

ZONING OFFICE

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Trina Bergloff, Zoning Administrator/Solid Waste Officer
Holly Nelson, Deputy Zoning Administrator
Dennis Ginter, Building Official
Terry Lakin, Septic Specialist
Erica Wilson, Compliance Specialist
Talisha Zimmerman, Water Planner/Wetland Specialist
Kerry Birch, Administrative Assistant/Permit Technician

Isanti County Planning Commission
Public Hearing
January 12, 2023
Isanti County Government Center

Members present: Lyle Reynolds, Bruce Mickelson, Dave Ringstad, Steve Westerberg, Kathy Skiba, Tim Swanson, Karyn Hansen, Dave Toth

Other members present: Trina Bergloff, Zoning Administrator, Holly Nelson, Deputy Zoning Administrator, Tim Nelson, Chief Deputy County Attorney

Members not present: Bruce Bloomgren

Tim Nelson, Chief Deputy County Attorney called the meeting to order at 6:00 p.m.

1. Organizational Meeting for 2023.

Tim Nelson called for nominations for Chairperson. A motion was made by Lyle Reynolds and seconded by Dave Ringstad to nominate Bruce Mickelson as Chairperson of the Planning Commission. A motion was made by Dave Ringstad and seconded by Lyle Reynolds for nominations to cease. Motion carried unanimously. **As there were no further nominations, Bruce Mickelson was named Chairperson.** Motion carried unanimously.

Bruce Mickelson called for nominations for Vice Chairperson. A motion was made by Dave Ringstad and seconded by Tim Swanson to nominate Lyle Reynolds as Vice Chairperson. A motion was made by Dave Ringstad and seconded by Kathy Skiba for nominations to cease. Motion carried unanimously. **As there were no further nominations, Lyle Reynolds was named Vice Chairperson.** Motion carried unanimously.

Bruce Mickelson called for nominations for Secretary. A motion was made by Lyle Reynolds and seconded by Dave Ringstad to nominate the Zoning Office as Secretary. A motion was made by Dave Ringstad and seconded by Kathy Skiba for nominations to cease. Motion carried unanimously. **As there were no further nominations, The Zoning Office was named Secretary.** Motion carried unanimously.

Bruce Mickelson called for nominations for the Planning Commission Representative to the Board of Adjustment. A motion was made by Lyle Reynolds and seconded by Dave Ringstad to nominate Kathy Skiba as the Planning Commission Representative to the Board of Adjustment. A motion was made by

Dave Ringstad and seconded by Lyle Reynolds for nominations to cease. Motion carried unanimously. **As there were no further nominations, Kathy Skiba was named Planning Commission Representative to the Board of Adjustment.** Motion carried unanimously.

A motion was made by Lyle Reynolds and seconded by Steve Westerberg to approve the minutes of the December 8, 2022 Planning Commission meeting as presented. Motion carried unanimously.

2. The request of Marlys Peterson Estate (Richard Regnier), 5546 W 130th Street, Savage, MN 55378 to present a preliminary plat of Eastlund Acres Phase 3. Legal description is Lot 1 Block 1 Eastlund Acres Phase 2 of Section 34, Township 35, Range 23, Isanti Township.

Kyle Roddy, LHB was present for this request representing the Marlys Peterson Estate and Richard Regnier. Trina Bergloff stated that this property is zoned Agriculture/Residential District. This property is 19.7 acres. This preliminary plat is for two lots. Lot 1 – 16.6 acres and Lot 2 – 3.00 acres. A variance was granted October 13, 2022 to install two building rights on Lot 1 Block 1 of Eastlund Acres Phase 2. The variance was needed due to this quarter quarter having multiple ownership and the acreage of each of the parcels there would have been a development right lost due to this. Soil borings have been completed for both lots. There has been a newly installed septic system on Lot 2 of this proposed plat in September of 2022. Isanti Township had no objections to this preliminary plat. Justin Bergerson, Isanti County Highway Engineer would prefer an access off Bataan Street NE but would permit a new access to County Road 55 with partial access control. No access would be granted within 500 feet from Bataan Street and County Road 55 intersection and 175 feet from the west lot line of Lot 1. No new access would be permitted onto County Road 55 for Lot 2. An access permit would be required through the Isanti County Highway Department. The required lot size is a minimum of one acre, maximum of three acres with 150' of lot width on a public road. **A motion was made by Dave Ringstad and seconded by Dave Toth to recommend approval of this request to present a preliminary plat of Eastlund Acres Phase 3.** Motion carried unanimously.

3. The request of Brian L. Carlson, 29750 Tucker Street NE, Cambridge, MN 55008 for an interim use permit for a limited rural business and for an extended home occupation conducted within an accessory building for the storage of international bulk containers. Legal description is the S ½ of the SE ¼ of the NE ¼ of Section 24, Range 35, Range 23, Isanti Township.

Jake Peterson, Attorney at Law, was present for this request representing Brian Carlson. Jake Peterson stated that this request was tabled at last month's meeting to receive comments from the Isanti County Highway Engineer in regards to the access to this property, to receive comments from the MN Pollution Control Agency in regards to the containers being rinsed onsite and that Mr. Carlson must show

progress in regards to the compliance issues on the property. He would like to purchase and resell intermediate bulk containers with cages that surround them. He acquires them from an ethanol plant near Owatonna, Minnesota and a bottling company near Milwaukee, Wisconsin. Mr. Carlson would like to retrieve approximately fifty-two (52) containers from the ethanol plant every three weeks and a similar number from the bottling plant about every two months. He would also like to pick up containers from local mulch and landscaping companies. He owns three (3) flatbed trailers that he pulls with his 2-ton pickup to haul the containers. He would construct a building for the business. At times, commercial businesses will contact Mr. Carlson to schedule a pickup of available units. They pick up the containers in a semi-trailer at most twice per month. Deliveries and/or transports will occur only during the hours of 9:00 a.m. to 8:00 p.m. He proposes to have one non-member family employee. With one exception, all containers come to Mr. Carlson's after having been rinsed out up to three times. None of the products or material previously stored in them pose any hazard to human or natural resources. The containers that Mr. Carlson receives from the mulch company and landscaping business are not usually rinsed and come with a residue of mulch dye. This dye coats standard garden mulch that consumers freely apply to their landscaping and yards, so the residue that remains in those containers are not harmful. They have spoken to Adam Sekely, Minnesota Pollution Control Agency who indicated they needed more information on the product. Mr. Carlson is now proposing not to rinse any containers on site. All containers will be stored indoors with the exception of unloading the containers which will be within 48 hours of arrival on site. Brian Carlson stated that his business has flourished over the last year. He has ten different grades of containers. All of the containers have a NFPA Code. He does not take any containers that contain hazardous materials. Approximately 48 containers can fit on a trailer. He has eliminated selling barrels and pallets which he had been doing in the past. Trina Bergloff stated that the Isanti County Highway Engineer indicated that an access permit will be needed for the driveway for a change of use going from residential to a commercial use. A letter was received from Kristi LaRowe, County Commissioner stating that her proposal would be having a cement pad and a rinse station where the tanks would be brought in and cleaned out with a triple rinse of the containers also with a 10,000 gallon holding tank, either be pumped out as a sewer truck would haul or a suction tank a farmer would use to suck out manure pits and apply it back into the field. The shed would act as a wall, and along each side have a lean-to or a fence on the south and north side of the property for the storage of totes. Have a list of products that he is flushing out and cleaning. This is a good business to pursue because the county depends on these 250 gallon totes to move and store liquid materials. Keith Stamm, a member of the audience and neighbor stated that he has noticed progress on the property since the last meeting but does have concerns if the property comes out of compliance again. **A motion was made by Lyle Reynolds and seconded by Tim Swanson to recommend approval of this request for an Interim Use Permit for a limited rural business and for an extended home occupation conducted within an accessory building for the storage of intermediate bulk containers (IBC's) with the following conditions: 1. This business is for the**

transport and storage of intermediate bulk containers with cages that surround them on this real property. 2. The hours of operation will be 9:00 a.m. to 8:00 p.m.; retail sales by appointment only. 3. One non – family member employee. 4. All containers and/or container parts must be stored inside a pole building; no outdoor storage allowed. 5. No on-street parking. 6. No signage. 7. Must comply with the MN State Building, International Building Code and International Fire code requirements. 8. Must comply with all local, state and federal regulations for this business. 9. These IBCs must meet all safety regulations for transporting and storage per the Minnesota Pollution Control Agency and Environmental Protection Agency. 10. Maintain clear and safe access to the storage area. 11. Must receive an approved access permit from the Isanti County Highway Department for this business for widening the north driveway access. 12. This interim use permit is for one accessory building that must be constructed before December 31, 2023. 13. Mr. Carlson must reside on the property and have homestead status on the parcel. 14. This Interim Use Permit will cease once Mr. Carlson no longer lives on the property and/or the business ceases for one consecutive year. 15. No rinsing of the (IBC's) on site. 16. The property must be in compliance prior to December 31st, 2023. 17. No more than 48 hours maximum to unload the trailers once on site.

Findings: 1. The business will have a structure for indoor storage with conditions so that the interim use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the immediate vicinity. 2. There are similar types of farming equipment in the area so that the establishment of the interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominate in the area. 3. A driveway permit will be obtained so that adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. 4. The trailers will be placed on class 5 gravel for unloading so that adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. 5. There will be no sign, no lighting and no odors from the business so that adequate measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. Motion carried unanimously.

A motion was made by Dave Ringstad and seconded by Tim Swanson to adjourn the meeting at 8:05 p.m. Motion carried unanimously.

Trina Bergloff
Zoning Administrator

TB: hn