

WRIGHT COUNTY PLANNING COMMISSION

Meeting of: February 13, 2020

MINUTES - (Informational)

The Wright County Planning Commission met February 13, 2020 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, Pat Mahlberg, Jan Thompson, Charlie Borrell, Ken Felger & Dan Bravinder. Sean Riley, Planning & Zoning Administrator, represented the Planning & Zoning Office; Greg Kryzer, Assistant Attorney, was legal counsel present.

MINUTES

On a motion by Felger, seconded by Bravinder, all voted to approve the minutes for the January 16, 2020 meeting as printed.

1. **JOE FAKE** – New Item

LOCATION: 10875 Fenner Avenue SE – Part of W ½ of SE ¼, Section 25, Township 118, Range 25, Wright County (Franklin Twp.) Tax #208-200-254300/-254302
Owner: Singer

Petitions to rezone the north ten acres from AG General Agricultural to A/R Agricultural-Residential and a Conditional Use Permit for a two-lot residential subdivision (One new residential lot with remainder to remain zoned AG General Agricultural with existing dwelling) as regulated in Section 155.028, 155.029 & 155.047 of Chapter 155 Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Joe Fake

- A. Riley reviewed the property location in Franklin Township and zoning map. The Land Use Plan designates the property for “Rural-Residential”. An existing house and outbuildings were noted. The rezoning request is to rezone only the north 10 acres and allow a 10-acre building lot. The survey and soil work have been completed to show there is a suitable building site and all standards are met. The remaining 30 acres would stay zoned AG.
- B. Fake – stated this will complete what was meant to happen in 1996 when the survey was done. He noted his father originally owned a 50-acre parcel and ten acres was sold off to Singer that was absorbed into their property. He wants to obtain ten acres back from Singer. The acreage is currently in CRP and will remain in that program. Noted he 20 acre he currently owns. Other option would be to request a lot line adjustment to put it back together; but he does not want to do that.
- C. Riley – further clarified that the 10 acres is currently tied with the land to the south (Singer) and if rezoning is approved, it would create a separate 10-acre parcel and building lot. Mol asked that the request is to rezone only the ten acres? Riley that is correct and will not be tied with another parcel.
- D. Mol opened the hearing to the public; with no public comment, returned to the Board.
- E. Bravinder moved to recommend the rezoning to the County Board of Commissioners to rezone the north 10 acres of the property as shown on the attached survey from AG Agricultural to A/R Agricultural Residential, leaving the remainder of the farm AG Agricultural, because the Board feels it meets the criteria laid out in the Land Use Plan and the Town Board approves. Thompson seconded the motion.

VOTE: CARRIED UNANIMOUSLY

- F. Borrell moved to continue the hearing on the subdivision portion of the request to allow time for the County Board to act on the rezoning. Thompson seconded the motion.

VOTE: CARRIED UNANIMOUSLY

2. **WRIGHT HENNEPIN COOPERATIVE ELECTRIC ASSOC.** – New Item

LOCATION: 9991 -70TH Street SW – Part of NW ¼ of NW ¼, Section 9, Township 118, Range 27, Wright County, Minnesota. (Victor Twp.) Tax # 219-000-092201 & -092200
Owner: Applicant & Glessing

Petitions for a Conditional Use Permit as regulated in Section 155.029 & 155.048(D) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to rebuild existing electrical substation and expand existing lot to .99 acre.

Present: Lance Hovland, V. President of Energy Distribution

- A. Riley reviewed the existing substation and maps to show current zoning is AG and in the Land Use Plan designated to remain AG. The proposal is to expand the existing parcel to just under one-acre as allowed for a utility, remove and rebuild the substation. A site plan was displayed and the plantings to be established for a buffer from the road. Riley suggested the Commission set a completion date for establishing the plantings.
- B. Hoffman explained the additional property will allow them to better position this from the road and meet all setbacks. The original substation was built in the 1950's, prior to regulations.
- C. Mol – noted the Town Board response was supportive but would like to see construction traffic come off Keaton Avenue. Mol asked if that was agreeable to Hovland who responded yes.
- D. Hearing was opened for public comment, no one came forward and Mol returned to the Commission for questions or comments.
- E. Bravinder noted Cokato Town Board received calls from residents after work was started on a substation in his Township. Questioned if Wright Hennepin reaches out to inform the neighbors. Hovland – indicated they have not, have felt the County's notice of the hearing would do that. Bravinder indicated he was not suggesting they need to.
- F. Mol asked the timeframe for the construction. Hovland indicated the substation would get built in 2020 and plantings take place the spring of 2021. They are completing the site in Cokato Township this coming year. Riley suggested the Commission give them eighteen months to complete the plantings.
- G. Thompson questioned what kind of plantings? Hovland stated they will plant Black Hill Spruce along 70th Street. Mol questioned the Commission if they felt 18 months was adequate and members concurred.
- H. Borrell moved to grant a Conditional Use Permit for Essential Services in accord with the plans and description provided by the applicant with the condition that the proper permits are obtained, while constructing new substation Keats Avenue will be used and the screening proposed is completed July 31, 2021. Mahlberg seconded the motion.

VOTE: CARRIED UNANIMOUSLY

3. **JUSTON D. DOOLEY** – New Item

LOCATION: 731 County Road 30 SE – Part of E ½ of NE ¼, Section 18, Township 118, Range 25, Wright County, Minnesota. (Franklin Twp.) Tax #208-200-181101 Owner: Dooley Farm LLC

Petitions for an amended Conditional Use Permit for commercial outdoor recreation to allow for on sale craft beer sales as regulated in Section 155.003(B)(119), 155.029 & 155.048 of Chapter 155 Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Juston & Alexis Dooley

- A. Riley reviewed the property and several past hearings for a winery and sale of 3.2 beer, known as “Woodland Winery” in Franklin Township. The new owner is requesting to add craft beer in conjunction with the 3.2 beer. The previous Conditional Use Permit limited beer to 3.2 and this is an amendment to that condition.
- B. J. Dooley – stated they purchased the property three months ago and plan to open on June 6, have everything up to code with the Department of AG and received approval of the well. Have put in much to improve the property which closed in 2016 and has not been operating since. Wine can be sold up to 12% but would like to expand the sales to include local craft beer from the area breweries.
- C. Bravinder – asked the applicant what they would consider local beer. J. Dooley indicated he would purchase from local breweries within a 20-30-mile radius of him.
- D. Thompson –noted the wine is 12% alcohol, but what percentage would the craft beer have. J. Dooley – although not an expert but felt it might be up to 9%. The wine license would cover everything up to 12%.
- E. Mahlberg – noted Minnesota is last State in the Country selling 3.2 beers. J. Dooley – it is becoming a thing of the past with the commercial breweries going away from producing it. Mahlberg – are there any other conditions that might be of a concern? J. Dooley no they are aware of the conditions as well as the history of the previous operators. This is a beautiful property and they hope to reopen and offer a place for public to gather and enjoy good wine and craft beer.
- F. Bravinder asked if the hours of operation on the existing CUP agreeable? J. Dooley stated they are, hours will be 11 am to 9 pm Wednesday-Saturday; 12:00 pm to 7 pm on Sunday.
- G. Thompson reviewed the definition for the events and asked about plans for events and entertainment? J. Dooley stated they have a grand opening on June 6, with the Michael Shine band. This will be their first event and plan three or four events a year that would count as an “event” and several other smaller events with less than 100 people and not count as a large event.
- H. Felger questioned para. 8) of existing Conditional Use Permit and refers to the limit of 3.2% and the reason for that? Kryzer – because this is permitted as a winery and not a bar. Mol clarified – that under para. 8) the amendment is only referring to craft beer and not

hard liquor? Kryzer that is correct. Felger asked for clarification that if they can sell craft beer in addition to the 3.2 beer and were to exceed 50% of all liquor sales, it would no longer be considered a winery. Kryzer any beer would have to be under 20%. Riley explained the reason for the condition was because most of the sales have to be the wine, because this is a winery. Borrell – the applicant has the option to ask for an amendment in the future. Mol – this is a limit that allows them to evaluate the business and see how things are going. Felger - the only change is to condition #8 of the Conditional Use Permit.

- I. Thompson asked the applicant to explain how they will control noise and avoid disturbance to the neighbors. J. Dooley – they will restructure this immensely because of past concerns from the public. The large events would be over at 9 p.m., even though they are open to 10 p.m. The speakers and music would be directed to the southeast towards the buildings away from neighbors. Thompson –asked, they would use speakers? J. Dooley – yes, but the majority would be acoustic in the building. Future plans are to construct a small “center” where they could place inside with glass doors surrounding, to contain the sound.
- J. Bravinder moved to amend the existing Conditional Use Permit to allow for the sale of craft beer noting this amendment only allows for craft beer and not any other on sale liquor. Mahlberg seconded the motion.

DISCUSSION: Felger asked what the motion is saying is they can sell wine, 3.2 beer and now craft beer? Kryzer confirmed that.

VOTE: CARRIED UNANIMOUSLY

4. **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 2020-2023 construction seasons and request extended hours to allow for 6:30 a.m. start time for generator (warm up) and hours of plant and mining operations to be Monday-Saturday 7:00 a.m. – 7 p.m. as regulated in Section 155.048(G)(5)(a) Chapter 155, of Title XV Land Usage of the Wright County Code of Ordinances.

Present: Ron Klinker, Environmental Manager; Holly Brisk, Environmental Assistant

- A. Riley noted the location of the Naaktgeboren pit, zoning and land use maps. Commission made a site inspection for a previous conditional use permit. Asphalt plant operations have been heard annually in the past. The current petition is for a three-year permit for the plant. The Town Board action approved a one-year permit. Extended hours of operation are also proposed to allow the plant to warm up at 6:30 a.m.
- B. Klinker – Mark Magnuson attended the Town Board meeting and they agreed they would not need seven Saturdays, five would be sufficient. A one-year permit is agreeable. Borrell asked if they agreed with the Town Board and accept a one-year permit? Klinker confirmed that is the case.
- C. Dave Kramer – lives north of the pit on Ellingwood Avenue – he appreciates limiting the Saturday operations to five this coming year. His main concern is the emissions from the plant. It has been said it meets specs but noted there can be a difference depending on the age of equipment. The smoke comes in on heavy air days and settles down around their home. He is not against the plant operations, using waste oil to fire the plant or the recycling of materials; but, going forward wants to know how they can clean up the emissions.
- D. Chris Klein – Town Board Chair – reported they had several residents at the Town Board meeting. Discussion was about several topics. The plant manager had said they would be repositioning the plant to help reduce odor. Would try some product on the top of the town road to help with dust. Three Saturdays were needed last year even though it was one of their busiest and wet seasons and agreed to reduce the number down to five. The new entrance and exit were constructed onto the town road and then onto CR 39 at the top of the hill and that should help. Mol asked the reaction on the change in time of operation? Klein – the Town Board had thought they could start warming up the plant at 6:30 a.m., but could not start hauling out until 7 a.m. Did not recall any residents had expressed an opinion on that.

- E. Brian Klaphake – noted his lot location on the south side – he has had an issue with the applicant about undermining his property line and had talked to Deckert at the County. The mining and crusher noise and dust has been extreme and gone up asked they keep those concerns in mind.
- F. Del Aleckson – lives directly across the road from the plant and asked how many days the plant would be in the pit this coming year. He has had many discussions on the plant about running really dirty last year. Had talked with them a couple times last season about the smoke and odor that was choking out the neighbors.
- G. Dave Kramer – who would they call when conditions are bad. Mol – suggested he call Planning & Zoning.
- H. Klinker – responded to the concerns raised. The operators keep track and calculate the amount of product produced and fuel used. He has the numbers from this past year. He provided the graph to show they have operated within MN PCA limits. The baghouse must be operating properly and meet emission standards, this is recorded daily. Understand the odor is bad from the asphalt when the wind is blowing toward the neighbors. Borrell asked what standards do they operate under? Klinker – all plants must operate under certain MN PCA standards. When plants come into operation they have proven that they meet the standards. The baghouse used has been upgraded and the removal rate is 99.9 %. A picture of the plant in June was displayed to show emissions and what is coming off the plant. He noted the prevailing wind changes in August and September. Pointed out the different components of the plant and filtering systems. The example of a properly functioning asphalt plant and baghouse was explained. Going back 25 years at this site, it was a Buffalo Bituminous plant and they struggled with odor. The current operator has used an additive since that is supposed to mask the odor; however, there were complaints this year when it hung in the air more. Because of this, a sample of the bituminous was sent to Ecosorb in Illinois for testing to determine which of their different products may be used for an additive to mask odor. They anticipate on average, 36% removal of the peak odors. They plan to try that product this coming year. This past year they had several large jobs that came out of this site. In comparison they looked at production between 2012 – 2019; and, this last year was the biggest volume year (45% over the year before). Magnuson – had indicated there was a lot of truck traffic with State roads and County overlays and for those large jobs they have 20 trucks running the circuit. They had 50,000 yards that was trucked back in to be used in the berm. Felt by June 1, they will have the berm built before they operate this coming year. These things compounded the truck traffic. This coming season has one week's worth of work so far. The early start time was addressed. He explained historically the Township has allowed them to start up the plant at 6:30 a.m. The reason is the asphalt is rock hard when it is cold until heated up to 250 degrees. The time for warm up is needed so that at 7:00 everything goes up to the silos and trucks are loaded. Understand 6:30 is early, but they get a lot of pressure from business owners that are along the reconstructed highways to get in and finish these jobs. It is important they can start the plant and start going at 7 a.m. Mol – the CUP states 7 a.m. and his issue is that if they amend the CUP they will then start at 6 a.m. No one is making an issue of the 6:30 generator start time; does not want to see that pushed back. Klinker – they have the same issue in other municipalities, but they control that by no truck leaving before 7 a.m. and understand if the conditions are not complied with, they will not be there very long. He does not see a problem with back sliding.

- I. Felger – on the first run where is the truck staging happening? Klinker – they operate until 7 p.m. when the last load is taken out and most trucks are parked back in the pit after the last run; depending on where the driver lives. Brisk – concurred, noting that not all 15-20 trucks come back to the pit. When someone is saying they are starting early, she is not sure if that is when a driver is coming into work early. Klinker – no one should be leaving loaded prior to 7 a.m.
- J. Borrell – one neighbor asked about a berm and he recalled the neighbor’s property is elevated; but is it possible to do that. Klinker – admitted there was some overmining in the past and they want to make sure that does not happen again. If the owner wants berms, they can do that. Klaphake – stated the issue was they were too close to the property line and the property slides in. Riley stated that the 30’ setback must be met. Cannot speak to the berming. Thompson asked for clarification on the neighbor’s concern is that the mining is undermining his property. Klinker – as seen on the air photo – was about 25-30’ of the face. They will backfill that with sand and soil that is not useable and slope it back according to restoration requirements. Then topsoil placed and planted. Thompson until it is restored, she asked if there is not going to be some erosion and can understand that could be alarming. Klinker did not know that is the case, he has not seen that. Mol – as you mine out with face of 25’-30’ they should be coming back right away to restore it. Borrell asked if the entire northern area could be reclaimed now? Klinker – no, that is where they have piles of material. Mol understands they want to go right up to 30’ and don’t want to leave any, he suggested it is restored right away. Klinker understood it is part of the whole operation; but, they are asking for asphalt plant tonight. He will bring the concern back.
- K. Felger – asked if there are plans to move the plant south from the current site. Klinker – displayed pictures of the pit taken with drones this past November. He explained the area stripped of the top soil and that is the mining face. He pointed out the relocation and that they would be turning the position of the plant, so the blowers are directed away from neighbors. That plant will be moved before the coming season. The berm location to be built was noted. Mol -asked if the plant location would be lower? Brisk – the floor is flat and would not be lower. Felger asked about a red circle on the map. Klinker – that is 500’ separation requirement for the processing area from a neighbor.
- L. Thompson – when the plant is moved to the south would prevailing winds create more or less problems for neighbors. Klinker – in looking at the prevailing wind map, he felt it would be better for neighbors. Riley noted the winds might be more about noise then change emissions? Klinker – displayed the statistics on prevailing winds and felt that is the reason it is worse in the fall for neighbors. Moving the plant back will not change a lot, just an improvement on the distance.
- M. Mahlberg – the photos submitted by Knutson to show residue on their buildings. Property is to the north, and asked is that oil on their building, or residue coming from plant emissions? Klinker – in 15 years has not encountered that. Without inspecting it he cannot tell from a photo. Noted cedar turns black if not power washed every year. Mahlberg – the information provided is it was recently stained and months later turned black. Mahlberg another question relates to the closest neighbor, asked how they can provide him relief, such as planting to allow screening. Klinker – understands and he has talked with Arntson in the office and are open to that. Thompson – what does that mean? Klinker could reach

an agreement with that neighbor. Thompson – would they agree to a deadline? Klinker – he could not speak for the neighbor but would talk to him the following day.

- N. Bravinder – are we dealing with the mining or bituminous? Mol – a bituminous plant.
- O. Borrell understands last year much of the mix went to Carver County? Klinker – stated the mix was only 12% that went to Carver. Borrell – thought there was much trucked there and questioned the economics of that.
- P. Felger moved to grant a Conditional Use Permit for the temporary placement of a bituminous plant for the 2020 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 five Saturdays over the course of the season for plant operations and plant operation is not allowed on the following Saturdays, May 23, July 4 & September 5; 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; 4) Operation of the wash plant to comply with all applicable State regulations; and, 5) Generator may start no earlier than 6:30 a.m. to warm up the plant with no trucks leaving the pit before 7 a.m. Borrell seconded the motion.

DISCUSSION: Thompson – the applicant mentioned the baghouse efficiency operates at 99.9% is that a standard? Klinker – no, that number is a measurement taken. The plant has proven it meets a condition. They far exceed the EPA standard. Thompson felt that should be included in the motion. Mol – noted that would be difficult to maintain day-to-day. Klinker – the graph shows what they are allowed and what they emit. If they did not comply with both State and Federal regulations, they would not be in business. There is no non-compliance history. Mol – the Commission is not environmental regulator; the documentation shows they are doing a good job. If there is a problem, this is a one-year permit and they can address it.

Bravinder –at the time Commission inspected for the mining operation, the applicant had stated they could move the plant location back and turn it. He moved to amend the motion to add condition: 6) require the plant be moved and turned east and west prior to operations this year. Borrell seconded the amendment to the motion.

FURTHER DISCUSSION: Thompson – the neighbor had asked about the berming and plantings and should they make sure that happens. Mol – noted they have been in discussions and have indicated a willingness for that. Riley – noted Staff will not be able to require it without details and those details as a condition.

VOTE ON AMENDMENT TO MOTION: VOTE CARRIED UNANIMOUSLY

MOTION CALLED FOR ACTION THAT INCLUDES THE AMENDMENT:
VOTE: CARRIED UNANIMOUSLY

Mol called for a five-minute recess at 9:00 p.m.

5. **ALAN J. RUUD** – New Item

LOCATION: 4375 State Highway 55 SE – NE ¼ of SW ¼ Section 14, Township 119, Range 25, Wright County, Minnesota. (Rockford Twp.) Tax #215-100-144200 Owner: Ruffbuff Properties LLC

Petitions to rezone from AG General Agriculture to I-1 General Industry as regulated in Section 155.028 & 155.055 of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances. Continue existing use as a commercial kennel.

Present: Alan & Mary Ruud

- A. Riley displayed the location maps to show the parcel that is surrounded by the Whispering Winds Industrial plat. The parcel outlined is currently zoned AG General Agriculture. The Commission made a site inspection of the property last year when the former “Humane Society” property was purchased for a private commercial dog kennel.
- B. Mol asked if the reason for the rezoning is because the property is “non-compliant”? Riley stated it is not. A. Ruud explained they are making the request for a future use. If rezoned, it will give them more options in the future. The location is surrounded by commercial businesses. Mol indicated it should not affect the existing Conditional Use and the proposed rezoning matches what is zoned on three sides now.
- C. Riley confirmed that the applicant could continue with the kennel operation and explained the properties surrounding this lot were developed after. This will allow for potential development or different uses; but, if that should happen, there would be concerns about access to the highway. That would have to be addressed. Borrell concurred, noting a road going in would allow access for a couple lots in the back with the kennel operation on the highway side. Riley indicated that would be another process and hearings to do that.
- D. Ruud stated they will continue the kennel business but may want to do something different later; or it would give someone else an opportunity.
- E. Riley – another factor they did not discuss was how this might impact their tax rate. He did not know what going from an AG zone to an Industrial might mean for them. Ruud indicated he had not considered that and has not talked with the Assessor.
- F. Mol opened the discussion up for public comment, no response. Mol noted the Town Board approves and it is surrounded by the Industrial zone.
- G. Thompson moved to recommend approval of the rezoning to the County Board of Commissioners to rezone the property from AG General Agriculture to I-1 General Industry because the Board feels it meets the criteria in the Land Use Plan and the Town Board approves. Any change in use will require a new Conditional Use Permit. Felger seconded the motion.

VOTE: CARRIED UNANIMOUSLY

6. **DENNIS J. & SARAH J. BILJAN** – New Item

LOCATION: 12534 Aetna Avenue NE – Part of the SW ¼ of NE ¼, Section 31, Township 122, Range 25, Wright County, Minnesota. (Monticello Twp.) Tax #213-200-311301

Petitions to rezone approximately five acres from A/R Agricultural-Residential back to AG General Agriculture as regulated in Section 155.028, & 155.048 of Chapter 155 Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Dennis Biljan

- A. Riley displayed the maps to show the location of the property in Monticello Township. The property is zoned and in the Plan for A/R. The history of the original hearing to rezone and subdivide was summarized that created three new lots. This lot was supposed to be expanded to ten acres; however, was not properly completed by previous owners. The property has a house on it and has been this way for many years. The request is to rezone back to AG to match the origins of the lot to meet the standards.
- B. Mol asked if they change the property back to AG would the entitlements remain the same. Are there any conflicts for the future, what are the pros and cons? Riley replied, there are no changes to building entitlements. The parcel will have an entitlement which is the existing dwelling. The lot will need to stay that size (5 acres) and would not be able to be further subdivided under either zone. He does not see any negative implications one way or another as far as density.
- C. Biljan – stated they brought the request because the recently purchased lot, December of 2018, to comply. This will avoid any title problems for the future. They were not aware of this until they applied for mechanical and window permits and came to find out it dates back to the 1980's. Riley explained the Office would not hold up permits for maintenance; but it was more of a disclosure to the new owners. This owner is removed from the original owners that were supposed to make it a ten-acre lot. Biljan stated his understanding of the history of the property was the property that was broken up was a sibling of the owner of this lot. Riley added – with the ownership changes and length of time, it is not practical to try to require additional land from the neighbor to make the lot ten acres.
- D. Mol opened the hearing for public comment. No comments were received.
- E. Felger asked why not ask for a higher density if rezoned? Biljan indicated he is just looking to make this conforming. Felger asked if the lot is not a “legal non-conforming” parcel? Riley noted an R-2a zone would fit the size lot; however, the original rezoning hearing was a request for R-2a and that was not supported because it is a higher density. He did not think a higher density zone would allow for future subdivision of the land. He noted how the house is centered. This is more about a Title company that may have missed this. Felger noted “legal non-conforming” lots get sold all the time. Riley explained the applicant is trying to prevent any potential issues with title, mortgage or insurance companies in the future.

- F. Mol noted the current zoning map shows a mix of zoning districts with A/R, AG and an additional R-1 zone to the south. Reverting this parcel back to AG would create an island. Riley – noted this is not going to change future development and an AG zone is not prohibited. The current residential zone would not allow subdivision. Mol questioned the benefit? Mahlberg noted it will remove any cloud on the property. Riley further explained the reason was the original owners did not subdivide the property according to the Conditional Use Permit that was granted after rezoned to A/R. That has been many years ago and a few owners between.
- G. Borrell moved to recommend approval of the rezoning to the County Board of Commissioners to rezone the property from A/R Agricultural-Residential to AG General Agriculture because the Board feels it meets the criteria laid out in the Land Use Plan and the Town Board approves. Mahlberg seconded the motion.

VOTE: CARRIED UNANIMOUSLY

7. **JOE M. CHENEY** – New Item

LOCATION: xxxx Dague Avenue SE – Part of Gov't Lot 2, Section 10; Part of N ½ of SE ¼ & Gov't Lots 1 & 2, Section 9, all in Township 119, Range 24, Wright County, Minnesota. (Dean Lake Rockford Twp.) Property owner: Steve Cheney
Tax # 215-100-094100 & 215-100-103300

Petitions to rezone approximately 123 acres from AG General Agricultural and S-2 Residential-Recreational Shorelands to A/R Agricultural-Residential and S-2 as regulated in Section 155.028, 155.048(D) & 155.057 of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Applicant not present

- A. Riley – informed the Commission that the applicant has signed a request to withdraw the petition.
- B. Bravinder moved to dismiss the petition at the applicant's request without prejudice. Thompson seconded the motion.

VOTE: CARRIED UNANIMOUSLY

Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Sean Riley
Planning & Zoning Administrator

SR:tp

cc: Planning Commission
County Board of Commissioners
Kryzer
Twp. Clerks
Applicant/owners