



BARNES COUNTY – PLANNING AND ZONING

Planning and Zoning
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Minutes – February 8, 2018

Members Present: Bill Carlblom, Vern Roorda, Mike Schwehr, John Froelich, Jeff Bopp, Scott Legge, Mike Bishop, Dave Carlsrud, John Behm

Also Present: Carl Martineck, Jessica Jenrich, Michael Johnson, Charles Wendel, Mike Robinson, Robert Eggert, Kerry Johnson

Meeting called to order by Chairman Mike Schwehr

Motion by Carlblom, 2nd by Roorda to approve the January 11, 2018 minutes. Motion carried.

Meeting recessed for the Hearing for WBI Energy for a Conditional Use Permit for Utilities. No one appeared to protest. Chairman Schwehr reopened the meeting for discussion. Michael Johnson & Mike Robinson from WBI were present to answer any questions regarding this project. There is already an existing pipeline that they are building a regulator building substation for this pipeline, there were questions if this will be at least 75 feet from the center of the road and yes it will be. There was discussion that there may need to be a variance done for one of the buildings that will be built and that will be at the next meeting. Motion by Froelich, 2nd by Carlblom to approve the Conditional Use Permit for Utilities for WBI Energy. Motion carried.

Meeting recessed for the Hearing for ICTC for a Variance for Utility Setback of 35' from the center of the township roads and a Conditional Use Permit for Utilities. No one appeared to protest. Chairman Schwehr reopened the meeting for discussion. The board was discussing this and since they have made other companies move their lines before they feel that this needs to be at the 75' mark from the center of the road. Motion by Froelich 2nd by Legge, to Deny the Variance for Utility Setback of 35' from the center of the Township roads. Motion by Legge, 2nd by Carlblom to approve the Conditional Use Permit for Utilities as long as they move back to the 75' setback. Motion carried.

Meeting recessed for the Hearing for Jon Buchholz for a Variance for Tree Setback of 100' from the center of the township road. No one appeared to protest. Chairman Schwehr reopened the meeting for discussion. Jenrich informed the board that there are other trees in front of where he is planning on planting these trees. Motion by Behm, 2nd by Bishop to approve the Variance for Tree Setback of 100' from the center of the township road since there are trees already closer to the road. Motion carried.

Discussion on if the board wants to do the blanket rezone of the Lake. There was some talk about putting a committee together to do some discussion about it before doing a hearing. Schwehr and Bopp from the board will be a part of this process. Jenrich will work on getting something put together and keep the board up to date.

Discussion on trees as to when property owners that had their variances denied need to have their trees removed by. The board decided that at the latest they should be removed by June 1st. The board also decided any trees planted 3 years and newer need to be moved.

Rob Eggert was present to speak to the board about the preliminary subdivision for Lake View Second Subdivision. There were questions as to where access to the lots along the road will be, as there can't be anymore approaches. Mr. Eggert informed the board there is one approach that they could use and have an access road go behind those lots to access their properties. Most of the lots are already spoken for by owners that have lots in the Lake View Sub already. The decision was made that at the next meeting when the final plat is brought in that we zone it as Residential, then if they decide to do the rezone later it can be rezoned then. The board just had the one change for the plat which was just to add that access point and show where they will access those lots. A lot of lots will be the same owners and there is a couple lots that will be tiled to help with water issues.

There was some discussion on Drainage tile and Subservice Drainage. Froelich explained how the state changed the law so that when you apply for tile drainage permit, the water board does not have any authority over water getting dumped into a ditch. The concern is for water being dumped into a ditch and the water pooling there and becoming a wetland and then the county would have to deal with a wetland when fixing roads, also if someone were to roll their vehicle and land in the water. In some cases, the property owners are using a pump to get the water into the ditches and Froelich believes these should be at the 75 feet setback. There is thought that if someone is going to do tiling and they want to drain it into a ditch they need to get a permit. Kerry Johnson was in attendance to explain a little more and to express his concerns with water being in the ditches. Martineck has been looking into this and will contact the state to see if we can consider this a utility and also will we need a permit application like the state does if they put the water into the ditch.

The following building permits were reviewed:

WBI Energy – Metter/Regulator Cabinet – Aud Lt 1 N1/2 SW1/4, 23-140-60, Potter Twp
Brian Roehrich – Storage Shed – SW1/4 less 2.90A R/W & 12.65A, 22-143-58, Sibley Trail Twp

Michael Vogel – Grain Bin – SE1/4, 18-137-60, Rosebud Twp

Chey Spitzer – Residence(Renewal) – Tract in NE1/4, 33-140-59, Hobart Twp

Michael Olauson – Barn(Renewal) – SE1/4, 06-139-59, Green Twp

Michael Olauson – Residence(Renewal) – SE1/4, 06-139-59, Green Twp

Motion by Carlblom, seconded by Bishop to adjourn the meeting. Motion carried, meeting adjourned.

Jessica Jenrich, P&Z Administrator