

McLEOD COUNTY PLANNING ADVISORY COMMITTEE
Environmental Services Facility, Large Conference Room
1065 5th Avenue SE, Hutchinson, MN 55350
March 23, 2022 @ 9:30 a.m.

MINUTES

A. CALL TO ORDER:

Chairman Larry Phillips called the McLeod County Planning Commission meeting to order at 9:30 a.m. following an 8:00 AM road tour.

Planning Commission members present: Chairman Larry Phillips, Kenneth Bauer, Charles Hausladen Commissioner Daryl Luthens and David Hoernemann.

Staff members present: Marc Telecky, Environmental Services Director, Sandra Posusta, Administrative Assistant.

Others Present: John Mueller of McLeod County Chronicle, Katherine Pritchard of McLeod County Chronicle, Nathan Dull of Land and Liberty Coalition, Alex Pouliet of Land and Liberty Coalition, Kevin Miller, Shannon Forcier, Alan Graves, and Michelle Lommel of Great River Energy.

B. APPROVAL OF MINUTES – February 23, 2022

Commissioner Daryl Luthens made a motion to approve the February 23, 2022 minutes as presented. David Hoernemann seconded the motion, which carried unanimously.

C. PUBLIC HEARINGS

1) Preliminary Plat 22-01, Shannon & Melissa Forcier, Winsted Township

Environmental Services Director, Marc Telecky, explained this 1-lot preliminary plat is for the purpose of a building eligibility. This quarter-quarter section currently has three (3) non-farm dwellings, thus the need for this request. Transportation is off of Cable Avenue. The lot slopes north to south and abuts a private ditch. It is not a protected water. Soil borings support a site and an alternate site for a septic system. The National Wetland Inventory (NWI) map do not indicate the presence of wetlands. As shown on the Preliminary Plat survey there is approximately fifteen (15) feet that will abut Cable Avenue and moves to the east.

The lot size for Lot-001, Block-001 is 6.38 acres (788.48' X 800.0') located in the "A" Agriculture District in the northwest quarter of the southwest quarter of Section 15 in Winsted Township. The Winsted Township Board recommended approval at their March 10, 2022 meeting.

Zoning staff does not have concerns. There appears to be adequate area for a building site without limiting features.

Mr. Forcier was asked about the drainage flow. Mr. Telecky noted that the ditch is private. Direction of the drainage flow for the private ditch was determined that it funnels east to west. The applicant would need to verify if the ditch is county or private.

There were no public members in the audience to make comments.

The Board reviewed the contours on the preliminary plat survey.

David Hoernemann motioned to close the public hearing. Charles Hausladen seconded the motion. Motion carried.

With no further discussion, Kenneth Bauer made a motion to recommend approval of Preliminary Plat 22-01 as presented. Charles Hausladen seconded the motion. The motion carried unanimously.

Marc Telecky shared that this item will be placed on the April 5, 2022 County Board Consent Agenda.

2) Conditional Use Permit 22-02, Great River Energy, Penn and Round Grove Townships

Per Director, Marc Telecky, Great River Energy, Maple Grove, Minnesota, is requesting a conditional use permit to rebuild an approximate 2.0-mile long section of an existing 69-kV transmission line currently on the east side of State Highway 15 beginning at the sub-station located on the east side of State Highway 15 in Section 30 of Penn Township and moving to the west side of State Highway 15 in Round Grove Township. 70.0 foot easements are being negotiated with perspective landowners parallel/adjacent to State Highway 15 in Sections 25 & 36 of Round Grove Township and into Winthrop. The existing land use is "A" Agricultural. A wetland is on the east two-thirds of the lot. It is located in the McLeod Cooperative service area. Transportation is off State Highway 15.

If approved, Zoning Staff recommends conditions so noted on the Staff Report.

Per the design packet, an open house for the public was conducted on September 8, 2022 by Michelle Lommel, Senior Field Representative, Land Rights, with Great River Energy.

Ms. Lommel attended the Round Grove Township Board meeting in March. The Board recommended approval of this conditional use application as requested.

Kevin Miller, in attendance representing property owner Faye Miller, said where the line crosses over onto the west side of the road, is their property. Mr. Miller questioned if the work will stay within the 70' road easement area or will then need to go beyond that line area onto private property. Ms. Lommel said they will purchase easements and try to place poles on private property as close to the ROW as possible. Poles will all be above ground. We will work with land owners on pole placements.

Nathan Dull, Minnesota Land and Liberty Coalition, asked if there will be power disruptions and how long would they last. Ms. Lommel said there will be little to no outages and minimal disruptions to the crops side. The east side is already congested with underground utilities.

Kenneth Bauer asked if there was any resistance from Sibley County property owners. There wasn't resistance. Scott Wagner, a McLeod County resident, has discussed his concerns but is comfortable with this project. We mailed letters to private residents and put notices in the newspapers.

Chairman Larry Phillips questioned if Sibley County required a public hearing. Per the Sibley County Attorney, a public hearing was not required.

David Hoernemann directed attention to the Staff Report stating the names of the three property owners so noted if they had any comment. Ms. Lommel did not specifically go to those landowners. Everyone was notified via letter of the Open House.

Charles Hausladen asked if there will be shelterbelts and how many. Ms. Lommel said they're taking a 35' easement on each side of the centerline with 2-3 feet outside of the easement, so approximately 38' each side. She will work with homeowners for replacement planting. It is up to the preference of the landowner and payment is offered on top of the regular easement payment.

David Hoernemann asked about the construction timeframe. The project is bid out and will start in summer of 2023 and be completed Spring 2024.

With no further questions from the audience, Charles Hausladen motioned to close the public hearing, seconded by David Hoernemann. Motion carried.

David Hoernemann thanked Ms. Lommel for an informative and nicely prepared presentation.

David Hoernemann made a motion to recommend approval of this conditional use permit with the noted conditions included on the Staff Report. Commissioner Luthens seconded the motion. The motion carried with the following conditions:

1. All drainage facilities and patterns shall be repaired to pre-construction condition as soon as possible after construction.
2. Rocks, slash and other construction debris shall be removed from each individual section of land where construction takes place within 90 working days of the commencement of major essential service construction on that individual section of land. For purposes of this subsection, working days are defined as: all days except days between November 15 and April 15 (winter), or any day when more than ½-inch precipitation has fallen. For purposes of this subsection, section of land is defined as a numbered section as defined by the Government Land Survey, or a portion thereof.
3. Shelterbelts, windbreaks, fences and vegetation shall be restored to pre-construction condition with the following exceptions:
 - a) Shelterbelt and windbreak replacement shall be to pre-construction density and may allow for operation and maintenance of essential service lines.
 - b) Critical areas (slopes greater than 12 percent, drainage ditch banks and areas subject to severe erosion) shall be seeded and mulched as soon as possible after construction. Drainage ditch banks shall be seeded and mulched a minimum of 16½ feet in width from the top of the ditch spoil banks on each side of the ditch.
4. Major essential service construction activities shall be conducted in such a manner as to minimize impacts on livestock movements and access to agricultural fields.

5. The McLeod County Environmental Services Director will serve as the contact for property owners to report any concerns related to construction. Great River Energy will be charged \$100 per hour for any violation in construction related to the standards approved as conditions from the McLeod County Zoning Ordinance Section 18.

This item will be placed on the April 5, 2022 County Board Consent Agenda.

3) Conditional Use Permit 22-03, Alan Graves, Lynn Township, Parcel 09.013.1200

Director Telecky explained Mr. Graves request for a conditional use permit is to allow a home occupation in an accessory building (existing) greater than 2,400 square feet for carburetor and magneto repair. The lot size is 26.73 acres and is a Rural Residential building site located in the Agricultural District on property owned by Trudy Lickfelt, soon to be married to Mr. Graves. Transportation comes off of County Road 7. 100-year flood plain is located on the south side of the property abutting a protected water, McCuen Creek. There will not be significant retail traffic as business would be supported by courier services. Included in this request is to allow for a free-standing sign in the future no greater than 32 square feet.

Zoning Staff does not have concerns with this request. Staff does recommend, if approved, that the home occupation may have up to four (4) non-resident employees. Five (5) or more employees would require a new conditional use permit application.

The Lynn Township Board recommended approval at their March 3, 2022 meeting.

The City of Hutchinson was noticed as they are within two (2) miles of this proposed use. City Staff did not have any comments regarding this request.

David Hoernemann asked Mr. Graves if there will be signage. No signage is planned. Mr. Telecky said if approved, the applicant is allowed a sign up to thirty-two (32) square feet in size.

Chairman Phillips questioned the carburetor work to be performed such as chemical solutions and recycling. Mr. Graves said no chemicals will be used. It is a blasting cleansing process, sand blasted only. Magnetos are for antique tractors only.

There weren't any comments from the public.

Kenneth Bauer moved to close the public hearing, seconded by Charles Hausladen. Motion carried.

David Hoernemann made a motion to recommend approval of Conditional Use Permit 22-03 with the condition stated on the Staff Report. Charles Hausladen seconded the motion. The motion carried with the following condition:

1. The home occupation may have up to four (4) non-resident employees. Five (5) or more employees would require a new conditional use permit application.

This item will be placed on the April 5, 2022 County Board Consent Agenda.

OTHER INFORMATION:

- There are three (3) items, possibly one additional item for the April 27, 2022 meeting.

MOTION TO RECESS:

Charles Hausladen motioned to recess until April 27, 2022. Kenneth Bauer seconded the motion. The motion carried.

Larry Phillips, Chairman

Sandra Posusta, Secretary