

CHISAGO COUNTY
PLANNING COMMISSION OFFICIAL PROCEEDINGS
September 2, 2021

The Chisago County Planning Commission met in regular session at 7:00 p.m. on Thursday, September 2, 2021 at the Chisago County Government Center.

Staff Present: Kurt Schneider; Environmental Services Director and Diane Sander; Land Services & Parks Specialist.

Vice Chair Yeager called the meeting to order and led the assembly in the Pledge of Allegiance. A roll call of Board members was taken. Commission members present: Chip Yeager, Jim McCarthy, Frank Storm and John Sutcliffe. Absent: Shellene Johnson and Dave Whitney. Also present: Ex Officio: County Commissioner Chris DuBose. A quorum was established with members present.

APPROVAL OF AGENDA – Motion to approve the agenda made by Frank Storm. Second by John Sutcliffe. The motion was approved 4 - 0 with a roll call vote. Ayes: Yeager, McCarthy, Storm, and Sutcliffe. Nays, none.

APPROVAL OF MINUTES – Motion to approve the August 5, 2021 minutes by Frank Storm. Second by John Sutcliffe. The motion was approved 4 - 0 with a roll call vote. Ayes: Yeager, McCarthy, Storm, and Sutcliffe. Nays, none.

RECEIPT OF MATERIALS AND SUBMITTALS INTO THE RECORD - Motion that all applications, submittals, reports with attachments, and other materials were received into the record made by Frank Storm. Second by Jim McCarthy. The motion was approved 4 - 0 with a roll call vote. Ayes: Yeager, McCarthy, Storm, and Sutcliffe. Nays, none. Meeting materials distributed in advance to the Planning Commission for their review included: Staff Reports with attachments, Staff Cover Memo with Attachments. Copies of all correspondence and meeting materials were made available for electronic distribution and at the entrance of the meeting room.

Public Hearing Items:

Rod and DeAnn Strenke - Property at 15460 345th Street, Chisago Lake Township; Sec. 12, T. 34, R. 20, (PID# 02.00530.00). Rod and DeAnn Strenke are seeking approval of a preliminary plat of four lots with a 30 acre remainder parcel, exempt from platting, from a 69.7 acre tract. Director Schneider presented background information on the Strenke's preliminary plat application for "Strenke Addition". The parcel size is 39.85 acres, zoned Agricultural (AG), with proposed subdivision for a total of four lots that range from 8.5 – 9.5 acres each. Lot 4 will retain the existing dwelling, detached garage and several agricultural structures. Township is the road authority for 345th Street and County Engineer would allow two accesses onto County Road 12. Plat Review Committee met on August 11, 2021 and noted the parcel was not located in the floodplain, no severe slope conditions and no wetlands on the plat. Soils were verified and found accurate. There are no new roads as part of the proposal. Chisago Lakes Township Board recommended approval with no conditions at their August 17, 2021 meeting. Mr. Strenke and Ms. Strenke were present to address questions and concerns. Vice Chair Yeager asked each Planning Commission member and Mr. Strenke for additional questions and comments.

Vice Chair Yeager opened the public hearing and sought comment. With no additional person wishing to speak, **motion** by Jim McCarthy to close the public hearing. Second by John Sutcliffe. The motion was approved 4 - 0 with a roll call vote. Ayes: Yeager, McCarthy, Storm, and Sutcliffe. Nays, none. Each Planning Commission member was asked for additional questions and comments. **Motion** by Frank Storm to approve Preliminary Plat "Strenke Addition" as requested at 15460 345th Street, PID# 02.00530.00 for four residential lots as outlined in the Staff's report, site plan, and narrative of record. Second by Jim McCarthy. The motion was approved 4 - 0 with a roll call vote. Ayes: Yeager, McCarthy, Storm, and Sutcliffe. Nays, none.

Kevin Haseltine - Property at 42660/42654 Blackhawk Road, Fish Lake Township; Sec. 34, T. 36, R. 22, (PID# 03.00526.30 and 03.00526.40). Kevin Haseltine is seeking approval of a preliminary plat of two lots from a 39.76 acre tract. Director Schneider presented background information on Haseltine's preliminary plat application for "Haseltine Addition". The parcel size is 39 acres, zoned Agricultural (AG), with proposed subdivision for a total of two lots. A building permit had been applied for and it was determined the two lots were created illegally as they were tied to a smaller parcel that was split off without platting. The smaller parcel has been sold off to a separate owner. The applicant is requesting to formally plat the lots in question, thereby allowing to be built upon. Plat Review Committee was held on August 11, 2021 and no concerns were identified. Parcels are not located in the floodplain, no severe slope conditions, with no wetlands on the plat. Soils were verified and found accurate. There are no new roads as part of the proposal. Fish Lake Township Board recommended approval with no conditions at their August 9, 2021 meeting. Mr. Haseltine was present to address questions and concerns. Vice Chair Yeager asked each Planning Commission member and Mr. Haseltine for additional questions and comments. Jim McCarthy asked for clarification on the access.

Vice Chair Yeager opened the public hearing and sought comment. With no additional person wishing to speak, ***motion*** by Frank Storm to close the public hearing. Second by John Sutcliffe. The motion was approved 4 - 0 with a roll call vote. Ayes: Yeager, McCarthy, Storm, and Sutcliffe. Nays, none. Each Planning Commission member was asked for additional questions and comments. ***Motion*** by Jim McCarthy to approve Preliminary Plat "Haseltine Addition" as requested at 42654 Blackhawk Road, PIDS# 03.00526.30 and 03.00526.40 for two residential lots as outlined in the Staff's report, site plan, and narrative of record. Second by John Sutcliffe. The motion was approved 4 - 0 with a roll call vote. Ayes: Yeager, McCarthy, Storm, and Sutcliffe. Nays, none.

Old Business:

Zoning Ordinance Review & Update

Accessory Structures Ordinance Update

Director Schneider provided a brief overview of the draft language presented to the County Board. ***Motion*** by Frank Storm to set a public hearing on October 7, 2021 to review the Chisago County Zoning Ordinance as it pertains to the use of accessory buildings in the Agricultural Zoning District. Second by John Sutcliffe. The motion was approved 4 - 0 with a roll call vote. Ayes: Yeager, McCarthy, Storm, and Sutcliffe. Nays, none.

Commercial Shooting Ranges

Director Schneider highlighted materials and information collected by Dave Whitney and Frank Storm regarding shooting ranges. Discussion followed on information that was provided from the City of Wyoming and surrounding counties, CUP process, setbacks and noise. Jim McCarthy continued to express his concerns with noise and shared information he found analyzing noise, decibel levels, and impacts. Jim McCarthy suggested utilizing a noise attenuation calculator to estimate noise levels at a property boundary. Discussion followed on the amount of detail needed for the draft ordinance language on noise or rely on the review process of a CUP request and set conditions. Frank Storm suggested sending the draft to County Board for input. Jim McCarthy supported sending it to County Board for input if a consultant/engineer would run scenarios in a noise attenuation calculator or additional noise research was conducted. Planning Commission members reviewed minimum size lots for each type of shooting range and made the following edits:

Section 7.32 Indoor/Outdoor Commercial Shooting Range

- A. Commercial Shooting Ranges shall be subject to the Conditional Use Permit provisions of Section 8.04 of this ordinance.
- B. The minimum size lot for each type of shooting range is listed below, including direct fire zone and/or shotfall zone, safety zone and ricochet zone, subject to the installation of additional baffles.

- (1) High power Rifle:
 - (a) Minimum range length: ~~5500~~ 2000 yards
 - (b) Minimum range width: ~~3500~~ 1000 yards
 - (c) Minimum acreage: ~~4000~~ 400 acres
- (2) Shotgun:
 - (a) Minimum range length: 300 yards
 - (b) Minimum range width: 400 yards
 - (c) Minimum acreage: ~~400~~ 40 acres
- (3) Other range types are subject to the National Rifle Association Range Sourcebook, 2012; or successor sourcebook.

Vice Chair Chip Yeager noted the Planning Commission set conditions on noise for wedding venues, this would be no different. Suggested edits/addition are listed below:

- G. All shooting ranges shall comply with the minimum standards for range design, location, management, operation, noise abatement and safety listed in the National Rifle Association Range Sourcebook, 2012; or successor sourcebook and MN Statute. Independent consultant certification of compliance with these standards from qualified site design professionals having expertise or expert reports and certifications in each minimum standard for range design, location, management, operation, noise abatement and safety shall be provided by the applicant at the time of CUP application. A noise abatement report shall be provided at time of application documenting all noise abatement measures including their cause and effect, and providing evidence that ambient density, noise volume, and firearm discharge frequency (volume and rounds per hour) will remain compliant with all MN State noise limits and ~~minimize/avoid~~ nuisance noise conditions for the life of the facility. Dates, times, and frequency of operation and related noise shall be identified and defined in all shooting range proposals. In effort to mitigate nuisance noise, shooting frequency, type, or noise generated may be strictly limited, mechanically or structurally muffled thru firearm and/or range design by condition of any granted permit. Unsatisfactory noise mitigation measures as determined by the County shall be clear grounds and findings for permit denial.

Motion by Frank Storm to send the amending Section 5.06 Agricultural District and Section 7, Performance Standards of the Chisago County code, known as the Zoning Ordinance, by providing an amendment to include Section 5.06 Section C. Conditional Uses and Section 7.32 Shooting Ranges, 7.33 Hunting Clubs and Shooting Preserves and amending Section 3 Definitions to County Board for review. Second by John Sutcliffe. Jim McCarthy noted his concern about noise and would like to have an engineering firm/consultant run a noise calculation scenario to develop parameters for range size to minimize noise. The motion was approved 4 - 0 with a roll call vote. Ayes: Yeager, McCarthy, Storm, and Sutcliffe. Nays, none.

New Business:

Planning Commission Special Work Session Schedule/Consulting Planner Update

Director Schneider provided an update on the consultant’s professional services agreement which is almost complete. It is anticipated Bolton & Menk will start ordinance work in October. Director Schneider reported the Land Services Coordinator position has been filled and the new staff member will start on September 27, 2021. **Motion** to cancel the September 16, 2021 Planning Commission Special Work Session by Frank Storm. Second by Jim McCarthy. The motion was approved 4 - 0 with a roll call vote. Ayes: Yeager, McCarthy, Storm, and Sutcliffe. Nays, none.

Communications and Reports

County Commissioner DuBose reported County Board approved the Conditional Use Permit (CUP) request from John and Katie Waldorf. The Waldorf’s provided correspondence in response to the public hearing

concerns/issues. The approved CUP removed the 50-person event and class size was set to a maximum of ten participants. The County Board approved Kelly Corbin to fill Jim Froberg's position. Commissioner DuBose concluded with an update on the resignation of County Probation Director and budget.

ADJOURNMENT: There being no further business, motion by Frank Storm and second by John Sutcliffe to adjourn. The motion was approved 4 - 0 with a roll call vote. Ayes: Yeager, McCarthy, Storm, and Sutcliffe. Nays, none. Meeting was adjourned at 8:57 p.m.