

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
February 13, 2020

MEMBERS PRESENT: Don Reak, Doug Krenik, Jeanne Doheny, Shirley Katzenmeyer, Al Gehrke, Scott Vonlehe, Commissioner O'Keefe

MEMBERS ABSENT: Pam Tietz

OTHERS PRESENT: Joshua Mankowski

1. The meeting was called to order at 7:00 pm by Chairperson Jeanne Doheny.
2. Agenda. Motion to approve agenda was made by Doug Krenik. Second by Don Reak. Approved.
3. Minutes from January 9, 2020 Meeting. Motion to approve minutes was made by Al Gehrke. Second by Scott Vonlehe. Approved.
4. Applications:

ITEM #1: LUTHER & LYNETTE GALCHUTT, WATERVILLE, MN (APPLICANT\OWNER):
Request that the County allow the applicant to rezone 2.38 acres from Special Protection "SP" District to Recreational Residential "RR" District, on Lake Tetonka, a Recreational Development "RD" lake. Property is located in Government Lot 1, Section 19, Waterville Township.

Joshua Mankowski presented the PowerPoint presentation.

Luther & Lynette Galchutt were present for application.

TOWNSHIP Notified. Response: Al Gehrke, Waterville Township supervisor, stated that the township had no issues with the application.

DNR Notified. Response: None.

LETTERS: None.

PUBLIC COMMENT: None.

Discussion was held regarding: The fact that current zoning for the lot splits it between Recreational Residential and Special Protection and that this was not an issue until a previous landowner split the lot; Recreational Residential District does abut the property so this is not a spot zone; lot size and dimensions are conforming in the Recreational Residential District; and current flooding on the lot were discussed.

Findings by majority roll call vote:

1. *The proposal reflects and is consistent with the goals and polices of the Le Sueur County Land Use Plan.*
2. *The proposal is compatible with the overall character of existing development in*

the immediate vicinity of the affected property. Consideration shall be made if there are similar land uses nearby or if the proposed use would be isolated.

3. *The proposal will not have an adverse effect on the values of adjacent properties.*
4. *The proposal will not be injurious to the use and enjoyment of other property in the immediate vicinity for the uses already permitted.*
5. *The proposal will not impede the normal and orderly development of surrounding vacant property for predominant uses in the area.*
6. *The density of the proposal is not greater than the density of the surrounding neighborhood or density indicated by the applicable Zoning District.*
7. *Adequate utilities, access roads, drainage, and other necessary infrastructure are being provided.*
8. *Soil conditions are adequate to accommodate the proposal.*
9. *The proposal will not create a potential pollution hazard.*
10. *The proposal will not degrade the water quality of the County.*
11. *The proposal will not have a negative impact upon natural resource areas such as bluffs, wetlands, water bodies, agricultural land, woodlands, and aggregate resource deposits.*
12. *The proposal will not negatively affect the protection of the public health, safety, and general welfare.*

Motion was made by Al Gehrke to Approve the application as presented.

Second by Doug Krenik. Motion approved. Motion carried.

ITEM #2: JIM & SHERY KLEIN, OWATONNA, MN, (APPLICANT/OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of approximately 33 cubic yards for a shoreline rip rap project in a Recreational Residential "RR" District, on Lake Jefferson, a Recreational Development "RD" lake. Property is located at Lot 29 Geldner's Unrecorded Plat, Sections 5 & 6, Elysian Township.

Joshua Mankowski presented the PowerPoint presentation.

Jim Klein was present for application.

TOWNSHIP Notified. Response: None.

DNR Notified. Response: None.

LETTERS: Holly Kalbus, Environmental Resources Specialist, stating her recommendation to approve the application with one condition: Plant a 3' x 20' deep rooted Minnesota native vegetation buffer on the east side of the property along the proposed riprap project. The neighbor to the east is also proposing to install a buffer. This will connect shoreland habitat, and provide additional benefits to the shoreline.

PUBLIC COMMENT: None

Discussion was held regarding: The size and type of stone to be used; the proposed timeline for completion; access for the project, and the extent of the erosion issues were discussed.

Findings by majority roll call vote:

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
2. *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. *Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
4. *Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures have been or will be taken to prevent and control offensive odor, 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.*
6. *The Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
7. *The Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

Motion was made by Shirley Katzenmeyer to Approve the application. Conditions: Plant a 3' x 20' deep rooted Minnesota native vegetation buffer on the east side of the property along the proposed riprap project. The neighbor to the east is also proposing to install a buffer. This will connect shoreland habitat, and provide additional benefits to the shoreline.

Second by Scott Vonlehe. Motion approved. Motion carried.

ITEM #3: KEITH & CHARLOTTE FREUNDL, MANKATO, MN, (APPLICANT/TOWNER):
Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of approximately 47.5 cubic yards for a shoreline rip rap project in a Recreational Residential "RR" District, on Lake Jefferson, a Recreational Development "RD" lake. Property is located at Lot 30 Geldner's Unrecorded Plat, Section 5, Elysian Township.

Joshua Mankowski presented the PowerPoint presentation.

Keith Freundl was present for application.

TOWNSHIP Notified. Response: None

DNR Notified. Response: None

LETTERS: Holly Kalbus, Environmental Resources Specialist, stating her recommendation to approve the application with two conditions: 1. Plant a 3' x 20' deep rooted Minnesota native vegetation buffer on the west side of the property along the proposed riprap project. The neighbor to the west is also proposing to install a buffer. This will connect shoreland habitat, and provide additional benefits to the shoreline. 2. Plant deep rooted Minnesota native vegetation in front of the shed along the proposed riprap project.

PUBLIC COMMENT: None

Discussion was held regarding: Past attempts to address shoreline erosion; the current condition of the shoreline; and access for the project were discussed.

Findings by majority roll call vote:

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
2. *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. *Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
4. *Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures have been or will be taken to prevent and control offensive odor, 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.*
6. *The Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
7. *The Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

Motion was made by Don Reak to Approve the application. Conditions: 1. Plant a 3' x 20' deep rooted Minnesota native vegetation buffer on the west side of the property along the proposed riprap project. The neighbor to the west is also proposing to install a buffer. This will connect shoreland habitat, and provide additional benefits to the shoreline. 2. Plant deep rooted Minnesota native vegetation in front of the shed along the proposed riprap project.

Second by Al Gehrke. Motion approved. Motion carried.

ITEM #4: MICHAEL & MELISSA KVEENE, NEW PRAGUE, MN, (APPLICANT\OWNER):
Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of approximately 24.5 cubic yards for a shoreline rip rap project in a Recreational Residential "RR" District, on Lake Jefferson, a Recreational Development "RD" lake. Property is located at Lots 27 & 28 Geldner's Unrecorded Plat, Section 6, Elysian Township.

Joshua Mankowski presented the PowerPoint presentation.

Michael Kveene was present for application.

TOWNSHIP Notified. Response: None.

DNR Notified. Response: None.

LETTERS: Holly Kalbus, Environmental Resources Specialist, stating her recommendation to approve the application with one condition: Plant a 3' x 20' deep rooted Minnesota native vegetation buffer along the proposed riprap project.

PUBLIC COMMENT: None.

Discussion was held regarding: The deteriorating sea wall and its planned removal and the lack of steps in the riprap were discussed.

Findings by majority roll call vote:

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
2. *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. *Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
4. *Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures have been or will be taken to prevent and control offensive odor, 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.*
6. *The Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
7. *The Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

Motion was made by Al Gehrke to Approve the application. Condition: Plant a 3' x 20' deep rooted Minnesota native vegetation buffer along the proposed riprap project.

Second by Doug Krenik. Motion approved. Motion carried.

5. Discussion Items: An update was given on communications with the DNR and Cities on the proposed setbacks for the solar ordinance.
6. Warrants/Claim-signatures:
7. Motion to adjourn meeting by Al Gehrke. Second by Scott Vonlehe. Motion approved. Motion carried.

Respectfully submitted,

Joshua Mankowski

APPROVED March 12, 2020

***Tape of meeting is on file in the
Le Sueur County Environmental Services Office***