

**CHISAGO COUNTY
PLANNING COMMISSION
OFFICIAL PROCEEDINGS
February 6, 2025**

The Chisago County Planning Commission met in regular session at 7:00 p.m. on Thursday, February 6, 2025, at the Chisago County Government Center.

Staff Present: Beth Gervais, Land Services Coordinator; Kurt Schneider, Environmental Services Director; and Sarah Scheunemann, Office Support Specialist – Land Services.

Director Schneider called the meeting to order and led the assembly in the Pledge of Allegiance. A roll call of Commission members was taken. Commission members present: Jim McCarthy, Eric Leivian, Chip Yeager, John Sutcliffe, Chris DuBose, and Jolene Wille. Absent: Dave Whitney (excused). A quorum was established. Also present: Ex Officio County Commissioners Rick Greene and Dan Dahlberg.

Election of Officers – Director Schneider called for nominations for 2025 Chair. DuBose nominated Wille for Chair; second by Sutcliffe. Upon multiple calls, no other nominations were made. All present voted and the nomination was affirmed 6-0.

Chair Wille called for nominations for 2025 Vice Chair. Sutcliffe nominated DuBose for Vice Chair; second by Leivian. Upon multiple calls, no other nominations were made. All present voted and the nomination was affirmed 6-0.

Approval of Agenda – Gervais informed the Planning Commission that they had two additional items before them. The first item was the January 16, 2025 Work Session Meeting Minutes and staff proposed this to be added to the agenda as item no. 5b. The second item was a draft Rural Retail Tourism Matrix prepared by staff based on the Planning Commission's January 16, 2025 special work session discussion, and staff proposed this to be added to the agenda as item no. 12 (Miscellaneous). McCarthy asked that the Commission wait to discuss the Rural Retail Tourism Matrix so that Whitney could be part of the discussion. **Motion** by DuBose to approve the agenda as presented and amended to include the January 16, 2025 special work session minutes as agenda item no. 5b; second by Yeager. The **motion passed** 6-0.

Approval of Minutes – **Motion** by Sutcliffe to approve the December 5, 2024 regular meeting minutes and the January 16, 2025 special work session minutes as presented; second by DuBose. The **motion passed** 6-0.

Receive all Materials and Submittals into Record – **Motion** by Yeager to accept all materials and submittals into the record; second by Leivian. The **motion passed** 6-0. Materials distributed to the Planning Commission in advance of the meeting for their review included the full meeting packet with staff reports, as well as the January 16, 2025 special work session minutes. Copies of all meeting materials were made available for the public.

Public Hearings – New Applications

Joshua Fields – Director Schneider provided background on Joshua Fields' request for an after-the-fact Interim Use Permit allowing a Contracting Business Owned and Operated by Persons Residing at the property. The proposed business, known as Fields Contracting, would offer excavation services. The 25.93± acre subject site (combination of two parcels) was zoned Agricultural (AG) District and located at 45134 John Avenue in Sunrise Township, S14 and 23, T36, R21 (PIDs 09.00545.00 and 09.00567.00).

Schneider shared that the subject site consisted of two tax parcels located immediately west of John Avenue and immediately east of Government Road / CR 57 in Sunrise Township, and further shared that John Avenue

was a gravel-surfaced Township Road with minimal traffic, whereas Government Road was a hard-surfaced and well-traveled County Road. Schneider reviewed the topography of the subject site and shared that the site had been developed with a dwelling and at least two detached accessory structures. Properties in the general area were also zoned AG District and neighboring properties ranged significantly in size from five acres to 80 acres with most properties developed for residential purposes. Schneider referenced an aerial image that indicated the 10 closest neighboring dwellings, with the closest neighboring dwelling being approximately 380' east of Fields' pole building.

Schneider reviewed details of the application materials sharing the proposed hours of operation, number of employees, materials and equipment stored on-site, buildings and structures used for business purposes as well as their setbacks, screening, and access to the property. Schneider referenced an aerial image of the subject site and indicated that there would be a new driveway access from Government Road / CR 57 which would be used for all business related activity.

The Technical Review Committee met with property/business owner Joshua Fields on January 8, 2025. Land Services Coordinator Gervais shared that she had received confirmation from the Chisago County Highway Department that the new or improved Government Road / CR 57 access permit had been granted. Fields shared that he had planted seedlings adjacent to Government Road / CR 57 in 2024; however, the exact number and location was not provided. The Sunrise Town Board considered the request at its January 16, 2025 meeting and recommended approval with no conditions. Staff noted that the attached Township Form included comments and details from the January 16th meeting and, overall, it did not appear that the Town Board had any concerns with the request. The State mandated 60-day review period was scheduled to expire on February 9, 2025 and, because this timeframe would not accommodate all necessary meetings, the review period was extended by an additional 60-days as allowed per Minnesota Statute 15.99. The extended review period was scheduled to expire on April 10, 2025.

Director Schneider concluded by offering a recommendation of approval with draft Findings of Fact and conditions, and reviewed options available to the Planning Commission.

Chair Wille invited the property owner to address the Commission. Fields was present and asked the Planning Commission if it would be agreeable to an 8' tall berm for screening purposes rather than the previously proposed 10' tall berm. Fields explained that a 10' tall berm would require an approximate 42' wide base and it would be too close to the pole building. DuBose inquired if there was a specific area where the 8' tall berm would be more beneficial. Fields replied that it would be more beneficial along the curve of Government Road / CR 57 in front of both buildings used for business purposes. DuBose, referencing the February 5, 2025 site visit, asked about the burning of stumps and if staff-recommended condition no. 7 was meant to address burning of stumps. Fields informed the Commission that he planned to burn the rest of the stumps on site but would not burn business-related materials moving forward. Schneider provided insight on condition no. 7 stating that it did address stump burning and that the Solid Waste Ordinance did allow for various ways of disposal or use of wood debris in a responsible manner. McCarthy informed Fields that County Roads have setbacks and, if he built the berm within the required setback, he may need to remove it in the future if the County needed to work within that area. DuBose noted that, because the berm would be close to the road, it would likely need to be built to a certain horizontal to vertical ratio for safety reasons. McCarthy suggested that the proper ratio would likely be 3:1.

Chair Wille opened the public hearing and sought comment. With no members of the audience wishing to speak, **motion** by Sutcliffe to close the public hearing; second by DuBose. The **motion passed** 6-0.

Yeager inquired about the materials proposed for the new Government Road / CR 57 driveway. Fields responded that it would be constructed with recycled material to start. DuBose shared that he believed a 10' tall berm was larger than needed and would, instead, be in favor of allowing an 8' berm as requested by Fields.

Sutcliffe and McCarthy concurred with DuBose on allowing the 8' tall berm. McCarthy voiced concern with staff-recommended condition no. 8, noting that the on-site maintenance of heavy equipment would generate hazardous waste. In response, Schneider suggested added verbiage for condition no. 8 which would help ensure compliance. Schneider also informed the Planning Commission that staff-recommended condition no. 5 addressed the requirements of the berm, and this would be the appropriate condition to amend if the Commission was inclined to do so. DuBose inquired about the anticipated completion date of the berm. Chair Wille noted that the recommended condition of approval required completion within six months of IUP approval.

Motion by DuBose to adopt Resolution No. PC2025-0201, a resolution of the Planning Commission of Chisago County, Minnesota, recommending approval of an Interim Use Permit allowing a Contracting Business Owned and Operated by Persons Residing at the Property on property located at 45134 John Avenue in Sunrise Township, with Findings of Fact as presented and with conditions as presented and amended to allow an 8' tall berm rather than a 10' tall berm (condition no. 5c) and with added verbiage to condition no. 8 to address proper handling of hazardous waste on-site; second by Yeager. The **motion passed** 6-0.

Recommended conditions:

1. This Interim Use Permit grants approval for the operation of a Contracting Business specializing in excavation as described in the application materials dated received December 2, 2024 and kept on file with the Chisago County Department of Environmental Services. No other commercial activity, apart from the activities described in the application materials, shall be permitted as part of this approval.
2. Aside from general office work, all Contracting Business activity taking place on-site shall be allowed to operate Monday through Saturday (no Sundays) with hours of operation being 6:00 am to 8:00 pm. Equipment may begin warming up on-site no earlier than 6:00 am and shall not run on-site later than 8:00 pm. This condition is not intended to establish hours of operation for Contracting Business activity taking place off-site.
3. All Contracting Business traffic shall utilize the Government Road / CR 57 access and shall be prohibited from utilizing the John Avenue access.
4. The Contracting Business location shall not be open to the public or public traffic.
5. To mitigate potential adverse impacts related to noise and appearance, the Contracting Business shall be subject to the following:
 - a. Noise generated from the approved use shall be subject to the Chisago County Zoning Ordinance noise standards.
 - b. The permit holder shall maintain existing tree cover and remove and replace dying, dead, or downed trees located between the area of business operations and the surrounding property boundaries as needed with similar type/species and count of replacement trees.
 - c. The permit holder shall construct ~~a 10'~~ an 8' tall mowable berm around business activity as described and illustrated in the application materials dated received December 2, 2024 and kept on file with the Chisago County Department of Environmental Services. The berm shall be fully installed and seeded within six (6) months of the date of Interim Use Permit approval. The permit holder shall ensure that the berm is entirely located on the subject properties and not encroaching on neighboring property, and all Contracting Business activity shall be contained within the bermed area. As depicted, the general construction of the berm combined with an existing stand of trees encompasses and is expected to screen an area of approximately 3.75 acres in size (including the stand of trees adjacent to the southerly east property boundary).
6. In addition to the property owner(s) and residents of the subject site, there shall be no more than five (5) employees and related employee vehicles on site at any given time.
7. Any wood, tree, or stump debris generated by the business shall be disposed of off-site within fifteen (15) days until and/or unless on-site processing or disposal activities in accordance with the County Solid Waste Ordinance are secured.

8. No hazardous waste shall be generated or stored on the subject site, without following all Hazardous Waste reporting and licensing requirements of the MPCA which includes the procurement of a State-issued Hazardous Waste ID number.
9. All fuel storage and handling of heavy equipment fluids shall be in accordance with MPCA regulations.
10. Any signage shall be installed in accordance with the Chisago County Zoning Ordinance.
11. Any expansion or intensification of the approved use – including, but not limited to, the construction of new structures used for the Contracting Business, the addition of employees, expanded hours of operation, expansion of the defined 3.75 acres of outdoor equipment parking & storage area, or other expansion or intensification as determined by the Chisago County Department of Environmental Services – shall only be allowed upon further review by the Planning Commission and approval by the Board of Commissioners by way of an Interim Use Permit Amendment.
12. This Interim Use Permit shall expire at such time that the property is no longer owned and occupied by Joshua Fields.
13. Annual certification of the Interim Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the Interim Use Permit is ongoing and the activities being conducted continue to adhere to the conditions of approval. Failure to maintain certification may be a basis to revoke the Interim Use Permit. The property shall be made open and available for regular inspection at any time during reasonable hours by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agency.

Craig & Patti Peltier – Coordinator Gervais provided background on the Peltier's request for approval of the Preliminary Plat of Peltier Estates involving the creation of one lot from a 45.8± acre tract of land. The subject site was zoned Agricultural (AG) District and was generally located south of Furuby Road / CSAH 20 and west of Park Trail / CSAH 12 in Chisago Lake Township, S14, T34, R20 (PID 02.00557.00).

Gervais reviewed details of the subject site, sharing that it was generally located south of Furuby Road / CSAH 20 and west of Park Trail / CSAH 12 in Chisago Lake Township with frontage on both roadways and was currently undeveloped. Topography of the site consisted of slightly rolling elevations, and a small stand of trees and a wetland area near the northwest corner of the site. The site appeared to be used almost entirely as cropland. Surrounding properties were also located within the AG District and they ranged in size from 1.5 acres to 76 acres, with most surrounding properties having been developed for residential use and / or agricultural purposes.

Gervais reviewed details of the proposed plat, sharing that the proposed lot was shown to be located in the north portion of the subject site utilizing all of the Furuby Road / CSAH 20 frontage and roughly half (45%) of the Park Trail / CSAH 12 frontage. The balance of the subject site, being 20 acres in size and at least 500' in all dimensions, was exempt from the platting process. Gervais noted that, due to the date of application submission, the request for Preliminary Plat was processed pursuant to the 1999 Subdivision Ordinance; however, whether processed pursuant to the 1999 Ordinance or pursuant to the recently adopted Ordinance, the proposed 24.98-acre lot would not be exempt from the platting process given that the lot did not include a full 20 acres which was at least 500' in all dimensions. Gervais noted that the proposed lot complied with all dimensional requirements of the AG District.

The Plat Review Committee met with applicant/surveyor Shawn Kupcho on January 8, 2025. Wetland Specialist Fertig commented that the wetland delineation had been verified and found to be accurate; however, due to seasonal constraints, the soils report had not yet been verified. The Committee did not identify any immediate concerns. The Chisago Lake Town Board reviewed the proposed Preliminary Plat at its January 21, 2025 meeting and recommended approval with no conditions or comments. The Ordinance prescribed 120-day review period was scheduled to expire on April 17, 2025.

Gervais concluded by offering a recommendation of approval with conditions, and reviewed options available to the Planning Commission.

Chair Wille invited the applicant to address the Commission. Applicant Shelby Peltier was present and shared that the platting process was the final step necessary prior to the sale of the proposed lots for residential development. The Commission had no questions for the applicant.

Chair Wille opened the public hearing and sought comment.

Louise Davidson of 33215 Oasis Road, Chisago Lake Township, sought clarification on the number of proposed number of buildable lots.

In response to Davidson's inquiry, Chair Wille requested that Gervais respond. Gervais stated that, after the platting process was complete, there would be two buildable lots. The northern lot was required to be platted because it didn't meet the dimensional requirements to be exempt from the platting process, and the southern parcel, even though it was exempt from the platting process, could be developed so long as it was deemed buildable.

With no additional members of the audience wishing to speak, ***motion*** by Sutcliffe to close the public hearing; second by Leivian The ***motion passed*** 6-0.

Motion by Sutcliffe to adopt Resolution No. PC2025-0202, a resolution of the Planning Commission of Chisago County, Minnesota, recommending approval of the Preliminary Plat of Peltier Estates, with conditions as presented; second by Leivian. The ***motion passed*** 6-0.

Recommended conditions:

1. The Preliminary Plat of Peltier Estates is approved per plat drawing dated signed December 17, 2024 and amended on January 14, 2025. Any significant deviation from the approved plat drawing, except as noted herein and as determined by the Department of Environmental Services, shall require further review by the Planning Commission and approval by the County Board.
2. The property owner shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.
3. Request for Final Plat shall not be submitted until the Chisago County Department of Environmental Services has verified the soils report submitted as part of the December 17, 2024 request for Preliminary Plat and the Department has found that said soils report satisfactorily complies with all applicable regulations.
4. Request for Final Plat shall be submitted within one year of Preliminary Plat approval unless an extension of time is requested by the property owner and/or applicant and granted by the County Board upon recommendation of the Planning Commission.

Steven Olson & Ann Byers and Gary & LaDonna Olson – Coordinator Gervais provided background on the Olson Byer request for approval of the Preliminary Plat of Amador Meadows involving the creation of two lots from a 26.8± acre tract of land. The subject site was zoned Agricultural (AG) District and generally located approximately one-tenth of a mile north of 392nd Street on the east side of Oriole Avenue / CR 70 in Amador Township, S14, T35, R20 (PID 01.00266.50).

Gervais reviewed details of the subject site, sharing that it was generally located approximately one-tenth of a mile north of 392nd Street and approximately one-half of a mile south of 400th Street on the east side of Oriole Avenue / CR 70 in Amador Township, and was currently undeveloped. Topography of the site consisted of elevations ranging from 892' near the extreme northwest corner to 928' at the southern property boundary with a swath of wetland in the central portion of the north half. Roughly two-thirds of the site appeared to be cropland, with the remaining third being wooded. Surrounding properties were also located within the AG

District and they ranged in size from five acres to 55 acres, with most surrounding properties having been developed for residential use and / or agricultural purposes.

Gervais reviewed details of the proposed plat, sharing that the property owners wished to create two lots with one lot being 5.8 acres in size and the other being 20.1 acres in size. Staff noted that, due to the date of application submission, the request for Preliminary Plat was processed pursuant to the 1999 Subdivision Ordinance; however, whether processed pursuant to the 1999 Ordinance or pursuant to the recently adopted Ordinance, the proposed 20.1 acre lot would not be exempted from the platting process based on the proposed lot dimensions. The two proposed lots demonstrated compliance with the County's Home Site Area Standard by providing a 21,500-sf area intended for a building site and yard area, and each of the proposed lots provided sufficiently sized areas for primary and alternate septic sites. Gervais noted that both proposed lots complied with all dimensional requirements of the AG District.

The Plat Review Committee met with applicant Robert Boyce on January 8, 2025. Wetland Specialist Fertig commented that the wetland delineation and soils report had been verified and found to be accurate. The Committee did not identify any immediate concerns. The Amador Town Board reviewed the proposed Preliminary Plat at its January 21, 2025 meeting and recommended approval with no conditions or comments. The Ordinance prescribed 120-day review period was scheduled to expire on April 22, 2025.

Gervais concluded by offering a recommendation of approval with conditions, and reviewed options available to the Planning Commission.

Chair Wille invited the applicant and property owner to address the Commission. Property owner Steven Olson and applicant Robert Boyce were present. Boyce shared with the Planning Commission that the subject site was part of a family farm and the proposed plat, with two proposed lots, was intended to be as low impact as possible. The Commission had no questions for the property owner or applicant.

Chair Wille opened the public hearing and sought comment. With no members of the audience wishing to speak, **motion** by Yeager to close the public hearing; second by Leivian. The **motion passed** 6-0.

Motion by Sutcliffe to adopt Resolution No. PC2025-0203, a resolution of the Planning Commission of Chisago County, Minnesota, recommending approval of the Preliminary Plat of Amador Meadows, with conditions as presented; second by DuBose. The **motion passed** 6-0.

Recommended conditions:

1. The Preliminary Plat of Amador Meadows is approved per plat drawing dated signed October 30, 2024. Any significant deviation from the approved plat drawing, except as noted herein and as determined by the Department of Environmental Services, shall require further review by the Planning Commission and approval by the County Board.
2. The property owner shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.
3. Request for Final Plat shall be submitted within one year of Preliminary Plat approval unless an extension of time is requested by the property owner and/or applicant and granted by the County Board upon recommendation of the Planning Commission.

Adoption of Official Zoning Map with Amendments – Coordinator Gervais explained that Chisago County was seeking comment on the proposed adoption of the Chisago County Official Zoning Map with amendments consistent with the Chisago County Zoning Ordinance which was adopted by the County Board on December 18, 2024 and which went into effect on January 1, 2025. Gervais further explained that the proposed amendments included consolidation of the Rural Residential I (RRI) and Rural Residential II (RRII) Districts into a single Rural Residential (RR) District and to change all references of the Urban Residential (UR) District to the

Urban Fringe Residential (UFR) District. No other amendments were proposed at the time.

Chair Wille opened the public hearing and sought comment. With no members of the audience wishing to speak, **motion** by Sutcliffe to close the public hearing; second by Leivian. The **motion passed** 6-0.

McCarthy inquired about plans for Planning Commission discussion about other possible map amendments. Chair Wille responded that the Commission could add future discussions to the Zoning Ordinance matrix, which had been developed and presented at the January 16, 2025 special work session.

Motion by DuBose to adopt the Chisago County Official Zoning Map with amendments as presented; second by Yeager. The **motion passed** 6-0.

Public Hearings – Continued Hearings – None

Old Business – None

New Business

Annual Review of Planning Commission and Board of Adjustment and Appeals Policy on Commission / Board Structure, Meeting Order and General Procedure – Coordinator Gervais explained that the Planning Commission would be completing its annual review of the Policy and that any suggested changes, along with suggested changes from the Board of Adjustment and Appeals, would be presented to the County Board for consideration. Gervais anticipated that suggested changes would be presented to the County Board in March 2025, following the Board of Adjustment and Appeals' February 27, 2025 meeting.

Yeager raised questions about Section 5, "Quorum," and inquired about how quorum was defined—whether it was based on total seats, including vacancies, or the number of filled seats. Additionally, Yeager proposed revising the wording from "a quorum is identified as a majority of members present and remotely attending" to "a quorum is identified as a majority being either present or remotely attending." Following a brief discussion, the Planning Commission reached consensus on recommended wording of "the minimum required for the Planning Commission quorum would consist of four (4) of seven (7) members present, and the Board of Adjustment and Appeals quorum would consist of three (3) of five (5) members present."

Yeager suggested a correction to Section 11, "Rules of Procedure for Meetings," (I), proposing that the term "vice voce" should be amended to read "viva voce." There were no objections from the Planning Commission.

The final topic that Yeager presented was under Section 12, "Meeting Decorum," (A). Yeager suggested removing the clause which stated that hats or caps worn at the hearing must be removed by anyone addressing the Commission or Board, as this policy was not enforced. McCarthy suggested that removing a hat was a sign of respect, especially in the presence of the United States flag, and he believed the policy should remain and be enforced moving forward. After a brief discussion, the Planning Commission agreed not to suggest any changes to Section 12 (A).

McCarthy introduced discussion on Section 7, "Voting and Recommendations," Section (B), "Conflict of Interest", I., and requested clarification from Assistant County Attorney Fuge on the meaning of the term "personal" in this context, as McCarthy had suggested the possibility of removing the word "personal." Following a brief discussion, the Planning Commission reached consensus that the word "personal" should remain, as it was important for situations where an applicant was a neighbor or related to a member of the Commission.

Chair Wille introduced discussion on Section 12, "Meeting Decorum," (D), and inquired about the meaning of "electronic communication devices." After a brief discussion, the Planning Commission reached consensus on

recommending that Section 12 (D) be amended to read, "All electronic communication devices shall be turned off or silenced during meetings."

Communications and Reports

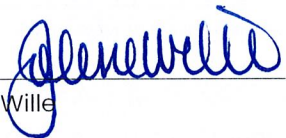
County Board Liaison Reports – County Commissioner Greene reported that he met with the Chisago County Association of Township Officials and presented the idea of having IUP and CUP requests reviewed by the respective Township / Road Authority prior to submission of the applications to the Department of Environmental Services, and they were in favor of that suggested process. DuBose inquired if this was a process that was already in effect. Director Schneider responded that this was not a current requirement, but it was suggested as part of the Planning Commission's January 16, 2025 special work session discussions pertaining to Rural Retail Tourism.

County Commissioner Dahlberg reported that the County Board took actions necessary to split off and create a Finance Department, separate from the Auditor-Treasurer's Office. Dahlberg explained that one of the purposes of the new department was to ensure that financials were completed in a timely manner during the election seasons.

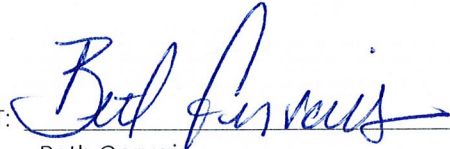
Miscellaneous – Director Schneider briefly reviewed a draft Rural Retail Tourism matrix staff had prepared based on the Planning Commission's January 16, 2025 special work session discussion. Schneider emphasized that the matrix was in draft form and that it was intended to assist the Commission with future discussions on the topic.

McCarthy shared that he may not be present for the February 20, 2025 special work session.

Adjourn Meeting – Motion by Yeager to adjourn the meeting; second by Leivian. The **motion passed** 6-0. The meeting was adjourned at 8:06 p.m.



Jolene Wille
Chair

ATTEST: 

Beth Gervais
Land Services Coordinator