

# WRIGHT COUNTY PLANNING COMMISSION

Meeting of: February 7, 2019

## MINUTES – (Informational)

The Wright County Planning Commission met February 7, 2019 in the County Commissioners Board Room at the Wright County Government Center, Buffalo, Minnesota. Chairman, Dan Mol, called the meeting to order at 7:30 p.m. with the following Board members present: Mol, Charlie Borrell, Dave Thompson and Dan Bravinder. Absent was: Pat Mahlberg, Jan Thompson and Ken Felger. Sean Riley, Planning & Zoning Administrator, represented the Planning & Zoning office.

1. **DARREN E. FISCHER** – New Item

LOCATION: 2722 Eastwood Avenue SE – Lot 1, Block 1, Whispering Winds Industrial Park Second Addition, according to plat of record (Section 14, Township 119, Range 25) Wright County, Minnesota. (Rockford Twp.) Tax #215-063-001010

Petitions for a Conditional Use Permit as regulated in Section 155.029 & 155.055(B), Chapter 155 Title XV Land Usage & Zoning of the Wright County Code of Ordinances to locate a full-service diesel repair shop in an existing building. Property zoned I-1 Limited Industrial.

Present: Darren & Megan Fischer

- A. Riley displayed the location map to show the lot zoned Industrial. The Commission recently approved a subdivision of the original lot and issued a Conditional Use Permit to that owner to move his house-moving business to the new lot. The current applicant plans to renovate the existing building and clean up the property before locating his diesel repair business to this site. The applicant currently works out of his home site under a “Home Extended Business” permit. Plans for the renovation have been submitted to the office to bring the building up to code for this type of business. The business would include some work done in the evenings and understood the business would take place inside.
- B. M. Fischer – explained they have been working on moving the business from their home to the Industrial park for over a year. There are some significant fire codes to overcome and costs to be able to operate out of this building. They are willing to make those improvements. The business needs a bigger shop and this location will allow them to grow the business and hire employees. They do not have set hours because it will depend on demand. A separate electric service to be installed so the diesel trucks will not have to run. She explained they are trying to address any potential problems. The highway has a turn lane and a by-pass lane to accommodate this kind of traffic. The driveway is adequate for trucks to pull into this property.
- C. Mol asked if the plat has any limits on business hours. Riley indicated there are covenants, but he was not aware of any limit on hours. M. Fischer – confirmed the hours are not limited by covenants. Mol questions it because this type of business could get calls after hours. If there are activities as late as midnight, then this would compare to a truck stop.
- D. Borrell questioned the distance to the nearest residence. Riley – noted the home that is the closest is across State Hwy. 55 and estimated the distance is a quarter mile. Mol – noted the kennel operation nearby. Riley has not received any complaints about businesses in this part of the industrial plat.

- E. Mol opened the hearing for public comment. No response and he returned to the Commission.
- F. Borrell noted the weather plays a big factor in how noise travels and is a nuisance. Advised the applicant to use good judgment to avoid a problem. Activities should take place inside as much as possible and he would support this.
- G. Bravinder sees no problem with the request, noting the property is zoned for this. Mol agreed and did not see a problem with occasional work taking place outside. The residences are a good distance away. Other buildings in the industrial park should help buffer this.
- H. D. Thompson asked how long before the building would be completed? Fischer – hope to be in by July. Riley noted that is under the time requirements.
- I. D. Thompson moved to approve a conditional use permit in accord with the plans and narrative held on file to locate a full-service diesel repair shop in an existing building, consistent with the following conditions: 1) Proper permits and improvements are done for the building; 2) Signage is in accord with the Wright County Sign Regulations; 3) Stormwater Pollution Protection Plan shown on plans must be followed; and 4) The 6 month requirement for a Conditional Use Permit is waived, however the building will need to be completed by December 31, 2019, or a new Conditional Use Permit may be required; and 5) Expansion of the facility will require an amended Conditional Use Permit. Borrell seconded the motion.

VOTE: CARRIED UNANIMOUSLY

2. **KNIFE RIVER CORP. – NORTH CENTRAL** – New Item

LOCATION: 4301 County Road 39 NW – S ½ of NW ¼ of SE ¼ and S ½ of NE ¼ of SE ¼ and S ½ of SE ¼ and N ½ of NW ¼ of SE ¼, except tract described in Book 321 of Deeds, page 439, at the Office of the Wright County Recorder; all Section 8, Township 121, Range 26, Wright County, Minnesota. (Silver Creek Twp.) Tax #216-000-084300 Property owner: Naaktgeboren

Petitions for a Conditional Use Permit to allow the continuation of the temporary asphalt and mining/processing operations that include an asphalt and wash plant and placement and storage of recycled concrete/bituminous/shingles for the 2019 construction season as regulated in Section 155.048(G)(5)(a) Chapter 155, of Title XV Land Usage of the Wright County Code of Ordinances.

Present: Mark Magnuson, Operations Manager

- A. Riley reviewed the zoning and land use maps to show the property is zoned and in the Plan for AG. The air photo of the existing operations was viewed. Commission was to the property last year and had questions about the blacktop plant and whether it could be moved further back into the pit. The application before the Commission is to allow placement of the plant for the coming season, same as in the past. Mol asked if it has been an annual permit? Riley responded yes.
- B. Magnuson explained work for the coming year includes a bid for the Highway 55 project from Buffalo to Annandale. The amount of material to be brought in was estimated. Neighbors wanted a berm and they should have about 50,000 cu. yds. to build that berm. Would like consideration next year to extend the permit out two years to avoid coming back every year. As the mining progresses, the plant will move back next season and a change to the access to the west onto a town road and then out to the County road. They have graded that access half way and it is anticipated the turn lanes are to be complete in a couple years.
- C. Riley clarified the permit requested is for placement of the hot-mix plant. The mining has a permit. Magnuson – that is right. He asked about hours of operation. They would like approval to start the generator at 6:30, trucks would haul between 7-7.
- D. Lengthy discussion followed about work on Saturdays. Riley noted previous permits allowed seven for the season with no consecutive Saturdays. They also addressed the holidays in the past. Mol – in reading the request, it states they would like to work all Saturdays; however, the Commission has limited the number. Magnuson – the State is going to six-day work weeks to get these jobs done. There will be trucking operations going on most Saturdays to haul sand. These are expectations of the bid and job is expected to take two months. Mol – pointed out the neighbors will have a problem with that many consecutive Saturdays. Riley – noted last year this Company was awarded the bid for the Hwy. 55 project to Rockford. Magnuson – indicated they used this pit. Commission agreed to allow plant operations on consecutive Saturdays on the condition Saturdays around a holiday are avoided. No plant operations on May 25, July 6 and September 7.

- E. D. Thompson moved to approve a Conditional Use Permit for the temporary placement of a bituminous plant for the 2019 construction season, both according to the applicant's site plan and descriptions and with the following conditions: 1) Operation of the plant shall be limited to five working days in a calendar week, no plant operations on Sundays or legal Holidays, weeks with weekday holidays shall be four day work weeks, and no more than a total of seven Saturdays over the course of the season for plant operations and plant operation is not allowed on the following Saturdays, May 25, July 6 & August 31; 2) All adequate measures must be taken to restrict loud trucks from operating without mufflers and other required sound equipment; 3) The bag house be kept in proper working condition and meet all MN Pollution Control Agency regulations; and, 4) Operation of the wash plant to comply with all applicable State regulations, 5) New access may be allowed, but subject to Township requirements and recommendations.  
Bravinder seconded the motion.

*DISCUSSION: Magnuson asked about hours of operation. Riley not sure when they have been starting the generator; however, the Ordinance states 7 a.m. – 7 p.m. Magnuson – they have been loading bins, no backup beepers and wondered if that can be started at 6:30 a.m. and get the plant warmed up. The trucks would not leave until 7 a.m. Minnesota has a limited construction season. Riley –when we have got complaints over the years it is usually about the start time. Riley noted the question is whether those activities are mining operations, extending hours would have to be noticed. The Commission concluded they could look at whether hours can be expanded the following year when a request to extend the permit to two or three years is considered. Magnuson – stated if the generator starts at 6:30 and he gets complaints, he would stop. They want to start getting the berm established which will help mitigate noise.*

**VOTE: CARRIED UNANIMOUSLY**

3. **JURGEN A. PREUGSCHAS** – New Item

LOCATION: 1903 10<sup>TH</sup> Street SW – Lot 7, Block 1, & Outlot A, Deer Lake Orchard; Part of the NW ¼ of SW ¼; NE ¼ of SW ¼ all in Section 11, Township 119, Range 26, Wright County, Minnesota. (Marysville Twp.) Tax #211-030-001070; 211-000-112400 & 211-000-113201

Review of a Conditional Use Permit issued by the Planning Commission action on March 8, 2018 for Commercial Agricultural Tourism as regulated in Section 155.029 & 155.109 of the Wright County Code of Ordinances.

Present: Jurgen & Jill Preughchas

- A. Riley reviewed the location of the property that includes the A/R PUD zoned lot and some land zoned AG that was purchased. A Conditional Use Permit was issued with a number of questions and a review in a year. Staff Report summarizes the progress, parking lots improvements were made. The Office did not receive formal complaints, but there may be some public input. The applicant met with the Town Board for an annual review.
- B. Juri Preugschas – explained the progress made the last year included a lot of changes that affected them significantly. Addressing sound was a real challenge with a tent. Changed the rules in the contracts and no bands are allowed. Bought a sound measuring tool, they found 70 db was acceptable, walking around and talking to neighbors. Parking was improved by bringing in gravel and an increase to the parking space to over 150 parking spots. There were a couple rain events that tested the parking areas and on the west side they will need to strengthen and improve a couple areas. Mol asked about problems parking on the road. Juri Preughchas – only had one car and they moved it by the time he got out there.
- C. Mol asked for public comment. No one came forward.
- D. Borrell received numerous phone call from residents who were upset that events that were cancelled and limiting the wedding venues. He has heard support for the business. He felt some of the conditions hurt their business and questioned if they can look at those. Improvements include limiting the hours of operation, parking and other improvements made. Mol heard it was a difficult year to get into compliance and asked if the applicant felt these conditions are a hindrance or can they go forward subject to those. Juri Preugschas –indicated a willingness to work with those; although they lost an estimated \$100,000 last year, most were weddings because of the expectation to be on-site until midnight. Now customers know the rules. Would like to get an indoor space and have the music contained and not inside a tent. Borrell – they could come back and ask for an expansion. Thought the tent helps reduce sound. Juri Preugschas – had a sound expert and he explained, concrete floor, tent and hill behind is like an amphitheater. The way the sound radiates off the floor and tent, the sound is hard to contain.
- E. Borrell asked if there was another problem. Juri Preugschas – it was when the State Health Department came in for an inspection like every year; but did a full health review as if it was new. They did not consider anything that happened before and was not considered “grandfathered”. Jill Preugschas - noted they had to get rid of the tap room. Juri

Preugschas added, they could not operate a food shack and the tap room was very limited. Mol – that had nothing to do with the Conditional Use Permit it was State licensing. Jill Preugschas – agreed, that it was the Department of Agriculture. Borrell is supportive of the business and some of these things go back to previous owners. People enjoy the activities and he would like to see it continue.

- F. Jill Preugschas explained people have been disappointed during the fall festivals, held weekends between Noon and 4 p.m. that they could not have amplified music. These are blue grass instruments not heavy metal bands. There are four fall festival weekends. Bravinder – explained the acoustic music cannot operate outdoors without amplification. He felt this condition is too restrictive. Riley – reminded the Commission of the difficulty controlling sound outdoors. Another noise problem was with Norm's in Rockford Township; however, that business has a building to accommodate bands/music inside where they can control it. Depends on the conditions and it is hard to control and keep it on the property. Borrell felt it made more sense to set the decibel level. Juri Preugschas – the music for a wedding is louder to get people to dance with the music for the festivals is different there is other noise going on. Jill Preugschas noted the music for the fall festivals are much different than a wedding.
- G. Borrell suggested they try amplified music for the fall festivals. Mol – could understand people want this. Suggesting a trial period of four weekends from mid-September to mid-October, Noon – 5 p.m. for a year. Noting the music would be blue grass or fiddle music and seems reasonable. Consensus was favorable, Riley suggested language for it.
- H. Borrell moved to approve the review of the conditional permit issued in 2018 as compliant and operations allowed to continue according to the 2018 Conditional Use Permit with the following addition to Condition 19 (G), after the words wedding ceremony add “and for the Fall Festival between Noon and 5 p.m. on the last two Saturdays of September and the first two Saturdays of October. Township review required in one year. Bravinder seconded the motion.

VOTE: CARRIED UNANIMOUSLY

4. **FINAL PLAT** – action to accept the plat “West Ridge” (Rockford Twp.)

On a motion by Bravinder, seconded by D. Thompson, all voted to accept the Final Plat of West Ridge and authorize the Chairman’s signature.

Meeting adjourned at 8:25 p.m.

Respectfully submitted,

Sean Riley  
Planning & Zoning Administrator

SR:tp

cc: Planning Commission  
Twp. Clerks  
Applicants/Property owners