

MINUTES
Blue Earth County Planning Commission
Regular Meeting
Wednesday, 01/04/2023
6:30 p.m.

1. CALL TO ORDER

The meeting was called to order at 6:31 p.m. by Chairman Smentek. Planning Commission members participating in the meeting included Bill Anderson, Kurt Anderson, Kip Bruender, Dusty Riley, Dan Roberts, and Joe Smentek. Staff members John Considine, Scott Salsbury, Mark Manderfeld, and George Leary participated.

2. APPROVAL OF MINUTES

Mr. Riley made a motion to approve the minutes of the Wednesday, December 7, 2022, Planning Commission meeting. Commissioner Bruender seconded the motion which carried unanimously.

3. APPROVAL OF AGENDA

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

4. NEW BUSINESS

PC 01-23

Lucas and Heather Bunde - Request for review and approval of an Interim Use Permit to operate a Short-Term Rental Unit in the Shoreland of Madison Lake. The property is located at 22484 Lake View Road, Madison Lake, MN 56063 and is described as Lot 6 of the Lake View Heights Subdivision.

Mr. Considine presented the staff report.

The applicants were not present and there was no public comment.

Mr. Kurt Anderson stated his familiarity with the property. He added the applicant's met with the township. The township has concerns with the narrow ROW of the road. The township has indicated there shall be no parking associated with the STR on the township road.

Mr. Riley indicated he had no concerns with the proposal. He stated that he knows the applicants and was not surprised that they have been on top of this application process.

Commissioner Bruender complemented staff on the detailed report and expressed no issue with the proposal.

There was no further discussion.

Mr. Kurt Anderson made a motion to forward a recommendation of approval to the County Board based on the findings prepared by staff and with the conditions recommended by staff.

Commissioner Bruender seconded the motion, which carried unanimously following a roll call vote.

PC 02-23

Blue Earth County - Ordinance Amendment to modify the definition of a Bluff Impact Zone in Chapter 14 – Shoreland Zoning, Chapter 20 - Land Division, and Chapter 24 - Zoning of the Blue Earth County Code. The ordinance amendment also includes adding a definition for Actively Eroding Bluffs in Chapter 24 and modifications to Sec. 24-304 Erosion Control for additional standards for bluff impact zones and actively eroding bluffs.

Mr. Salsbury presented the staff report.

There was no public comment.

Mr. Kurt Anderson commented on the time and effort put into the amendment. He added that the matter needed to be addressed and he likes the triggering point where the administrator can use judgement based on established criteria to determine if we are going to deviate from that.

Commissioner Bruender agreed with Mr. Anderson’s comments. He stated he wanted the word “shall” in the amendment, but he also did not like the word “shall” because everything is a little different. He referenced an example included in the attachments of the report stating the proposal was close to the road and they could get pushed outside of their building envelope. At this point they may have invested thousands of dollars into the property and may want to build on it. He agreed with Mr. Anderson comment that it is good to be able to make the decisions in house and not have to appeal it to the Board of Adjustment. Commissioner Bruender referenced comments by former Emergency Management Coordinator Mike Maurer saying if certain sites are developed, they should not be eligible to be bought out if requested in the future.

Mr. Kurt Anderson stated that if the proper mechanism is followed and an applicant is not pleased, they may appeal the decision to the Board of Adjustment. He added the possibility of the County Attorney reviewing the option of the Board of Adjustment adding a condition that says if you choose to do this against advice, then you accept all future responsibility.

Commissioner Bruender asked about the educational process.

Mr. Smentek recalled an after-the-fact variance application that was denied and before the applicant was able to remove the structure, the bluff failed. It cost the individual a substantial amount of money and it could have been avoided with a geological study.

Staff commented on the educational efforts. Possibilities include fact sheets for applicants, information in the county newsletter, and PSA’s. An open house is possible but would not likely see much public participation.

Mr. Kurt Anderson asked if there could be a disclosure added to a permit for sites deemed by staff to be vulnerable.

Commissioner Bruender agreed that an open house may not be too successful and would require a lot of work from staff. Other options may include reaching out to realtors.

Mr. Bill Anderson asked about the work that had been done on determining areas where this is an issue. He asked if these areas could be mapped and made available for review when an application is submitted.

Mr. Salsbury stated we know where the bluffs are, but do not have a good inventory of the actively eroding bluffs. He added we could identify general areas but not pinpoint specific properties.

Mr. Smentek concurred with Mr. Kurt Anderson's disclaimer idea indicating if a proposal is in a bluff zone, conditions are susceptible to change.

There was no further discussion.

Commissioner Bruender made a motion to recommend approval of the amendment to the County Board with the findings provided by staff.

Mr. Kurt Anderson seconded the motion which passed unanimously by a roll call vote.

PC 03-23

Blue Earth County - Request for review and approval of an amendment to the Blue Earth County Code of Ordinances, Chapter 24 – Zoning Article III. The amendment addresses public road frontage and lot width requirements of newly created lots in the Agricultural and Conservation Zoning Districts and amends the height, yard and lot area, width, and depth regulations of all zoning districts for consistency.

Mr. Leary presented the staff report.

There was no public comment.

Commissioner Bruender stated the road frontage issue has been discussed for several years. He added that he did not believe the reduced frontage would be prevalent.

Mr. Smentek suggested the amendment may keep cropland from being taken out of production.

Commissioner Bruender made a motion to recommend approval of the amendment to the County Board with the findings provided by staff.

Mr. Roberts seconded the motion which passed unanimously by a roll call vote.

PC 04-23

Blue Earth County - Request for review and approval of an amendment to the Blue Earth County Code of Ordinances, Chapter 24. The amendment addresses Essential Services in the Definitions and word usage Section and Uses Section of the Agricultural, Conservation, Rural Residence, Rural Townsite, General Business and Light Industry districts.

Mr. Considine presented the staff report.

There was no public comment.

Commissioner Bruender provided background on the public works facility siting process. He stated that the property tax impact is being considered on properties under review. He also stated that the County Board is not interested unless the facility can be hooked to sewer and possibly water. Ideally the facility would be located near County Road 90. He stated the amendment looks good. He added it may not be needed and thanked staff for getting it done.

There was no further discussion.

Mr. Kurt Anderson made a motion to recommend approval of the amendment to the County Board with the findings provided by staff.

Mr. Bill Anderson seconded the motion which passed unanimously by a roll call vote.

5. OTHER BUSINESS

- A. County Board action on items from the previous Planning Commission meeting:
 - Cords feedlot CUP conditions amendment (Approved)
 - Custom Craft Homes LLC – Request for time extension for Dogwood Addition (Approved)

- B. The 2023 fee schedule was provided to the Planning Commission for review

6. ADJOURNMENT

Mr. Kurt Anderson made a motion to adjourn the meeting. Mr. Riley seconded the motion, and the meeting was adjourned at 7:48 p.m.

Planning Commission Chair

Date

Planning Commission Secretary

Date