

Minutes of the Dodge County  
**PLANNING COMMISSION MEETING**  
**August 01, 2007**

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The regular meeting of the Planning Commission was called to order by Galen Johnson at 7:00 PM on Wednesday, August 1, 2007. Present were Planning Commission members Galen Johnson, Jon Balzum, Rhonda Toquam, Larry Schmeling, Harlan Buck, John Allen, and Richard Wolf. Also present were County Commissioner Don Gray, Lyle Tjosaas, Planning Director Duane Johnson, and Environmental Director, Mark Gamm.

Motion by Jon Balzum, seconded by Harlan Buck, to approve the agenda and the July 2007 minutes. Motion passed unanimously.

**Renewable Energy Systems Americas, Inc – CUP #07- 22**

The first 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 SE ¼, of Section 30, Ashland Township. Renewable Energy Systems Americas, Inc is the applicant and Vivian L Johnson is the property owner.

Jeff Broberg, McGhie & Betts and Kaya Tarham, Renewable Energy Systems Americas, Inc were present to explain their plans for a meteorological tower. This will be a temporary 190 foot tower to monitor the wind pattern for a possible wind turbine. Kaya Tarham gave a brief history on the wind industry.

Mark Gamm stated that this request meets the county regulation as per section 1612 in the ordinance. The county recommends approval of this proposal.

Galen Johnson inquired if the engineered plans are for this tower in question and what kind of time frame for the tower.

Jeff Broberg stated that the engineered plans are for this meteorological tower and the tower will be removed in 2 – 3 years.

Galen Johnson had concerns about the removal of the tower if the county required a stipulation on the removal.

Mark Gamm stated that no escrow was needed on this tower.

Motion by Harlan Buck, seconded by Rhonda Toquam, to close the public hearing. Motion passed unanimously. Motion by John Allen seconded by Harlan Buck, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. Driveway access and permits be obtained from the Township if needed.

The motion was passed unanimously

**Troy Andrist – CUP #01-23 (review)**

The second public hearing is to consider an application for a Conditional Use Permit to establish an agricultural business in an accessory building in the Agricultural District. The property is 3.18 acres located in the NE ¼ of SE ¼, of Section 2, Canisteo Township. Troy Andrist is the applicant and the property owner.

Troy Andrist with his attorney Melanie Leth was present to explain the plans for Alli Roll-off business. Troy is requesting to be allowed to stay at his present site and build a shed to house his trucks and also for sorting and storage of recyclable materials. He has attempted to buy land but he can't find any that he can afford. He wants to stay in Dodge County.

Pat Cahill, stated that Canisteo Township feels the roll-off business should be moved to a commercial site at some time in the future.

Tom Kunz stated that since April he has been a Canisteo Supervisor. The only history for this proposal is from back in 2001 when he was in front of the board for the permit. They never held a vote or had any plans on the roll-off business.

Wayne Aarsvold, Canisteo Zoning Board stated the business has been there for a while and it's hard to find this kind of business and would hate to see them shut down. Wayne thought that the county could help Troy find a site that would fit his business.

Duane Johnson responded that the county doesn't have land reserved for these proposals and has discussed this with Troy already.

Jackie Torrens presented a brief history on the Alli Roll-off site.

John Stevens, Stevens Truck has done business with Troy by servicing Troy's trucks. He recently started a business himself and knows what Troy is going through. Troy has a clean site and that you can't tell he runs a business there. He would like to see Troy stay in the county with his business.

Chad Andrist stated that he helped Troy get started in the business. To have to buy the land for a new site is very expensive and he thinks that the county should help Troy with finding a piece of land to buy.

Carol Andrist stated that Alli Roll-off is always very neat and clean.

Doug Buck, neighbor to Alli-Roll know that Troy does a wonderful job keeping his site clean.

Jessica Bradford, sister to Troy stated that it important to have this business in the county.

Dan Andrist stated that Troy has a very respectable place and runs a good business. He doesn't track mud onto the roads and if he does he cleans it up. Why can't the business be in the agricultural district? What are the guidelines for this?

Duane Johnson explains about a CUP in the agricultural district. A Home Occupation business is looked on an individual bases.

Troy Andrist addressed the history issue that was presented by Jackie Torrens.

Jackie Torrens had a rebuttal to Troy comments concerning the complaint with documentation.

Duane Johnson commented about the history of the CUP #01-23 at the time it was issued. It gave time for Troy to start a business then move to a different site.

Cory Brocks from MPCA stated that Troy is operating on a Permit by Rule and as far as the state goes he is fine. If Troy builds a building he will have to apply for a new permit and that will allow him to move up to 120 cubic yard/day instead of the 30 cubic yard/day now. The new building must meet the MPCA rules that were adopted in March of 2006. There is no ending date on the permit as long as they get no complaints, the permit is good. If a complaint is filed, MPCA will inspect the site and could pull the permit at that time.

Troy Andrist submitted a letter to the MPCA opposing the new rules. He would have to put up a new building to continue the roll-off business and he was waiting to see what Olmsted County was going to do with their waste management plan.

John Allen had concerns with the cost of the new building if it was worth staying at the present location. In the long run he will have to move to a different site.

Troy Andrist stated that he wants to bring his trucks inside for storage. The building would be a steel construction with push blocks. These push blocks are okay to use as long as he has the ceiling height.

John Allen had concerns about this being approved by the MPCA and cautioned Troy to make sure.

Troy Andrist stated that he has checked with the MPCA.

Galen Johnson inquired if Troy could apply to have the property rezoned to Industrial.

Duane Johnson stated that he could apply but it would most likely be denied because that would be spot zoning and the county doesn't allow it. Duane asked Troy if he was allowed to build a building would he be okay with a five year permit.

Troy Andrist stated that he would not be.

Motion by Harlan Buck, seconded by Larry Schmeling, to close the public hearing. Motion passed unanimously. Motion by John Allen, seconded by Harlan Buck, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. Operations limited to the current activities identified in the application.
2. Construction/demolition debris storage will not exceed 30 cubic yards/day.
3. The dumping, sorting, and reloading of construction/demolition debris will cease on 1-1-2012.
4. All debris storage, sorting, and transfer will be conducted in a facility meeting MPCA specifications on Permit by Rule form.
5. All debris storage, sorting, and transfer will be conducted in accordance to all applicable rules in MN Rules 7001.3050 and 7035.2870.
6. MPCA approval of the building design standards in MN Rule 7035.2870 subpart 4. for a new building, before County Zoning Permit is issued. The new building will be allowed under MPCA Permit by Rule as reviewed in November 2005.

The motion was passed unanimously

#### **Sherman Stoflet – CUP #07-21**

The third 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 37.58 acres located in the NE ¼ of SE ¼, of Section 23, Milton Township. Sherman Stoflet is the applicant and the property owner.

Kevin Steinberg part owner of County Side Builders explained the plans for the proposed site. They have a client who has purchased the property and will be building a home next year.

Ron Durst stated that Milton Township has not acted on this proposal. The applicant did not show up for the meeting. The township will have it on their next meeting agenda.

Bill Sanborn stated that he went to the townships last meeting to hear about this proposal and the applicant wasn't there. The resident didn't get a chance to look at this proposal before this meeting.

Lawrence O'Brien wants the area closed for more homes.

Marlys White lives next to the property and was under the impression that it was a non buildable site.

Duane Johnson explained that this was the Karyl Kennedy property and a CUP was approved but since has expired. This is the same as the first permit. Nothing has changed on this request.

Duane Johnson addressed the concern that Bill Sanborn had. The county gets the information to the township and it the responsibility for the applicant to show up at the townships meeting. We encourage them to go. Meeting notice must be published in the paper 10 days before the meeting. We have a 60 day rule that we must follow.

Motion by Rhonda Toquam, seconded by Larry Schmeling, to close the public hearing. Motion passed unanimously. Motion was made by Jon Balzum to recommend approval with the Townships approval. Motion died for the lack of a 2<sup>nd</sup>. Motion by John Allen, seconded by Rhonda Toquam, to table this request to allow Milton Township time to make a final decision.

The motion was passed unanimously

### **Other Business**

Duane Johnson informed the Planning Commission that Jay Harris / Northview – PP #07-01 will be continued to the September meeting. DNR has not made a discussion yet.

### **Adjourn**

Motion by Jon Balzum, seconded by John Allen, to adjourn. Motion passed unanimously. The meeting was adjourned at 9:00 PM.