



ITASCA COUNTY PLANNING COMMISSION/BOARD OF ADJUSTMENT

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

Wednesday, 11/12/2025

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, 11/12/2025, at 9:00 a.m. in the County Board Room of the Courthouse with the following in attendance:

MEMBERS PRESENT: Mike Bellomy, Dan Butterfield, Conley Janssen, Mike Oja, Lisa Maasch;

ABSENT: None;

EXOFFICIO: Environmental Services Director Katie Benes, County Engineer Karin Grandia;

GUESTS: Andrew Shaw, Lonny Witkofsky, Bill Heig, Tyler Stark, Mike Schuster, Brook Kirwin, Karl Larsen, Peggy Clayton, Mindy O'Brien, Maverick Larson, Julie Hawk, Paul Brown, Joe Stauffer, Ryan Litfin, Guy Buonincontro

Chair Bellomy 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. ESD Katie Benes requested the PCBA's interpretation on items relating to cannabis and conditional use permits be added to the agenda. Butterfield/Maasch motioned to approve the agenda as modified and motion carried unanimously.

Minutes. Butterfield/Janssen motioned to approve the minutes of the 10/08/2025 hearing as distributed and motion carried unanimously.

Michael Schuster/Lonny Witkofsky/CUP—(Part of NE SE and Part of SE SE, Section 11, Unorganized Township 146-27, Parcels #79-011-4102, 79-011-4103, 79-011-4401) — submitted a CUP application for a Home Occupation II for a seasonal ice fishing access road. (This application was presented at the 10/8/2025 hearing and denied acceptance since it was too similar to the prior (2024) application and it was consensus of the Board it did not justify further review. After discussion with the County Attorney on 10/8/2025, members agreed to hold a public hearing.) PCBA 42 (letter from Karau family) was added to the record. Andrew Shaw was present as representative and his discussion included that the reasons why the 2024 CUP application was denied have been addressed (those concerns included: disturbance of wetlands, SWCD approval, traffic-there is less traffic in the winter, etc.). Additional concerns regarding parking were discussed. Lonny Witkofsky was present and clarified parking is only allowed on the ice. Karin Grandia was present, her comments included that Winnie Drive is not a County Rd. (not plowed by the County) and no complaints have been received regarding the county road or snowplowing ability. Bill Heig, Bowen Lodge, was present in opposition, he agreed that parking was on the ice but very close to the shore, questioned if the use would be considered a Home Occupation II and how many vehicles would be anticipated per day (submitted PCBA 43). Tyler Stark was also present in opposition; he maintains property on Winnie Dr. and has had to wait for traffic since the road is not wide enough for two vehicles (with ice houses) to pass through (submitted PCBA 44). Attorney Shaw further commented it is only a driveway, there is no commercial activity and is not sure why this permit should not be granted. Lonny noted his busiest day (that he has been able to keep track of) was 28 vehicles. In regard to the parking area, he can plow snow to keep vehicles on the ice further from the shoreline in the swampy area (where there are no residences) if there is snow or, if not enough snow, can try to stake it out. Mike Schuster was present and confirmed he is a year-round resident (though he does not have a mailbox at

this site). Butterfield/Maasch motioned to close the meeting to public input and motion carried unanimously. There was discussion; Member Butterfield had concerns with traffic and that the commercial business does not fit into the area.

Motion: Janssen/Maasch motioned to approve the CUP application submitted by Michael Schuster & Lonny Witkofsky for a Home Occupation II for a seasonal ice fishing access road as set forth in the 11/7/2025 staff report using Best Management Practices and the below conditions. Motion carried by majority vote (3:2). Janssen, Oja, Maasch voting Aye; Bellomy, Butterfield voting Nay.

Condition/s: 1) Maintain suitable access on Winnie Drive Road to allow two vehicles to pass through;
2) Maintain a 5' setback from the OHWL through berm or lathe;
3) Maintain any licenses required by the County or State for the operation of the business

At 10:45 a.m. there was a 10 min. recess and the meeting was called back to order at 10:55 a.m.

Karl Larsen/Brook Kirwin/CUP—(Part of SE SE, SW SE, NE SE, Section 12, Harris Township 54-25, Parcels #19-012-4431, 19-012-4419, 19-012-4305) — submitted a CUP application to amend CUP #240338 for an educational facility (for 50 students) to expand to 150 students. The following documents were added to the record: PCBA 14 – email comments from Jessica Rieland; PCBA 15 – email comments from Jeff Ericson & Kelly Kirwin; PCBA 16 – email comments from Breanna Church and PCBA 17 - aerial photo of the property and surrounding area. Brook Kirwin and Karl Larsen were present and discussed their CUP application requesting an amendment to increase the number of students from 50 to 150 students due to demand (there will be a minimal increase per year over a 10-year period); the student/teacher ratio is 10 to 1; there is privacy fencing and gated entrances; no complaints have been received to date; a new well has been drilled, all available data does not show there has been any impact on neighboring wells; there have received no complaints from surrounding neighbors and noted there is an existing fence along the Schroeder property. Peggy Clayton, Harris Township, was present and commented that Harris Township has recommended approval. Mindy O'Brien and Maverick Larson (current student) were present in support. Julie Hawk was present in opposition with concerns that the school is not compatible with the residential neighborhood, environmental impact, noise, supervision, etc. Paul Brown was present with questions regarding the hockey rink lights and impact on property taxes. The applicants noted the hockey rink lights are usually off after school but may occasionally be on later. Oja/Maasch motioned to close the public portion of the meeting which carried unanimously.

Motion: Butterfield/Maasch motioned to approve the CUP application submitted by Karl Larsen & Brook Kirwin to amend CUP #240338 to expand from 50 students to 150 students as set forth in the 11/07/2025 staff report. Motion carried unanimously with the following conditions:

Conditions: 1) Complete the fence along the Beyer/Brown property lines within one year;
2) Ice rink lights turned off by 9:00 pm;
3) Comply with Best Management Practices;

Oja/Janssen motioned to close the Planning Commission and called the Board of Adjustment meeting to order and motion carried unanimously.

Joe Stauffer/Variance—(Lots 79-80, Old Point Comfort, Section 22, Harris Township 54-25, Parcel #19-520-0790) — submitted a variance application to replace a 28'x32' garage located 3' from the side property line with a 28'x40' garage at the same location. An updated site plan was added to the record. The application was also amended to include a variance for the garage to be located 0' from the septic system. ESD Katie Benes noted the parcel is well mitigated; the hillside is well vegetated and there are existing swales. Joe Stauffer was present and discussed his variance application to replace the existing garage at its current

location and with a larger garage adding 8' to the west and noted the property is adjacent to publicly dedicated access to lake (to the east). Peggy Clayton was present, Harris Township, and commented the township has recommended approval. Butterfield/Maasch motioned to close the public portion of the meeting which carried unanimously.

Motion: Butterfield/Oja motioned to approve the variance application submitted by Joe Stauffer to replace a 28'x32' garage with a 28'x40' garage located 3' from the side property line and 0' from the septic system (as amended) as set forth in the 11/7/2025 staff report. Motion carried unanimously.

Condition: Comply with Best Management Practices

At 12:10 p.m. there was a 10 min. recess and the meeting was called back to order at 12:20 p.m.

Ryan Litfin/Variance—(Part of Govt 6, Section 24, Carpenter Township 62-24I, Parcel #10-224-3306) submitted a variance application for construction of a 15'x36' deck/36'x36' dwelling/36'x30' garage to be located 50' from the OHWL of Deer Lake, Recreational Development 2 Class. Added to the record was PCBA 09 – email comments and survey submitted by Brandon Larson (concerns with a drainage area). ESD Katie Benes mentioned that no mitigation plan has been submitted since the property is undeveloped; the existing buffer is in great shape and required to remain compliant with the shoreland buffer requirements. Ryan Litfin was present and discussion included that the proposed site is the only feasible location (with accessibility) due to the topography; gutters will be installed and drainage between this and the adjacent property will be maintained (addressing Brandon Larson's concern). It was also noted that there will be a height restriction of 25' for the structure. Butterfield/Maasch motioned to close the public portion of the meeting which carried unanimously.

Motion: Oja/Maasch motioned to approve the variance application submitted by Ryan Litfin for construction of a 15'x36' deck/36'x36' dwelling/36'x30' garage to be located 50' from the OHWL as set forth in the 11/7/2025 staff report. Motion carried unanimously.

Condition/s: Install gutters

Guy & Megan Buonincontro/Variance—(Part of Govt. 5, Section 5, Unorganized Township 58-26, Parcel #66-005-1306) — submitted a variance application for construction of a 15'x50' deck/36'x50' dwelling/22'x24' attached garage to be located 85' from the OHWL and 10' from the side property line. #2 of staff report was corrected to be 85' from the OHWL (not 50'). No mitigation plan has been submitted since the property is vacant, the existing buffer is good and should maintain the required buffer requirements. Guy Buonincontro was present, and his discussion included that a variance is needed since there is less than 2500 SF of usable area. Oja/Maasch motioned to close the public portion of the meeting which carried unanimously.

Motion: Bellomy/Butterfield motioned to approve the variance application submitted by Guy & Megan Buonincontro for construction of a 15'x50' deck/36'x50' dwelling/22'x24' attached garage to be located 85' from the OHWL and 10' from the side property line as set forth in the 11/7/2025 staff report. Motion carried unanimously.

Anna Dosen-Hicks/James Hicks/Variance--The applicants have requested their application be withdrawn.

Janssen/Maasch motioned to close the Board of Adjustment and open the Planning Commission and motion carried unanimously.

Conditional Use Permits for Cannabis. ESD Katie Benes explained since the State of Minnesota has legalized adult use cannabis, retail businesses are licensed through the State but also require registration through a local jurisdiction. Itasca County is required to have a retail registration process and cities/townships can delegate this authority to the counties if they choose. The County Commissioners have decided not to adopt a new ordinance regulating cannabis so it will be regulated by the Zoning Ordinance. State licensing requires retail registration with local government and compliance with local zoning. It was noted that low-potency edibles have been allowed to be sold for some time without a license but now require licensing. She is requesting the Planning Commission provide interpretation as to how to consider/regulate cannabis businesses (i.e. as retail businesses; controlled substance businesses; if a business already has a CUP and they are already selling a controlled substance such as alcohol does cannabis fit into that and a CUP is not required; would a grandfathered business require a CUP; and should low-potency edibles be handled differently or as a controlled substance?).

Bellomy/Maasch motioned that a CUP shall be required for the sale of cannabis products and will only be sold in liquor stores or a stand-alone business as a controlled substance. Motion carried unanimously.

Bellomy/Maasch motioned that a CUP shall not be required for the sale of low potency edibles/drinks and they will not be handled as a controlled substance. Motion carried by majority vote 4:1 (Butterfield voting Nay).

At 1:35 p.m., the meeting was adjourned.

By: _____
Diane Nelson, Recording Secretary