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June 20, 2019 Minutes

Brookings County Planning & Zoning Commission
June 20, 2019 – 7:00 PM
Brookings City & County Government Center
310 Chambers

Chair Rochel called the special meeting to order at 7:01 PM. Commission members present were: Robert Rochel, Kimberly Elenkiwich, Darrell Nelson, Darrel Kleinjan, Terrell Spence, Michael McHugh, Randy Jensen, Chad Ford and alternate board member Roger Erickson. Absent - Mike Bartley and Tom Davis.

Chair Rochel read **agenda item # 2: Items to be added to agenda by commission members or staff.** a) Richard Haugen noted no additions.

Chair Rochel read **agenda item # 3: Invitation for citizen to schedule time on the commission agenda for an item not listed. Time limited to 5 minutes per person to address the board.** No one scheduled time to address the board.

Chair Rochel read **agenda item # 4: Disclosure of Conflicts of Interest: Relationship(s) to Applicant; or Ex Parte Communication.** McHugh noted conflict of interest on agenda item # 7 – 2019cu006.

Chair Rochel read **agenda item # 5: Approval of Agenda.** Chad Ford moved to approve the agenda. Roger Erickson second. Chair Rochel called for a voice vote. 9-ayes and 0-nays, motion carried.

Chair Rochel stated, “We are now acting as the Brookings County Board of Adjustment” read the opening statement and **agenda item # 6: 2019var004: William L Hansen has made an application, 2019var004, to the Brookings County Board of Adjustment for a variance. Article IV District Requirements: Chapter 4.03 “LP” Lake-Park District: Section 4.03.03. Density, Area and Yard Regulation (Minimum Lake Front). The property is described as: “Lot 3 in Marvin Wade Subdivision in Government Lots 1, 2 & 3 in NE 1/4 Section 6, T112N, R52W (Laketon Township)” ~ located at 194 S. Lake Dr., Arlington, SD 57212.** Michael McHugh moved to approve the variance request. Kimberly Elenkiwich second. Chair Rochel opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, “William Hansen, has applied for a variance to replace the existing foundation, as it is in need of repair, with a basement on his

existing house, 44 feet from the highest known water mark on Lake Poinsett, a variance of 31 feet.” He noted: 1) the house and deck would remain the same distance from the lake as it was currently. 2) The new basement would be moved slightly to meet the 8 feet side setbacks on both sides. 3) The location of the septic tank and utility lines prevent the house from being moved farther back from the lake. 4) The house and deck would be in line with the neighboring properties on either side. 5) The current cabin was built in 1963 and the subdivision was platted in 1949, prior to the current Zoning requirements. 6) The applicant would be doing shoreline modification using plans that have been submitted to the SD Game, Fish and Parks once approved. 7) Portion of parcel is in the flood plain and a Flood Plain Development Permit would be completed and FEMA Floodplain standards for the proposed foundation would be followed. 8) Letters were sent to adjoining landowner, Laketon Township Chairman and Clerk. 9) Public notices were published in the Brookings Register on May 21 & 28, 2019 and republished on June 11 & 18, 2019 and in the Arlington Sun on May 23 & 30, 2019 and republished on June 13 & 20, 2019. This was due to the rescheduling of agenda item. Mr. Haugen then presented a visual presentation of the site. Chair Rochel asked the applicant to come forward and address the board. The applicant and his contractor Clint Kooima came forward. Mr. Hansen identified himself as William “Bill” Hansen and stated, “I think Richard hit everything. The shoreline which you saw (in the visual report) is starting to fall in, that is the biggest thing we wanted to fix. In doing this I would like to also add some space to the cabin by putting in a basement. I would like to keep it in similar location and in line with neighboring houses.” Chair Rochel opened up for questions from the board. Board members Rochel, Nelson, Jensen, Elenkiwich and Ford discussed: (1) distance of neighboring properties from the lake, trees and view from property. (2) Location of septic system and possibility of moving house site back 2-3 feet. (3) Structure age, location and slope of neighboring properties. (4) Elevation of the lot: Depth of 22 feet from proposed basement floor to high water elevation. (5) Shoreline stabilization – 8 foot retaining wall. Generally consensus of the board was to be 47 feet from highest known water mark. He opened up the public hearing portion asking for questions or comments from the audience opponents and proponents, seeing none he closed the public hearing. Chair Rochel asked for additional comments from the board, hearing none he asked Mr. Haugen to go over the findings of facts, with any additions, which are on file. Chair Rochel called for a roll-call vote: Erickson-aye, McHugh-aye, Elenkiwich-aye, Nelson-aye, Kleinjan-aye, Ford-aye, Spence-aye, Jensen-aye, Rochel-aye. 9-ayes, 0-nays, motion carried.

Chair Rochel read **agenda item # 7: 2019cu028: Michael G. Glazier has made an application, 2019cu006, to the Brookings County Board of Adjustment for a conditional use. Article 11: Section 11.01: “A” Agricultural District: Conditional Use Permit # 20: Home Extended Business”. The property is described as: “S1/2 SE1/4 of Section 17, T112N, R47W (Lake Hendricks Township)” ~~ located at 48578 199th St, Hendricks, MN 56136.** Kimberly Elenkiwich moved to approve the conditional use request. Roger Erickson second. Chair Rochel noted board member McHugh removed himself, no alternate was available so the chair would sit empty. Chair Rochel opened up

for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, "Michael G. Glazier has applied for a conditional use permit #20: Home Extended Business for a temporary seasonal camp ground for construction workers." He noted: 1) the initial plan is for 14 hookups, with space for 10 additional hookups if needed. 2) RV electrical, plumbing and sewer hookups to service individual camping pads would be installed. 3) Rural water was on site and would be used for camp sites. 4) Septic System – large existing septic system on site would be used and a maintenance schedule with a septic maintenance company to pump the tank would be established. 5) SD Department of Environment and Natural Resources was contacted and advised that 14 sites would meet their specifications, if 10 additional sites are added an additional septic tank would need to be installed. 6) The SD Department of Health was contacted and advised to have: (a) fire extinguisher available outside (b) dumpster service for the tenants and (c) outside rodent and pest control. 7) Site is located along 199th Street, Brookings County blacktop road #44 and the existing driveway would be used. 8) Camping sites are for construction worker use only, no recreational camping will be allowed. 9) Dumpster service will be located on site and storm shelter would be located in the applicants private residence located on the site. 10) Once construction in the area completed, infrastructure would be removed and area would be put back into grass. He noted that letters were sent to adjoining landowners, Lake Hendricks Township Chairman and Clerk and the Brookings County Highway Superintendent. And that Public notices were published in the Brookings Register on May 21 & 28, 2019 and republished on June 11 & 18, 2019 and in the Hendricks Pioneer on May 22 and 29, 2019 and republished on June 12 & 19, 2019. This was due to the rescheduling of agenda item. Mr. Haugen then presented a visual presentation of the site. Chair Rochel asked Mr. Glazier to come forward and address the board. The applicant, Michael Glazier stated, "I don't really have anything to add, Richard pretty well summed it up. It's only for construction workers and when the construction is done it will be put back as it is today. There is just a need for it, so we wanted to do what was needed." Chair Rochel opened up for questions from the board and asked if permit was just for one year. Mr. Glazier noted that the project would be ongoing for 7 years. He would reapply if he decided to in the future should the permit only be valid for 1-3 years. Chair Rochel clarified that the permit would be valid for 3 years if it was approved. Board members Rochel and Nelson discussed type of road the site was near (black top county road), lay of the land and gravel usage on sites. Board members Elenkiwich and Ford addressed: (1) the placement and permit requirement of future sites if expand with 10 additional sites in the future (2) Current septic system ability to contain usage from 15 sites. Mr. Glazier had noted the septic system would handle 15 he had 15 hook-up in place and asked that the current permit be for 15 sites. (3) Applicant lived on site and would maintain order on the property. He opened up the public hearing portion asking for questions or comments from the audience opponents and proponents. Darlene Nelson came forward and asked if the proposed sites were large enough (20x40) and wondered if some sites should be larger. Mr. Glazier noted he allowed for this by planning for larger (25 feet wide) sites. Hearing no further comments Chair Rochel closed the public hearing. Chair

June 20, 2019

Meeting Minutes DRAFT

Page 3 of 4

Rochel asked for additional comments from the board. Board member Elenkiwich, asked for plans once done with the temporary campground. Mr. Glazier noted most of the area would be returned to grass and some current graveled areas would be increased. Board members Nelson and Erickson verified that Mr. Glazier would continue to live on site and also that neighbors had been contacted and were ok with the campground. Chair Rochel asked for additional comments from the board, hearing none he asked Mr. Haugen to go over the findings of facts, with any additions, which are on file. Chair Rochel called for a roll-call vote: Elenkiwich-aye, Nelson-aye, Kleinjan-aye, Ford- aye, Spence-aye, Jensen-aye, Erickson x-ayes, Rochel-aye. 8-nays, 0-nays, motion carried. McHugh returned to his chair.

Chair Rochel read **agenda item # 9: Executive Session, if Necessary.** Noted no need for executive session.

Chair Rochel asked for a motion to adjourn. McHugh made a motion to adjourn the meeting, Ford second. Chair Rochel called for a voice vote.

Chair Rochel adjourned the meeting at 8:00 PM.

Rae Lynn Maher
Brookings County
Development Department.