

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
Kerry Birch, Administrative Assistant/Permit Technician

Isanti County Planning Commission
Public Hearing
August 10, 2023
Isanti County Government Center

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

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

Members not present: Bruce Bloomgren, Jared Johnson

Bruce Mickelson, Chairperson called the meeting to order at 6:00 p.m.

A motion was made by Dave Ringstad and seconded by Karyn Hansen to approve the minutes from the July 13, 2023 Planning Commission meeting as presented. Motion carried unanimously.

1. The request of Headwater Homes, LLC, 13283 293rd Avenue NW, Princeton, MN 55371 to present a preliminary plat of Titan Farms. Legal description is NW ¼ of the NE ¼ Fct of Section 28, Township 36, Range 24, Springvale Township.

Jon Solomonson was present for this request representing Headwater Homes, LLC. Trina Bergloff stated that this property is zoned Agriculture/Residential District. This property is 31.50 acres. This preliminary plat is for three lots. Lot 1 – 3.00 acres, Lot 2 – 3.00 acres and Lot 3 – 21.36 acres. There is a parcel on the south side of State Highway 95 in this quarter quarter section that is 8.50 acres so there are three development rights left in the quarter quarter section. This plat will be utilizing all the building rights. There is a “blanket” gas line easement over this entire property that will need to be removed and more defined before the final plat is applied for. There is also a neighbor’s mound system that encroaches on the west property line. MNDOT provided comments that state that the plat looks good to them and that all accesses are coming off County Road 65. Soil borings have been completed. Springvale Township has reviewed this preliminary plat at their July 10, 2023 township meeting and have no objections. The required lot size is a minimum of one acre, maximum of three acres with 150’ of public road frontage. Justin Bergerson, County Engineer recommended that the shared driveway access for Lots 1 & 2 Block 1 must meet the standard sight distance requirements. A joint maintenance agreement defining the responsibilities of the property owners should be filed with any easements. New driveway access permitted onto County Road 65

on the condition that the existing field entrance is removed. Location of the new access to be located approximately 150-175' west of Lot 3 and Lot 2 shared lot line. Trina Bergloff suggested the following conditions: 1. The Northern Natural Gas easement that covers the entire property will need to be removed and a new easement document recorded with a more defined area before the application for the final plat. 2. The document for the new defined gas line easement must be recorded with the mylar when the plat is recorded. 3. The easement for the encroachment of the septic system on the west property line for the neighboring property to the west (parcel # 10.028.0900, 2834 341st Avenue NW, Cambridge, MN 55008) must be recorded with the mylar when recorded. 4. An easement must be recorded for the shared access for Lot 1 & Lot 2 when the mylar is recorded for the final plat. 5. The driveway accesses and removal of the existing field entrance on Lot 3 Block 1 must be completed before the Highway Engineer will sign off on the mylar of the final plat. Lyle Reynolds questioned the parcel size and legal description verifying this parcel has three building rights due to Highway 95 on the south side of this parcel. **A motion was made by Kathy Skiba and seconded by Karyn Hansen to move this agenda item further into the meeting for Ms. Bergloff to research the warranty deeds and legal descriptions in the quarter quarter section.** Motion carried unanimously.

2. The request of Terrance Jenson, 34338 Polk Street NE, Cambridge, MN 55008 to present a preliminary plat of Jenson 3. Legal description is the E ½ of the NW ¼ of the SE ¼ of Section 19, Township 36, Range 23, and Lot 2 Block 1 Jenson 2 of Section 19, Township 36, Range 23, Cambridge Township.

Terrance Jenson was present for this request. Holly Nelson stated that this property is zoned Agriculture/Residential District. The overall property is 31 acres. This preliminary plat is for three lots. Lot 1 – 2.54 acres, Lot 2 – 22.13 acres and Lot 3 – 19.80 acres. Some soil borings have been completed. Cambridge Township reviewed this preliminary plat July 10, 2023 at their township meeting with the following comment: The plat does not show a public access to lot 3 but as long as this preliminary plat meets or exceeds the Isanti County Ordinance regulations, Cambridge Township is okay with the plat moving forward. A 66' easement was recorded December 12, 2017 for access to Lot 3. They are transferring a building right from the E ½ of the NW ¼ of the SE ¼ of Section 19, Township 36, Range 23, to Lot 1 Block 1 Jenson 3. All building rights have been utilized within this plat. Justin Bergerson, County Engineer comments were as follows: A new entrance for Lot 1 will be permitted onto County Road 14. Lot 2 will use the existing access. Lot 3 No new access permitted, use of existing entrance. Condition of the final plat being signed by the County Engineer are: 1. The new entrance for Lot 1 must be constructed and approved by the Isanti County Highway Department. Bruce Mickelson stated that the transfer of building rights must be displayed on the preliminary plat. Two additional soil borings need to be completed for the transfer of development rights showing there is buildable area for the transfer of building rights. **A motion was made by Steve Westerberg and seconded by Dave Ringstad to recommend approval of this request to present a preliminary**

plat of Jenson 3 with the following conditions: 1. A new entrance for Lot 1 will be permitted onto County Road 14. Lot 3 No new access permitted, use of existing entrance. Condition of the final plat being signed by the County Engineer are: The new entrance for Lot 1 must be constructed and approved by the Isanti County Highway Department. 2. Additional soil borings must be completed from the sending parcel for the transfer of development rights prior to applying for the final plat. Motion carried unanimously.

3. The request of Terrance Jenson, 34338 Polk Street NE, Cambridge, MN 55008 to present a preliminary plat of Jenson 4. Legal description is the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, Township 36, Range 23, and Lot 2 Block 1 Jenson 2 of Section 19, Township 36, Range 23, Cambridge Township.

Terrance Jenson was present for this request. Holly Nelson stated that this property is zoned Agriculture/Residential District. This overall property contains 19.80 acres. This preliminary plat is for two lots. Lot 1 Block 1 – 2 acres and Lot 1 Block 2 – 19.80 acres. Two additional soil borings need to be completed for the transfer of development rights showing there is buildable area for the transfer of building rights. Cambridge Township reviewed this preliminary plat July 10, 2023 at their Township meeting with the following comment: Access is only 33' for township road (private easement) but as long as this preliminary plat meets or exceeds the Isanti County Ordinance regulations, Cambridge Township is okay with the plat going forward. A 66' easement was recorded December 12, 2017 for access to Lot 1 Block 2. They are transferring a building right from the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, Township 36, Range 23 to Lot 1 Block 2 Jenson 4. All building rights have been utilized within this plat. Justin Bergerson, County Engineer comments are: Lot 1 Block 2 use the existing ingress, egress, utility, and drainage easement for access from Jefferson Street NE (Township Road). Tom Johnson, a neighbor stated his concerns with the width of the easement on Jefferson Street and that the road currently serves two houses. There is also a power utility easement located through the private road easement. Tanner Nelson, north neighbor on Jefferson Street stated his concerns with the drainage off Jefferson Street. Joe Simons, a neighbor that lives on Jefferson Street stated his concerns regarding the road condition on Jefferson Street with the width of the road and the condition of the road. The property owners are currently maintaining that road. Bruce Mickelson questioned the location of the private road easement and the location of the utility easement. Terrance Jenson signed a 60 day waiver. **A motion was made by Kathy Skiba and seconded by Dave Ringstad to recommend tabling this request to present a preliminary plat of Jenson 4 until the September 14, 2023 Planning Commission meeting for the applicant to clarify the private road easement, utility road easement locations, additional soil borings and to address drainage issues off Jefferson Street.** Motion carried unanimously.

A motion was made by Dave Ringstad and seconded by Steve Westerberg to untable agenda item #1. Trina Bergloff stated per the Isanti County Zoning Ordinance, Section 14, General Regulations Subdivision 14 for a quarter-quarter

section containing three acres of road, the remaining 37 acres would be considered a full quarter-quarter that has not been divided or split, and that it is entitled to be split or divided once without platting. Trina Bergloff stated that according to the Isanti County Zoning Ordinance this parcel holds three building rights. **A motion was made by Steve Westerberg and seconded by Lyle Reynolds to recommend approval of this request to present a preliminary plat of Titan Farms with the following conditions:** 1. The Northern Natural Gas easement that covers the entire property will need to be removed and a new easement document recorded with a more defined area before applying for the final plat. 2. The document for the new defined gas line easement must be recorded with the mylar when the plat is recorded. 3. The easement for the encroachment of the septic system on the west property line for the neighboring property to the west (parcel # 10.028.0900, 2834 341st Avenue NW, Cambridge, MN 55008) must be recorded with the mylar when recorded. 4. An easement must be recorded for the shared access for Lot 1 & Lot 2 when the mylar is recorded for the final plat. 5. The driveway accesses and removal of the existing field entrance (or use the existing field entrance) on Lot 3 Block 1 must be completed before the Highway Engineer will sign off on the mylar of this plat. Motion carried unanimously.

4. The request of Ty Torgerson, 3382 Highway 95 NW, Cambridge, MN 55008, for a Conditional Use Permit for a rural tourism request for a one day mega truck event held annually in September. Legal description is the W ½ of the NE ¼ of Section 29, Township 36, Range 24, Springvale Township.

Ty Torgerson was present for this request. Trina Bergloff stated that this property is zoned Agriculture/Residential District. A conditional use permit was granted August 11, 2022 for a one day mega truck event that was to be held September 24, 2022 with conditions. Ms. Bergloff stated there were no complaints received by the zoning office after this event was held last year. Mr. Torgerson stated that he would like to continue to hold this one-day event annually in September of each year for mega trucks to race. The racing would take place from 12:00 p.m. to 3:00 p.m. No engines to run before 10:00 a.m. or after 5:30 p.m. The race would be featuring mega trucks only. No four-wheelers. There will be no live music. No minors would be allowed except for accompanied by an adult. There will be no alcohol distributed. There will be no food trucks or vendors. Four to five portable restrooms will be placed on the property for sanitary use. There will be a maximum of two trucks racing at any given time. He has received a Certificate of Completion of Permit Installation from MNDOT dated July 17, 2023. **A motion was made by Dave Ringstad and seconded by Kathy Skiba to recommend approval of this request for a Conditional Use Permit for a rural tourism request for a one-day mega truck event held annually in September with the following conditions:** 1. This will be for an annual, one day mega truck race event held in September. 2. The hours of operation will be 10:00 a.m. to 5:30 p.m. 3. Maximum occupancy of 300 people on site at any given time. 4. No alcohol to be served. 5. All lighting must be retained on site with full cut off fixtures

and no glare lighting with zero foot-candles at the property line. 6. Camping prohibited including overnight. 7. Signage according to the Isanti County Zoning Ordinance identifying the driveway, no lighted sign. 8. Adequate parking for employees and customers shall be provided onsite and meet the standards of Section 14, Subdivision 2 of the Isanti County Zoning Ordinance. Parking area must be 30' from the property lines and from the right of way of all roads. No on-street parking will be allowed. 9. No amplified music. 10. Outdoor garbage cans must be covered to control the debris. 11. Must comply with all Federal, State and Local regulations, licenses and codes. 12. Owner must be present on site during the event. 13. No paper lanterns and must follow state statues if fireworks are used on site. 14. Must maintain the natural screening of trees on the property. 15. Must have prior approval from the Minnesota Department of Transportation for traffic control and to follow their recommendations for signage. 16. The berms must be maintained and at least 12' to 15' in height. 17. Maximum of two trucks racing at any given time. *Findings: 1. This is a one-day event and berms have been constructed to reduce the noise and screening is in place to help buffer the noise so the conditional use will not be injurious to the use and enjoyment of the other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the immediate vicinity. 2. This is a one-day event held annually so the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. 3. The access road is his personal access driveway and the drainage is self-contained so that adequate utilities, access road, drainage and other necessary facilities have been or are being provided. 4. There is a large field dedicated for the parking area 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 are no lighted signs, the event is during daytime hours 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 signed and other lights in such a manner that no disturbance to neighboring properties will result.* Motion carried unanimously.

5. The request of William & Sandra Brown, 32262 Cedar Crest Trail NE, North Branch, MN 55056, for an interim use permit for a second dwelling, temporarily in nature, for a family member. Legal description is Lot 2 Block 1 Swamp View of Section 3, Township 35, Range 22, North Branch Township.

William and Sandra Brown were present for this request. Sandra Brown stated that they are requesting to place a manufactured home on this parcel to be occupied by their daughter (Katie Piehl). This property contains 31.94 acres and is in the agriculture/residential zoning district. Trina Bergloff stated that the zoning ordinance allows for a manufactured home, temporary in nature, may be permitted under an interim use permit as long as the property contains at least five acres, meets septic requirements, foundation requirements and will be occupied by persons who are elderly dependent or disabled members of the family of the persons

occupying the principal dwelling on the premises and requires a letter from a medical doctor. Ms. Bergloff stated that a letter from a medical doctor has been submitted to the Zoning Office as required by the zoning ordinance. Soil borings have been completed for the manufactured home site area and that a building permit will be needed for this manufactured home along with a septic permit. **A motion was made by Karyn Hansen and seconded by Lyle Reynolds to recommend approval of this request for an interim use permit for a second dwelling, temporary in nature, for a family member with the following conditions:** 1. The temporary manufactured home must be located on at least five acres. 2. The manufactured home will be occupied by Katie Piehl. 3. This Interim Use Permit will cease once Katie Piehl no longer needs care and/or moves off the property. 4. Must comply with all Federal, State and Local permits/ordinances/codes. 5. The temporary manufactured home must meet sanitation requirements of the Minnesota Pollution Control Agency Chapter 7080, 7081 and 7082 and foundation requirements of Subdivision 2, #17(a). 6. An annual letter from a medical doctor must be submitted to the Isanti County Zoning Office indicating that Katie Piehl is still in need of caregiving. 7. The temporary manufactured home must be removed within 6 months of Ms. Piehl no longer needing care and/or moves off the property. *Findings:* 1. This property is 31.94 acres in size 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. Single family dwellings are allowed in the Agriculture/Residential District so that the establishment of the interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. 3. Parking will be on the property so that adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. 4. There are seven conditions on this interim use permit 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 signed and other lights in such a manner that no disturbance to neighboring properties will result. Motion carried unanimously.

6. The request of Steven Cartwright, 8154 335th Avenue NW, Princeton, MN 55371 and Isanti County Soil & Water Conservation District, 110 Buchanan Street N, Cambridge, MN 55008, for an interim use permit for the mining of sand, gravel, peat and black dirt (soil) for a wetland restoration project adjacent to County Ditch 23. Legal description is the SW ¼ of the SW ¼ of Section 29, Township 36, Range 25, Wyanett Township.

Steve Cartwright and Todd Kulaf, Isanti County Soil & Water Conservation District were present for this request. An interim use permit is needed when excavation of soil exceeds 500 cubic yards of material. Todd Kulaf stated that this property is 40 acres. County Ditch 23 runs through this property. There will be no work conducted within this ditch. The scope of the project is to enhance and restore the

existing wetlands. Environmental benefits include, increased flood storage, increased biodiversity, enhanced wildlife habitat, invasive species control, reduced erosion, restoration and protection of fish habitat to downstream public waters, protection of surface water quality of downstream public waters by reducing sediment and nutrient loading. This project will excavate 18, 214 cubic yards. There are two separate wetland restorations being installed. The west wetland is estimated to be 2.3 acres and the east wetland is estimated to be 1.2 acres. Much of the wetland will be excavated to 18" to 24" but in some areas deeper which will not exceed 6.5 feet in depth. A wetland application and wetland Notice of Decision was approved June 28, 2023. Excavated material will be stock piled in an upland field located on the property, 500 feet from the nearest road, 100' from the wetland and 54' from the north property line. The appropriate storm water control measures will be used to control storm water. There will be one (1) stockpile on site. There will be a perimeter barrier including a silt fence, fiber roll sandbag, gravel bags or straw bale barriers within 24 hours. If stockpiled for an extended period of time (more than 60 days) the stockpile will be seeded and mulched with a temporary grass cover. 2.35 acres of Mesic Prairie Seed Mix 35-541 will be seeded on the side slopes. All bare soil will be seeded with appropriate vegetation. The project will be completed by July 31, 2025 and hauling offsite will be completed by December 31, 2030. The hours of excavation will be Monday through Friday 6:00 a.m. to 8:00 p.m. This mining operation will be managed by the Isanti County Soil and Water Conservation District. An NPDES permit has been applied for through the Minnesota Pollution Control Agency. **A motion was made by Lyle Reynolds and seconded by Dave Ringstad to recommend approval of this request for an interim use permit for the mining of sand, gravel, peat and black dirt (soil) for a wetland restoration project adjacent to County Ditch 23 with the following conditions:**

- 1. The hours of operation for hauling, stockpiling and excavating will be Monday through Friday 6:00 a.m. to 8:00 p.m.**
- 2. There will be one (1) stockpile on site with be a perimeter barrier including a silt fence, fiber roll sandbag, gravel bags or straw bale barriers within 24 hours. If stockpiled for an extended period (more than 60 days) the stockpile will be seeded and mulched with a temporary grass cover. 2.35 acres of Mesic Prairie Seed Mix 35-541 will be seeded on the side slopes. All bare soil will be seeded with appropriate vegetation.**
- 3. No more than 18,214 cubic yards to be mined.**
- 4. The excavated area to be mined is no more than 3.5 acres in size and no deeper than 6.5'.**
- 5. Must follow the seeding and restoration plan as per the submitted plan.**
- 6. Any damage caused to the township roads due to this hauling operation shall be repaired at the permittees expense.**
- 7. The mining operation shall minimize as much as practical any adverse impact to the environment and comply with all local, state and federal standards.**
- 8. The mining operation shall minimize any dust or noise produced so that it does not unreasonably annoy, injure, or endanger the safety, health, morals, comfort or response of any considerable members of the public.**
- 9. The mining operational shall as such as practical coordinate truck and machinery traffic so that it does not interfere with, obstruct, or render dangerous for passage any public road or highway.**
- 10. Must have an engineered storm**

water management plan. 11. Must obtain all necessary state, local and federal licenses/permits prior to construction. 12. This interim use permit for the excavation of this project will be completed July 31, 2025 and hauling off site will be completed by December 31, 2030. 13. All interim use permits issued under this section shall be reviewed every two years by the Isanti County Planning Commission after County Board Approval. Findings: 1. This is in the Agriculture/Residential District so that the interim use permit 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. The hours of operation will be 6:00 a.m. to 8:00 p.m. so that the establishment of the interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. 3. A storm water management plan has been provided so that adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. 4. Off street parking is provided 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 signs 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 signed and other lights in such a manner to 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 8:15 p.m. Motion carried unanimously.

Trina Bergloff
Isanti County Zoning Administrator

TB: hn