated as Shoreland-Natural Environment.

Chairman Messenger opened the hearing for public comments. Pete Thorfinnson, local property owner, comments that: *our property is one of the properties impacted by this restriction. I have had several conversations with Director Green about our 50 acres that we own that is zoned as Shoreland-Natural Environment. Currently we have aeration on the lake and stocked with fish. We would like to rent the property out as a VHR when not in use by our family to offset the taxes we pay. The ordinance currently does not allow us to do this. I see no conflicts with any neighbors or negative effect this would be on our parcel or the lake. We have a daughter getting married and there aren't enough places for people to stay for these kinds of events. We just want the opportunity to raise a little revenue to offset the taxes we pay for this property.*

With no other comments from the public Chairman Messenger closes the public hearing.

Director Green further discusses the impact of the vacation home rental on owners who have property located in the Shoreland-Natural Environment zoning district.

Mark Halls is concerned that the proposed change would encourage development on all slews and smaller Natural Environment Lakes.

Kathy Christiansen argues in favor of an owner having the right to offer their property for short term rental particularly when there is no impact to the lake or conflict with neighboring property owners.

Motion:

Planning Commissioner Christiansen made motion to recommend approval of the changes as shown in the staff report. This motion was seconded by Barkeim. With no further discussion, motion carried with Halls opposed.

Adjournment

Motion by Planning Commissioner Barkeim to adjourn the Planning Advisory Commission meeting with a second by Commissioner Gerde. Motion carried unanimously. Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Shelley Retrum/Sr Administrative Associate
Pope County Land & Resource Management

&

David Green

David Green/Director
Pope County Land & Resource Management