

**Murray County Planning Commission
Meeting Minutes – May 19, 2022**

The Murray County Planning Commission held a meeting on Thursday, May 19, 2022, in the County Commissioner's Meeting Room, Murray County Government Center, Slayton, Minnesota, and via a Teams Link and telephone.

Members present: Kevin Vickerman, Ron Holinka, Vern Carlson, Bob Ossefoort, Dan Bierma, and Dave Thiner

Others present: Jean Christoffels, Connie Wieneke, and see attached Sign-In Sheet

Others present Call in: Kayla Johnson

Vice Chair Vern Carlson called the meeting to order at 7:00 pm and asked if there were any corrections or additions to the agenda.

MSP: Dave Thiner, Dan Bierma to accept the agenda as presented.

Agenda #1 Identify any Conflict of Interest – Planning Commission

None were identified.

Agenda #2 Bavaria Solar LLC Conditional Use Permit Public Hearing

See Bavaria Solar LLC Conditional Use Permit Public Hearing Minutes.

Agenda #3 Second Pre-Advisory Meeting for Pelican Bay Subdivision

Jean explained that over the winter Doug was working on his EAW (Environmental Assessment Worksheet). He first proposed a twenty-nine-lot subdivision which required a mandatory EAW. He started on the EAW and Doug decided to reduce the subdivision to twenty-four lots, so he did not have to do the EAW. Jean felt that to be a significant change, which is why he is back to the Commission; the Commission needs to decide if Doug should be allowed to move forward with a Preliminary Plat public hearing, or if you still feel a discretionary EAW should be required.

The Checklist for a subdivision was reviewed with the highlighted items indicating what has changed since the last review.

Jean pointed out that outlots, by ordinance definition, are non-buildable and that nothing can ever be built on them. Doug said that was correct, Outlots A and B will not be built on. With Outlots A & B, does the Planning Commission consider this to be a 24 or a 26-lot subdivision.

Some items still needed on the preliminary plat: decision by County as to whether or not a discretionary EAW is needed; the scale needs to be 1 inch = 100 feet or larger; 66-foot road right-of-way; 75-foot radius on the cul-de-sacs; Ordinary High Water Mark of 1482.6 and Floodplain of 1488; wetland delineation; location of vegetation; any drainage easements, if needed.

Jean commented that Lot 7 does not touch a public road, and according to the county's zoning ordinance, that is not allowed. Doug pointed out that there are several on the lake that are not adjacent to a public road, such as the one on the south end of Keeley Island. Jean stated that those are existing, and any new plat must follow the current ordinance requirements. Doug asked if he could apply for a variance. From the Murray County Zoning Ordinance, Page 35, Article 4, Section 402.209 – definition of a road "Ingress and egress easements shall not be considered roads." Kayla feels that this would be a variance of the plat

requirement and not the application of an ordinance requirement for a piece of property; right now, that lot does not exist.

Kevin Vickerman is still concerned about the EAW and wondered if the board should still require the EAW because this property is so unique being it has been mined and areas could have buried trees or other stuff. He feels there should be more of a study of the land. Doug replied that this area was never mined; now of these lots are near the gravel pit. Doug added that the gravel pit has been eliminated and there was never any gravel excavation on these lots, ever; the pit is over by the pond and south of the pond.

Kayla stated that according to the Murray County Subdivision Ordinance (Article 3, Section 303.3D5): “A preliminary plat shall not be approved where a variance or variances will subsequently be required in order to use the lots for their intended use.” Kayla clarified stating that the Planning Commission may not approve a preliminary plat where a variance would be required as it is drawn.

Doug asked if the Commission received a copy of his completed EAW. Jean said no, and then explained that after Doug submitted the EAW, it was reviewed by a 3rd party consultant, and he determined that it was not complete and ready for the Commission to review. Doug stated that he hired another engineer to look at his EAW and it would take that individual another three or four months and Doug did not want to wait. The 3rd party consultant that reviewed Doug’s EAW submitted a four-page letter on what was incomplete.

The Planning Commission feels there is still too much information missing before they give permission for Doug to move forward with a preliminary plat public hearing. Vice Chair Carlson recommended that they continue this pre-advisory meeting on June 16, 2022, with Jean providing the Commission with copies of Doug’s EAW and the letter from the consultant while Doug works on getting the checklist completed, readdressing with the surveyor Lot 7 and the cul-de-sacs need to be 75 feet, and the other items on the checklist; Jean will provide Doug with the information on what is needed.

Doug stated he had done the EAW patterned after some samples that Jean had given him. One of the deficient items is excessive traffic, that has never been an issue anywhere in Murray County. Kevin noted that Shetek Township did a traffic study on Deer Path Road. Jean also commented that there was an issue on Hudson Acres where the DNR had to deed a road because mortgage companies had issues with easements instead of roads for access to cabins.

Agenda #4 Approval of Planning Commission Minutes

- a. 04-21-2022 Spronk Bros. III Real Estate LLLP Conditional Use Permit Public Hearing
- b. 04-21-2022 Midcontinent Communications – Moger Conditional Public Hearing
- c. 04-21-2022 USS Slayton Solar, LLC Conditional Use Public Hearing
- d. 04-21-2022 Planning Commission Meeting

MSP: Bob Ossefoort, Kevin Vickerman to approve the minutes as written.

MSP: Bob Ossefoort, Dan Bierma to adjourn at 7:55 pm.

Respectfully submitted,

Connie Wieneke
Murray County Environmental Services

05-19-2022 P & Z Meeting