



**ITASCA COUNTY
PLANNING COMMISSION/BOARD OF ADJUSTMENT**

123 NE 4th St
Grand Rapids, MN 55744
(218) 327-2857

Wednesday, 5/12/2021

9:00 A.M.

Itasca County Boardroom

The regular meeting of the Itasca County Planning Commission/Board of Adjustment (PC/BoA) was held on Wednesday, 5/12/2021 at 9:00 a.m. in the County Board Room of the Courthouse with the following in attendance:

MEMBERS PRESENT: Richard Kortekaas, Dan Butterfield, Mike Bellomy, Mike Oja, Lisa Maasch (9:25 a.m.);
ABSENT: None;
EXOFFICIO: Environmental Services Director Dan Swenson; Commissioner DeNucci;
GUESTS: Brian Kabat, Thor Johnson, Stacie Nelson, Esther Savage, Jacoba Bunna; Steve Storby; Carissa McIlwain-Nelson.

Vice Chair Oja called the Planning Commission/Board of Adjustment meeting to order, opening with the Pledge of Allegiance. Copies of the agenda and opening statement were available for the audience.

Agenda. There were no additions or modifications.

Minutes. Upon the motion of Bellomy/Butterfield, which carried unanimously, the minutes of the 3/10/2021 hearing were approved as distributed.

Buell Consulting/Tillman/Powell/Conditional Use—Part of SE SW of Section 30, Stokes Township 60-26, Parcel #38-030-3400—submitted a Conditional Use Permit (CUP) application for construction of a 325' guyed communication tower (333' overall height). Mr. Swenson entered the staff report dated 5/7/2021 into the record. It was noted that no comments have been received. Brian Kabat, agent, with Buell Consulting was present and explained the tower is being constructed in partnership with AT&T and needed to improve cell phone coverage—including emergency responder coverage (FirstNet). He explained that wireless coverage only has so much capacity and is limited by use and as technology changes there is more demand on the service. There was discussion regarding the use of a nearby tower owned by Minnesota Power. Mr. Kabat noted they had contacted Minnesota Power and they were not accepting co-location requests at this time. Thor Johnson was present and in support of this tower since he noted that service in this area is poor. Kortekaas/Bellomy motioned to close the public portion of the meeting which carried unanimously.

Motion: Bellomy/Oja motioned to approve the CUP application submitted by Buell Consulting/Tillman Infrastructure/Robert Powell for construction of a 325' guyed communication tower (333' overall height) as set forth in the 5/7/2021 staff report. Motion carried unanimously (4 to 0, Chair Maasch did not vote).

Mr. Swenson explained the appeal process and final processing of the CUP to the representative.

Buell Consulting/Tillman/Johnson/Conditional Use—Part of NE NW of Section 24, Balsam Township 58-24, Parcel #04-124-2100—submitted a Conditional Use Permit (CUP) application for construction of a 325' guyed communication tower (333' overall height). Mr. Swenson entered the staff report dated 5/7/2021 into the record. No comments have been received. Brian Kabat, agent, with Buell Consulting was present and explained that this tower is also being built in partnership with AT&T and will improve cell phone coverage and emergency responder coverage (FirstNet). The public portion of the meeting was closed.

Motion: Oja/Bellomy motioned to approve the CUP application submitted by Buell Consulting/Tillman Infrastructure/Thor Johnson for construction of a 325' guyed communication tower (333' overall height) as set forth in the 5/7/2021 staff report. Motion carried unanimously.

Mr. Swenson explained the appeal process and final processing of the CUP to the representative.

Nancy Miller/Miller-Persons Properties/Rezone— Lots 26-37, East Wendigo Park, Section 23, Harris Township 54-25, submitted an application for rezone from Recreational Commercial to Rural Residential. This application was tabled until the June meeting due to noticing issues.

Motion: Butterfield/Kortekaas motioned to table the rezone application submitted by Nancy Miller until the June PCBA meeting. Motion carried unanimously.

At 9:47 a.m., there was a 5 min. recess and the meeting was called back to order at 9:55 a.m. with the same members present.

Jeremy & Stacie Nelson/CUP—Lot 5, Section 22, Lawrence Township 57-24, Parcel #23-022-1300—submitted a CUP application to amend a previously approved conditional use permit (campground for legion members only) and reopen the 10-unit campground to the general public and add sewer/water hookups. Mr. Swenson entered the staff report dated 5/7/2021 into the record. He noted that Permit #040687 issued on 7/20/2004 (referred to in #4 of staff report) for the 6 additional sites is void since the campsites were never added (permit is only valid for 2 yrs.). It was noted that property owners within ¼ mile were notified as per state requirements. Stacie Nelson was present and discussed their proposed plan to reopen the campground for the 10 existing sites and add septic/water (sites already have electricity); there is an existing dumping station but the applicants have been working to obtain a design for a septic system. Her discussion also included that there will be no boat launching on the property and due to the difficult access (boats need to be launched at the public access on Lawrence Lake and the water is usually too low to go under the bridge) and their shallow shoreline she does not expect increased boat traffic/beaching. She also mentioned that there will be no events/weddings/reunions (the lodge is now their home) and discussed details regarding the ATV trail which is not located on their property (and added to the record PCBA 17 – aerial photo showing ATV trail/deeded access). At 10:15 a.m. there was a short recess and meeting was called back to order at 10:20 a.m. Commissioner Ben DeNucci, was present in support of the application, since he considered it to be a reasonable request (with a previously permitted history), supported by the comp plan and thought the County Board would also support this type of business. He further mentioned that since the applicants live onsite, they can address issues and also commented that lakes are public waters. Esther Savage was present and in opposition; she noted that it is an approximately 146-acre lake (with 50-60 residents) and her concerns included the effect on property values; future expansion; lease contract details--#2 and #18 regarding use by guests (will additional guests/campers be allowed?); boat access/beaching and supervision when owners are gone. She also added that since there is no commercial property on Lower Lawrence the use is not compatible; there is no benefit to other property owners; the prior CUP was for legion members only and there were issues with noise. Ms. Nelson clarified the campsites will be leased seasonally (approx. May to October); she will reword the lease agreement (will remove “campers” from #18 and campsites will be limited to 5 people); the beach/dock is private and will not be for campers' use (although swimming may be allowed); boat access issues will limit/prevent beaching of boats; if owners are gone they will have someone else supervise and the campground will help to support other local businesses. Jacoba Bunna and Steve Storby were also present and in opposition with some of the concerns as previously mentioned. Ms. Bunna also mentioned she monitors the lake water clarity for the MPCA and noted it did decline last year (from 6' to 3' in some areas). It was noted there was no lake association. Steve Storby's discussion included details regarding the lake access lot (to the west)/easement and concerns with the effect on property values/marketability. Ms. Nelson confirmed they have no plans to expand the campground to more than 10 sites at this time. Carissa McIlwain-Nelson was also present and discussed various details including noise issues and property values. Mr. Swenson noted that uncontrolled beaching is prohibited in the current ordinance and continuous beaching in the 2nd tier may be questionable/require a plan. The public portion of the meeting was closed.

Motion: Oja/Kortekaas motioned to approve the CUP application submitted by Jeremy & Stacie Nelson to reopen a 10-unit campground for the general public as set forth in the 5/7/2021 staff report with the below condition. Motion carried unanimously.

Condition/s: Any future expansion of the campground would require PCBA approval.

Mr. Swenson explained the appeal process and final processing of the CUP to the representative.

Kortekaas/Butterfield motioned to adjourn the Planning Commission meeting and open the Board of Adjustment.

Robert & Rebecca Hanson/Variance—RD #3 of Lot 2, Section 1, Unorganized Township 59-25, Parcel #59-001-1204—submitted an application for variance from Section 5.6.7B of the Zoning Ordinance to enclose an existing 8'x16' deck which does not meet the required setback from the OHWL of Antler Lake. This application was withdrawn, after further review, since it was determined that a variance was not needed.

Other:

Water Plan Implementation Committee (WPIC). Member Butterfield mentioned SWCD will hold a public hearing on the One Watershed, One Plan (1W1P) on 5/27/2021 from 10 a.m. to 12 p.m. in the County Boardroom.

At 12:05 p.m., Chair Maasch adjourned the meeting.

By: _____
Diane Nelson, Recording Secretary