

Minutes of the Dodge County  
**PLANNING COMMISSION MEETING**  
**July 2, 2008**

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The regular meeting of the Planning Commission was called to order by Galen Johnson at 7:00 PM on Wednesday, July 2, 2008. Present were Planning Commission members Galen Johnson, Jon Balzum, Rhonda Toquam, and Larry Schmeling. Also present were County Commissioner Dave Erickson, Klaus Alberts and Compliance Officer Melissa DeVetter.

Motion by Jon Balzum, seconded by Larry Schmeling, to approve the agenda and the June 2008 minutes with one correction. Motion passed unanimously.

**Jeffrey Martin – CUP #08-19**

The first public hearing is to consider an application for a Conditional Use Permit to establish a non-farm dwelling in the Agricultural District. The property is 42.85 acres located in the NW 1/4 of the NW 1/4 of Section 15, Concord Township. Jeffrey Martin is the applicant and the property owner.

Jeffrey Martin was present to explain the proposal. They want to move to West Concord from the cities to live in the country. In the future they want to build a pole shed and have horses.

Dan Rabe, Concord Township has no objection to this proposal.

Motion by Jon Balzum, seconded by Larry Schmeling, to close the public hearing. Motion passed unanimously.

Melissa DeVetter stated the applicant will have to apply for a zoning permit for the dwelling and pole shed separately.

Jeffrey Martin indicated he understood that.

Melissa DeVetter addressed why the county was handling this issue instead of Concord Township. The Concord Ordinance handles this as a permitted use, not a Conditional Use and doesn't require a public hearing. Their ordinance is currently less restrictive than the county's, which violates Minnesota Statutes, as a result the county's ordinance would supercede the townships ordinance.

Galen Johnson inquired how far the nearest feedlot was to this site.

Jeffrey Martin didn't know.

Melissa DeVetter stated the county looked at the location of the nearest feedlot at the time the applicant comes in. In this case the nearest feedlot is over a ¼ of mile away and is not an issue with this application.

Jon Balzum had a concern about the flood plain.

Melissa DeVetter stated there is a regulatory flood plain there but this proposed site is out of it due to the topography of the site.

Galen Johnson inquired if there was a well on this property.

Jeffrey Martin indicated no.

Jon Balzum inquired if a well and septic had to be installed.

Jeffrey Martin stated he has two proposals for septic already and a well location has not been established yet.

Galen Johnson had a concern with the location of the well being 50 feet from farming practices.

Jon Balzum stated he didn't see the well location being a problem.

Motion by Rhonda Toquam, seconded by Larry Schmeling, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. Dodge County Zoning Permit be obtained before construction.
2. The Agricultural Covenant shall be signed and recorded.
3. The septic system must meet the Dodge County's septic ordinance.

The motion was passed unanimously.

### **Judy Chelmo – CUP #08-20**

The second public hearing is to consider an application for a Conditional Use Permit to establish one additional non-farm dwelling in the Agricultural District. The property is 15.25 acres located in the NE 1/4 of the SE 1/4 of Section 21, Claremont Township. Judy Chelmo is the applicant and Brian Chelmo is the property owner.

Judy Chelmo was present to explain the proposal. She wants to move back to the farm. She had sold the building site to her son years back and moved to town. Now her son would like to see her to move back to the farm.

Galen Johnson informed the member that he had a phone call from Richard Wolf, Claremont Township Officer; the township wanted to make sure the sunset clause is implemented as a condition.

Motion by Rhonda Toquam, seconded by Jon Balzum, to close the public hearing. Motion passed unanimously.

Galen Johnson inquired if the ordinance addresses a time line on the sunset clause.

Melissa DeVetter stated the ordinance doesn't have a time line on sunset clauses. You could put any time you want on it.

Galen Johnson inquired about the septic.

Judy Chelmo stated she will have her own septic; it will be a mound, but will share the well.

Jon Balzum commented the driveway is already in place.

Galen Johnson acknowledges the comments from the Highway Dept. were included in the packet.

Motion by Rhonda Toquam, seconded by Larry Schmeling, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. Dodge County Zoning Permit be obtained before construction.
2. The Agricultural Covenant shall be signed and recorded.
3. The septic system must meet the Dodge County's septic ordinance.
4. Address be obtained from Dodge County Highway Dept.
5. The sunset clause applies. When the home is no longer used by the mother it is to be vacated within one year.

The motion was passed unanimously.

### **Nature Energies, Inc – CUP #08-21**

The third public hearing is to consider an application for a Conditional Use Permit to establish a Meteorological Tower in the Agricultural District. The property is 160 acres located in the SW 1/4 of Section 36, Ripley Township. Nature Energy, Inc is the applicant and Earl and Shirley Bowman are the property owners.

Jeff Cook-Coyle, Vice President of Development for Nature Energies, was present to explain the proposal. One of the first steps is erecting one or more met towers in the county to measure the wind pattern. This tower is a temporary tower just under 200 feet in height and could be up for approximately 5 years. The tower is set on metal plate with screw anchors. One anchor will have a buried concrete box for added weight.

Gene Hallaway, Ripley Township had no objection to this proposal.

Motion by Rhonda Toquam, seconded by Larry Schmeling, to close the public hearing. Motion passed unanimously.

Galen Johnson inquired if the tower is going to be placed in the southeast corner of the property and where will the guy-wires be placed.

Jeff Cook-Coyle stated the guy-wires will be placed 25 feet from the east property line and 50 feet from the ROW.

Galen Johnson inquired if Franke was the nearest residence.

Jeff Cook-Coyle stated Franke and Evan Schmeling are equal distance from the tower.

Jon Balzum inquired if there will be lights on the tower.

Jeff Cook-Coyle indicated no lights are needed.

Galen Johnson had a concern if there should be a date on decommissioning of the tower.

Melissa DeVetter stated a decommissioning date was brought up a couple of meetings ago and was put on the last tower.

Galen Johnson commented the Land Use Task Force has talked about this issue. That maybe a letter of credit to be put forth or something that would help in decommissioning of the tower.

Jeff Cook-Coyle addressed the length of time the tower is up and the placement of the tower. There will be at least one tower up over the length of the project to monitor if the wind turbines are working to manufactures specs.

Galen Johnson inquired if the company would have a problem in putting a letter of credit or money in escrow for decommissioning of the met tower.

Jeff Cook-Coyle stated they would not have a problem to put money toward this project.

Motion by Jon Balzum, seconded by Larry Schmeling, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. Dodge County Zoning Permit be obtained before construction.
2. Driveway access and permits be obtained from the Township.
3. Meteorological Tower be decommissioned within 60 days following the discontinuing of use.

4. A bond of \$1000.00 to be held until removal of structure at owner's expense and to the satisfaction of the Zoning Administrator, at which time the bond shall be refunded.
5. The temporary Meteorological Tower shall be removed within 7 years from the date of Zoning permit issuances. If additional time is needed the permit shall be reviewed by the Planning Commission.

The motion was passed unanimously.

**Other Business**

Melissa DeVetter addressed the concerns the County's Administrator had on having the hearing for Concord and Ripley Townships.

The August 6<sup>th</sup> meeting was discussed. Galen Johnson, Rhonda Toquam and Larry Schmeling will be gone for this meeting. Mary Greening will contact the other members to find out if they will all be able to attend the next meeting. If they can't a meeting date of August 5<sup>th</sup> was subjected.

**Adjourn**

Motion by Rhonda Toquam, seconded by Jon Balzum, to adjourn. Motion passed unanimously. The meeting was adjourned at 7:45PM.