

## **MINUTES**

### **Blue Earth County Planning Commission**

#### **Regular Meeting**

**Wednesday October 3, 2018**

**7:30 p.m.**

#### **1. CALL TO ORDER**

The meeting was called to order at 7:35 p.m. by Chairman Lyle Femrite. Planning Commission members present were Bill Anderson, Kurt Anderson, Lyle Femrite, Barry Jacques, Kip Bruender, Michael Riley and Joe Smentek. County staff members Aaron Stubbs, Garrett Rohlfing, George Leary, and Meghan Bajula-Hagen were also present.

#### **2. APPROVAL OF MINUTES**

Mr. Kurt Anderson made a motion to approve the minutes for the September 5th, 2018 regular Planning Commission meeting. Mr. Bill Anderson seconded the motion and the motion carried unanimously.

#### **3. APPROVAL OF AGENDA**

Mr. Leary indicated there was no change to the agenda.

#### **4. NEW BUSINESS**

#### **PC 21-18**

**Thomas Lyons** - Request for review and approval of the Preliminary Plat of the Lyons Subdivision, a Subdivision Plat consisting of one lot. This portion of the property is zoned Rural Townsite. It is also within the Shoreland Overlay District of Lake Ballantyne and the Urban Fringe Overlay District of the City of Madison Lake. The proposed plat is located in the Southeast Quarter of the Northeast Quarter of Section 28, Jamestown Township.

Mr. Stubbs presented the staff report.

The applicant was present. He indicated that an unused well is in the process of being properly sealed by a licensed well contractor.

Mark Origer addressed the Commission with his concerns. He opined that the variance approved by the Board of Adjustment to reduce the required buildable area is still not a good idea. He added that the drainage from the development of the Lyons property will have a negative impact on his property. Mr. Origer stated there is an access easement across his property. He stated that construction of a new home in the buildable area will use 150 feet of his driveway. He asked if an amendment to the maintenance agreement could be imposed.

The Commission and Mr. Origer had a lengthy discussion on the access easement and the maintenance of the driveway. The commission acknowledged Mr. Origer's concern; but advised him that the matter before them is the subdivision plat review.

Mr. Femrite commented on the drainage concerns. He indicated that when a development plan is presented, there will be opportunities for review. He added that the new owner should work with staff to address the drainage issue.

Mr. Origer asked if the replacement home could be moved farther back. Mr. Smentek responded saying there are other options to explore for the future owner.

Mr. Bruender asked for clarification on the reduced buildable area that was approved by the Board of Adjustment. Mr. Stubbs provided a detailed review of the reduced buildable area. It was noted by the Commission that development options exist that may involve a future variance; however, at this time, the review is of the preliminary plat.

Mr. Bruender indicated he was not totally convinced it is the right thing to do, but he will support the proposal to keep it moving forward. He stated he had further questions that he will work on with staff.

Mr. Kurt Anderson stated the variance was brought forward to reduce the buildable area on the property from one acre to approximately 4,100 square feet. He added that the purpose for reducing the buildable area was to meet the requirements for subdivision. He added there is nothing about new construction. He said the variance has been granted and they are now simply looking at the subdivision plat.

Mr. Smentek added that the Board of Adjustment continued the September BOA meeting on-site. He stated that the area meets the definitions of buildable and accomplished the objectives of the Land Use Plan to preserve agricultural land. It allows the owners to retain ownership of the farm land and to split off the building site and offer it for sale. He opined that there will be a benefit to use the existing footprint vs. trying to utilize the buildable area. He concluded by stating that staff answered a lot of questions regarding the request while on site.

Mr. Bruender stated others have been watching the results of the reduced buildable area and suggested that the acre of buildable area be reviewed if the property has sewer hookup.

There was no further discussion on the matter.

Mr. Kurt Anderson made a motion to forward a recommendation of approval to the County Board with the findings proposed by staff. Mr. Smentek seconded the motion and the motion carried unanimously.

## **PC 22-18**

**SN Mankato LLC & W W Land Company LLC** - Request for review and approval of a conditional use permit to cut and fill in a Bluff Impact Zone as part of a ravine stabilization project. The property is zoned Highway Business and is within the Urban Fringe Overlay District of the City of Mankato. The site is located in the southeast corner of the Southwest Quarter of the Northeast Quarter of Section 19, South Bend Township.

Mr. Leary presented the staff report.

The applicants present and had no initial comment. There was no public comment.

Mr. Femrite indicated that the project will be an improvement of the area. stated that the project looks like quite an improvement. There were no questions or comments from the other Commission members.

Mr. Smentek made a motion to forward a recommendation of approval to the County Board with the findings proposed by staff. Mr. Bill Anderson seconded the motion and the motion carried unanimously.

**5. COUNTY BOARD ACTIONS ON PREVIOUS MONTH'S AGENDA**

- **Update/Review of County Board action of items from previous Planning Commission meeting**
  - a) Berndt – Transfer of Residential Development Right – approved as recommended.
  - b) Associated Finishing, LLC – Bluff stabilization project – approved as recommended.
  - c) 2<sup>nd</sup> Public Information Meeting for the Land Use Plan Update

**6. ADJOURNMENT**

Mr. Smentek made a motion to adjourn the meeting. Mr. Bill Anderson seconded the motion and the meeting was adjourned at 8:40 p.m.

\_\_\_\_\_  
Planning Commission Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Commission Secretary

\_\_\_\_\_  
Date