

LYNDEN TOWNSHIP BOARD
Special Meeting
LYNDEN TOWN HALL PLAT
DECEMBER 16, 2022

Those present at the Lynden Township Hall were Supervisors Dave Johnson and Dennis Niemi. Johnson called the meeting to order at 1:31 p.m.

Agenda: Feedlot Restriction Status on Lynden Town Hall Plat

Supervisors reviewed Preliminary Plat Review Approval letter from 12-14-22 from Jennifer Buckentine, SCES, (see attached) containing reference to Feedlot restrictions. Contrary to what been communicated previously from Buckentine, the Preliminary Plat Review Approval letter from 12-14-22 states "...feedlot set backs are not required for a government building". Likewise, in an email from Becky Schlorf on 12-13-22 read in pertinent part:

On Tue, Dec 13, 2022 at 2:08 PM Schlorf, Becky <Rebecca.Schlorf@co.stearns.mn.us> wrote:

Hi Dennis,

This email is regarding the proposed Lynden township hall and the feedlot setback.

The Environmental Services Department will not apply a 1,000-foot setback from a feedlot to a township hall or vice versa because the current language of the ordinance is not clear enough.

In accordance with the plat review checklist (see attached), a motion was made by Johnson to authorize Niemi to pursue water and septic system vendors for the site for plans and compliance; and, work with Twp attorney Ruppe on preparing Subdivision agreement as well as detailed plan and directions for the board to follow in furtherance of this project; and review and talk with architects regarding building design and estimate. Motion seconded by Niemi, and approved by unanimous vote

Motion made by Johnson to adjourn, seconded by Niemi, motion approved by unanimous vote Meeting adjourned at 1:55 p.m.

Respectfully submitted,

David L Johnson, Chair



COUNTY OF STEARNS

Environmental Services Department

Administration Center Rm 343 • 705 Courthouse Square • St. Cloud, MN 56303
320-656-3613 • Fax 320-656-6484 • 1-800-450-0852

December 14, 2022

City of St. Cloud
c/o Matt Glaesman
1201 7th St South
St. Cloud MN 56301

Dear Mr. Glaesman:

The Stearns County Environmental Services Department has reviewed your preliminary plat entitled “Lynden Township Hall” located in Lynden Township. The Department has approved the preliminary plat with the following conditions:

1. A **Declaration of Restriction** is required stating, in order to protect the two soil treatment areas on each lot for sewage treatment use, they shall be maintained in an undisturbed and natural state.
2. A **Subdivision Agreement** is required stating the following:
 - a. Construction site best management practices (BMPs) shall be required during construction of any new structures in accordance with *Section 7.10 of Stearns County Land Use and Zoning Ordinance 439, or successor Ordinance.*
 - b. In order to protect them for sewage treatment use, the two soil treatment areas on each lot, as designated on the preliminary plat, shall be staked and roped off prior to any ground disturbing activity on each lot.
 - c. Wetland review is required prior to issuing a construction site permit for the property. If there are wetlands on the property, a wetland setback as required in *Stearns County Land Use and Zoning Ordinance #439, or successor ordinance* must be met for all structures.
 - d. The plat of Lynden Township Hall is located in an agricultural area and the construction, expansion, and operation of animal feedlots and other agricultural uses are permitted in this area. The Developers, therefore, acknowledge that future buyers may be exposed to the sights, sounds, smells, and conditions of modern agriculture
3. **Water Supply Verification** is required to be recorded with the final plat. (A water test for nitrates is required from a well within the plat or a well within 300’ of the plat boundary. Water sample shall be taken by the lab conducting the test or other professional; not by the landowner.)
4. A **Highway Certificate** is required to be recorded with the comments from the County Highway Department. (Comments enclosed.)

We will create items 1 - 2 listed above, for the City’s signature with the final plat.

Enclosed is the detailed plat review and highway comments for your information. The final plat must be submitted within one year from the date of this approval; however, an extension of up to one year may be requested.

When the final plat is submitted for recording, please be prepared to pay property taxes in full for the

current year and recording fees.

Pursuant to MN Statutes, chapter 15.99, we are extending the 60-day time frame in which the County must act on the final plat for an additional 60 days (to April 5, 2023). This will allow time for you to complete the above conditions and submit the final plat.

Feel free to give me a call if you have any questions.

Sincerely,

Jennifer Buckentine

CC: Dan Kron dan@omalley-kron.com

Matt Glaesman matt.glaesman@ci.stcloud.mn.us

Lynden Township Clerk clerk@lydentownship.net

Enc. Plat review

Highway comments

Stearns County Environmental Services Department
County Plat Review – MINOR SUBDIVISION

Plat Name: Lynden Township Hall **Parcel number(s):** 19.10537.0000

Number of Lots: 1 lot

Owner/Developer: City of St. Cloud

Acres within the Plat: 6.94 acres

Township: Lynden **Date of Twp Approval:** 12/5/2022

Zoning District: Agricultural 40 (A-40)

Overlay Districts: None

Date of Platting Committee Review: N/A

DESCRIPTION OF PROPOSAL

The applicant is requesting to plat 6.94 acres off of an 80 acre parcel. The intended use is for a Township Hall. The property being platted is zoned Agricultural 40 (A-40). The plat is part of the NW1/4 NE1/4 in Section 32 of Lynden Township (123/27), lying east of County Road 44 and north of 208th St East. The property address is 476 208th St East, Clearwater MN.

Lot Size and Density Requirements

The lot meets the minimum lot size requirements. Equivalent land area is not required because the property will not have a residential dwelling on it.

Soil Suitability

Septic system areas: Primary and alternative soil treatment areas and soil boring locations have been identified, report submitted and approved. There was a septic system installed on the property in 1988, but that was abandoned in 2003 when the City of St. Cloud purchased the property. There is an abandoned septic system on the property. The original permit and abandonment paperwork are on file in the Environmental Services Department.

Building Site: Setbacks are shown on the plat. The property is less than 10 acres; therefore R-10 district setbacks apply. There is room to build and meet all setbacks.

Wetlands

The proposed parcel consists primarily of woodlands with the northern portion consisting of farmed fields. There may be type 1 wetlands located throughout the parent parcel, but an onsite delineation or determination has not been completed. Above the 1005 elevation there is room on the proposed parcel for a building site and septic without impacting wetlands. The de minimis is available for the parent parcel. When construction is proposed, additional wetland review should be completed to ensure structures are placed outside of wetland and, if applicable, setbacks are met. There are no WCA violations for the site.

Feedlot Setbacks

There is a feedlot to the northwest that's within 700' of the plat. However, feedlot setbacks are not required for a Government Building.

Access – The property has frontage on both County Road 44 and 208th St East. The driveway is off 208th St East. Comments from the County Highway Department have been received and indicate access to the property from County Road 44 will not be allowed. The Highway Comments will be recorded with the final plat.

Park Dedication – A parkland dedication fee is not required for a lot being created for a government building.

Stormwater Management – Not required for a one lot plat. However, if the future use of the property will meet or exceed one acre of impervious surfaces, then a stormwater management plan is required per Section 7.26 of County Land Use and Zoning Ordinance 439.

Surveyor Comments – A highway certificate is needed with the final plat.

Soil and Water Conservation District Comments – NA

Overlay Districts / Areas of Concern – None

Township review - Lynden Township reviewed and approved the preliminary plat on December 5, 2022.

Other – NA

Checklist

Design Standards

1. Do all lots have access to a dedicated public road, or a part of an open space or PUD?
2. Does the block length meet the 1400-foot standard?
3. Are the utility easements indicated and shown to be at least 10 feet wide?
4. Has the developer provided the proper right of way width and street type?
5. Is a frontage road necessary (50' of width)?
6. Are centerlines offsets of street jogs over 125 feet?
7. On reverse curves on arterial & collector streets is the tangent at least 100 feet long?
8. Are street lines deflecting from each other at any point by more than 10 degrees connected by a curve with a radius adequate to insure a sight distance of not less than 50 feet for minor collector streets?
9. Are street intersections at an angle of at least 80 degrees?
10. Does the plat involve a half street?
11. If the plat contains a cul-de-sac street, is its length less than 900 feet and does it have a turnaround radius of at least 60 feet?
12. Are any streets designed for future continuation or projection and should a temporary turnaround be required?
13. Do street names conform to County addressing system?

Yes No NA

- X
- X
- X
- X
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- X
- X
- X

Existing roads

Comments

Suggested conditions:

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lot, as designated on the preliminary plat, shall be staked and roped off prior to any ground disturbing activity on each lot.

c. Wetland review is required prior to issuing a construction site permit for the property. If there are wetlands on the property, a wetland setback as required in *Stearns County Land Use and Zoning Ordinance #439, or successor ordinance* must be met for all structures.

d. The plat of Lynden Township Hall is located in an agricultural area and the construction, expansion, and operation of animal feedlots and other agricultural uses are permitted in this area. The Developers, therefore, acknowledge that future buyers may be exposed to the sights, sounds, smells, and conditions of modern agriculture

3. **Water Supply Verification** is required to be recorded with the final plat. (A water test for nitrates is required from a well within the plat or a well within 300' of the plat boundary. Water sample shall be taken by the lab conducting the test or other professional; not by the landowner.)

4. A **Highway Certificate** is required to be recorded with the comments from the County Highway Department. (Comments enclosed.)

Plat Fee: \$400 Receipt Number: 22-21125

----- Forwarded message -----

From: **Dennis Niemi** <niemidennis82@gmail.com>
Date: Wed, Dec 14, 2022 at 7:29 AM
Subject: Re: Statement
To: Schlorf, Becky <Rebecca.Schlorf@co.stearns.mn.us>

Thank you very much for your help on this matter, Becky.

On Tue, Dec 13, 2022 at 2:08 PM Schlorf, Becky <Rebecca.Schlorf@co.stearns.mn.us> wrote:

Hi Dennis,

This email is regarding the proposed Lynden township hall and the feedlot setback.

The Environmental Services Department will not apply a 1,000-foot setback from a feedlot to a township hall or vice versa because the current language of the ordinance is not clear enough.

Regarding your question of any potential nonconformity of a structure in the future (with a change to the ordinance), please see the current language in Section 5.1.2 of Land Use and Zoning Ordinance #439.

Becky

Rebecca Schlorf | Environmental Services Supervisor

becky.schlorf@co.stearns.mn.us | (320) 656-3613 | 800-450-0852
www.co.stearns.mn.us | STEARNS COUNTY ENVIRONMENTAL SERVICES DEPARTMENT

STEARNS COUNTY SERVICE CENTER

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[WAITE PARK MN 56387](#)

Mission: Provide exceptional services to assure a safe, healthy, vibrant county for all
Values: Professional, Approachable, Responsive, Collaborative, Fair & Equitable