

**OFFICIAL PROCEEDINGS OF THE
RICE COUNTY PLANNING COMMISSION
Commissioner's Room / Government Services Building
Thursday, May 25, 2023 at 6:30 PM**

I. Call to Order

A. Roll Call

The meeting was called to order both in-person and electronically by Chair Charlie Peters at 7:28p.m.

Members present were: Charlie Peters, Julia Hogan, Matt Purfeerst.

Members absent were: Michael Streiff, Garrett Johnson.

Staff present were: Zoning Administrator Trent McCorkell, Planner Jeremy Edwards, Clerk Laurie Johnson, Clerk Cassy Klumb.

Commissioners present: Jeff Docken.

Others present: see Sign-in Sheet and Registrant List.

B. Motion by Julia Hogan, seconded by Matt Purfeerst, Reading of the Notice

RESULT: Approved, AYES: Charlie Peters, Julia Hogan, Matt Purfeerst, NAYS: None

C. Motion by Matt Purfeerst, seconded by Julia Hogan, Approval as Amended

RESULT: Approved, AYES: Charlie Peters, Julia Hogan, Matt Purfeerst, NAYS: None

Item #2 Final Plat/Johnson - Section 8, Wells Township tabled per applicant request for the June 29, 2023 meeting.

D. Motion by Julia Hogan, seconded by Matt Purfeerst, to approve the minutes of May 4, 2023.

RESULT: Approved, AYES: Charlie Peters, Julia Hogan, Matt Purfeerst, NAYS: None

II.

New Business

1. Conditional Use Permit/Lindenfelser- Section 34, T112N, R19W, Northfield Township

Nick Lindenfelser, on behalf of landowner Paul and M Lindenfelser Trust, has applied for an amendment to an existing Conditional Use Permit for an Agricultural repair and fabrication shop. The property is described as: Part of the NW1/4 of the NW1/4, Section 34, Northfield Township, Rice County, Minnesota. PID#: 04.34.2.25.001. The property address is: 10075 Stanton Blvd, Northfield, MN 55057. The property is Zoned A, Agricultural.

Motion by Matt Purfeerst, seconded by Julia Hogan, to recommend approval of the Conditional Use Permit with the following conditions and findings for Nick Lindenfelser. The property is located in Section 34 of Northfield Township.

RESULT: Approved, AYES: Charlie Peters, Julia Hogan, Matt Purfeerst, NAYS: None

CONDITIONS OF APPROVAL - Lindenfelser - Conditional Use Permit (CUP)

1. The applicant is to follow all Federal, State, County and Local rules and regulations.
2. The conditional use permit is for an agricultural repair and fabrication shop. Applicant is to follow the approved site plan. Changes to the business are not permitted without approval of a new/amended permit.
3. All outside storage and parking shall be screened to public roads. Screening shall be provided by maintaining the existing tree cover on the north and west sides of the buildings.
4. All vehicles, equipment and trailers stored/parked outside shall have a current license if said license is required for use on a roadway.
5. There shall be no outside storage of waste materials.
6. Bathroom facilities shall be provided for employees.
7. All buildings shall meet building code for the intended use.

8. Onsite signage is allowed up to 32-sqft per side of sign.
9. Failure to comply with conditions may result in revocation of the conditional use permit.

Hearing Minutes:

Zoning Administrator Trent McCorkell (TM) presented the request to the Planning Commission (PC).

The PC asked the applicant, Nick Lindenfelser (NL), to come forward to add comments or answer questions regarding the request.

NL - Reapplying for a Conditional Use Permit because they asked me to do that.

CP - You are aware of the 9 conditions?

NL - Yes.

CP - Any questions for the applicant?

Chair Peters opened the public testimony portion of the item to the public and no one spoke.

Chair Peters closed the public testimony portion of the item to the public.

Discussion:

JH - They are making changes to the existing Conditional Use Permit so they had to come forward again with the additional storage area.

MP - I would agree.

Motion to recommend approval with stated conditions and findings made by Purfeerst, seconded by Hogan, and approved unanimously.

2. **Waiver of Plat/Schwartz - Section 30, Morristown Township**

Corey Schwartz, on behalf of landowner Vincent Schwartz et al, has applied for a Waiver of Plat to create a building lot through the use of a Transfer Development Right. The property is described as: Part of the NW1/4 of the SW1/4, Section 30, Morristown Township, Rice County, Minnesota. PID#: 13.30.3.25.001. The property is Zoned A, Agricultural.

Motion by Matt Purfeerst, seconded by Julia Hogan, to recommend approval of the Waiver of Plat with the following conditions and findings for Corey Schwartz. The property is located in Section 30 of Morristown Township.

RESULT: Approved, AYES: Charlie Peters, Julia Hogan, Matt Purfeerst, NAYS: None

CONDITIONS OF APPROVAL - Schwartz - Waiver of Plat (WOP)

1. The new 2.5-acre Transfer Development Right (TDR) receiving parcel shall contain one single family dwelling.
2. Any new construction on the parcels is to adhere to all Rice County codes and ordinances.
3. The remaining parcel and TDR receiving parcel shall not be further subdivided or combined with other land(s) unless approved under the Rice County subdivision regulations.
4. The conservation easement for the TDR sending area shall be recorded at the same time or before the new parcel is recorded.
5. Within one year of this approval the applicant shall record a new deed, at the Rice County Records Office, containing just the TDR receiving parcel.
6. In-lieu park dedication fee of \$500 shall be paid prior to recording of the new parcel.

Hearing Minutes:

Zoning Administrator Trent McCorkell (TM) presented the request to the Planning Commission (PC).

The PC asked the applicant, Corey Schwartz (CS), to come forward to add comments or answer questions regarding the request.

CS - The goal is to create a 2-1/2 acre parcel to build a house there, transfer the building right to the 2-1/2 acre site.

CP - You're aware of the 6 conditions?

CS - Yes.

Chair Peters opened the public testimony portion of the item to the public and no one spoke.

Chair Peters closed the public testimony portion of the item to the public.

Discussion:

CP - Pretty straight forward TDR.

JH - You can't build a house back in that location so it makes sense to bring it forward.

Motion to recommend approval with stated conditions and findings made by Purfeerst, seconded by Hogan, and approved unanimously.

3. **Conditional Use Permit/Lynch- Section 26, Webster Township**

Gary Lynch, on behalf of landowner Gary Lynch Trust, has applied for a Conditional Use Permit for a Liquefied Petroleum (Propane) Gas Distribution Service business. The property is described as: Part of the NE1/4 of the SW1/4, Section 26, Webster Township, Rice County, Minnesota. PID#: 02.26.3.00.002. The property is Zoned A, Agricultural.

Motion by Julia Hogan, seconded by Matt Purfeerst, to recommend approval of the Conditional Use Permit with the following conditions and findings for Gary Lynch. The property is located in Section 26 of Webster Township.

RESULT: Approved, AYES: Charlie Peters, Julia Hogan, Matt Purfeerst, NAYS: None

CONDITIONS OF APPROVAL - Lynch - Conditional Use Permit (CUP)

1. The applicant is to follow all Federal, State, County and Local rules and regulations.
2. The Conditional Use Permit is for a liquefied petroleum (LP) (propane) gas distribution service business consisting of bulk LP storage for delivery. Onsite activities consist of storage of bulk LP and delivery equipment. Changes to the business are not permitted without approval of a new/amended permit.
3. Business storage shall not exceed the following: One (1) 45,000-gallon bulk propane (LP) storage tank, six (6) LP delivery trucks/trailers, and six (6) employee vehicles.
4. The gravel fenced area shall be screened to roadways by a combination of tree planting and earthen berm to equal a minimum 6-ft height over the existing ground level. Tree plantings shall be at least a single row of an evergreen species with the spacing not more than 20-ft between trees and shall be maintained to provide for screening.
5. No onsite retail sales.
6. A portable toilet or rest room shall be provided for employee use.
7. All vehicles and trailers stored/parked outside shall be operable and have a current license.
8. Only business equipment owned or leased by the onsite business shall be stored on the site.
9. All buildings shall meet building code for the intended use.
10. Proof of compliance with applicable state/federal/local rules and regulations shall be submitted to the Rice County Environmental Services Department upon request.
11. Failure to comply with conditions may result in revocation of the Conditional Use Permit.

Hearing Minutes:

Zoning Administrator Trent McCorkell (TM) presented the request to the Planning Commission (PC).
TM - Any questions for staff? I think this is the third similar site that we have had in the last few years in the County.

MP - The driveway access is going to be off the tar road?

TM - No, this would be off Benton.

MP - The gravel?

TM - Yes, we have had those discussions with the applicant. As a County, we want to keep access to the

less busy roadways whenever possible.

CP - Can you put the 11 conditions up. I believe we have two open blanks we need to work through.

TM - Yes, typically, when we have had other LP sites you have addressed the number of vehicles that are kept on site outside, whether that be employee or, delivery vehicles, or trailers. I didn't discuss that with the applicant and they were left blank on the conditions for you to discuss with the applicant.

CP - Any other questions?

The PC asked the applicant, Gary Lynch (GL) to come forward to add comments or answer questions regarding the request.

Brian Lynch (BL), Gary Lynch (GL), Mike Lynch (ML)

BL - I will speak on behalf of the project quickly. (*Waterford Oils, Northfield*) based petroleum and renewable distributor. The majority of our trucks and business are across the state. The majority of our equipment is taken home with employees all over the state. We are by no means moving headquarters or creating anything different. This would be a cold storage lot to help supplement our propane business which focuses on Ag and residential customers. We propose a cold storage shed. That would be very-aesthetically pleasing. We would like to berm the dirt, for privacy and protection. Aesthetically it will be well maintained, well kept up, and fenced. GL does have property nearby, so we do not have any intention of decreasing land values or anything like that. We will probably have four (4) LP trucks, we aren't dealing with any high volumes, no retail sales. We don't refill 20 lbs. cylinders. This is just to support the Ag and residential portion of our business in the community and surrounding areas.

JH - So your main business will still be in Northfield?

BL - Correct yes, it is just a propane storage.

CP - Is the storage shed for trucks?

GL - Trucks, equipment, there would be a few little trailers to move propane tanks around just to keep the place neat and organized, it would represent the community that surrounds it as Ag and it would blend in perfectly as it is Ag focused.

CP - You are aware of the 11 conditions? Looking at condition #3, are we looking at four (4) LP delivery trucks?

GL - Currently we have four (4) LP delivery trucks. We might add 1 or 2 in the future, but at some point the spot won't be able to facilitate more. We would be better off having another spot somewhere else geographically.

CP - So you would like to keep that at four (4)?

GL - We would like the possibility to add a few more down the road.

CP - So six (6)?

GL - Yea, we don't know.

CP - And the number of employees on that site?

BL - Possibly 4 or 5. We would have a technician that would float in and out of there to grab some supplies or tools. There would be two (2) smaller trucks that would load out of the facility and support the surrounding area and customers. Two (2) larger trucks would leave for the day and come back at the end of the night. We are not talking a high-volume traffic area.

CP - Six (6) employee vehicles, and six (6) LP delivery trucks.

BL - The lot at 350 feet by 350 feet wouldn't support a big storage lot with semis.

CP - So six (6) and six (6) then, your happy with that?

BL - Yes.

Chair Peters opened the public testimony portion of the item to the public and no one spoke.

Chair Peters closed the public testimony portion of the item to the public.

Discussion:

CP - I'm aware of Waterford Oil and they are very well organized and have a good plan.

JH - Makes sense on this site. Like they said it is Ag- based in that area.

MP - It sounds like they will be keeping it neat and orderly and it is a perfect location.

TM - Make sure that motion is with 11 conditions and 6 and 6 placed on condition #3.

Motion to recommend approval with stated conditions and findings made by Hogan, seconded by Purfeerst, and approved unanimously.

4. **Waiver of Plat/Olson - Section 5, Wheatland Township**

Hunter Olson, on behalf of landowners Kevin and Rita Olson, has applied for a Waiver of Plat to create a new building site through the use of a Transfer Development Right. The property is described as: Part of the SW1/4 of the NW1/4, Section 5, Wheatland Township, Rice County, Minnesota. PID#: 01.05.2.50.001. The property is Zoned A, Agricultural.

Motion by Matt Purfeerst, seconded by Julia Hogan, to recommend approval of the Waiver of Plat with the following conditions and findings for Hunter Olson. The property is located in Section 5 of Wheatland Township.

RESULT: Approved, AYES: Charlie Peters, Julia Hogan, Matt Purfeerst, NAYS: None

CONDITIONS OF APPROVAL - Olson - Waiver of Plat (WOP)

1. The new 2.5-acre Transfer Development Right (TDR) receiving parcel shall contain one single family dwelling.
2. Any new construction on the parcels is to adhere to all Rice County codes and ordinances.
3. The remaining parcel and TDR receiving parcel shall not be further subdivided or combined with other land(s) unless approved under the Rice County subdivision regulations.
4. The conservation easement for the TDR sending area shall be recorded at the same time or before the new parcel is recorded.
5. Within one year of this approval the applicant shall record a new deed, at the Rice County Records Office, containing just the TDR receiving parcel.
6. In-lieu park dedication fee of \$500 shall be paid prior to recording of the new parcel.

Hearing Minutes:

Zoning Administrator Trent McCorkell (TM) presented the request to the Planning Commission (PC).

The PC asked the applicant, Hunter Olson (HO), to come forward to add comments or answer questions regarding the request.

HO - Just looking to build a house on a 2-1/2 acre parcel being transferred from a neighbor down the road.

CP - You're aware of the 6 conditions that go with this?

HO - Yes.

Chair Peters opened the public testimony portion of the item to the public and no one spoke.

Chair Peters closed the public testimony portion of the item to the public.

Discussion:

MP - Transfer seems pretty straight-forward. 2-1/2 acres, makes sense.

Motion to recommend approval with stated conditions and findings made by Purfeerst, seconded by Hogan, and approved unanimously.

6. **Waiver of Plat/Pineur - Section 23, Shieldsville Township**

Gregory Pineur has applied for a Waiver of Plat to create a building lot through the use of a Transfer Development Right. The property is described as: Part of the NW1/4 of the NE1/4, Section 23, Shieldsville Township, Rice County, Minnesota. PID#: 09.23.1.25.004. The property is Zoned A, Agricultural.

Motion by Julia Hogan, seconded by Matt Purfeerst, to recommend approval of the Waiver of Plat with the following conditions and findings for Gregory Pineur. The property is located in Section 23 of Shieldsville Township.

RESULT: Approved, AYES: Charlie Peters, Julia Hogan, Matt Purfeerst, NAYS: None

CONDITIONS OF APPROVAL - Pineur - Waiver of Plat (WOP)

1. The new 2.5-acre Transfer Development Right (TDR) receiving parcel shall contain one single

- family dwelling.
2. Any new construction on the parcels is to adhere to all Rice County codes and ordinances.
 3. The remaining parcel and TDR receiving parcel shall not be further subdivided or combined with other land(s) unless approved under the Rice County subdivision regulations.
 4. The conservation easement for the TDR sending area shall be recorded at the same time or before the new parcel is recorded.
 5. Within one year of this approval the applicant shall record a new deed, at the Rice County Records Office, containing just the TDR receiving parcel.
 6. In-lieu park dedication fee of \$500 shall be paid prior to recording of the new parcel.

Hearing Minutes:

Zoning Administrator Trent McCorkell (TM) presented the request to the Planning Commission (PC).

The PC asked the applicant, Gregory Pineur (GP), to come forward to add comments or answer questions regarding the request.

GP - Looking for a 2-1/2 acre transfer for a building site.

CP - You're aware of the 6 conditions?

GP - Yes.

Chair Peters opened the public testimony portion of the item to the public and no one spoke.

Chair Peters closed the public testimony portion of the item to the public.

Discussion:

CP - Another straight forward TDR.

Motion to recommend approval with stated conditions and findings made by Hogan, seconded by Purfeerst, and approved unanimously.

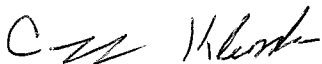
III.

Adjournment

Hearing no other items before the PC, a motion was made by Purfeerst, second by Hogan, to adjourn the meeting at 7:52 pm. Motion carried 3-0.

Respectfully Submitted

Planning Commission


Cassy Klumb


Charlie Peters, Chair

Office Support Specialist