

**CHISAGO COUNTY  
PLANNING COMMISSION  
OFFICIAL PROCEEDINGS  
JANUARY 5, 2017**

The Chisago County Planning Commission met in regular session at 7:00 p.m. on Thursday, January 5, 2017 in the County Board Meeting Room of the Government Center with the following Commission members present: Frank Storm, Jim Froberg, Chris DuBose, John Sutcliffe and Craig Mold.

Not Present: Jim McCarthy (excused)  
Dave Whitney (excused)

Ex Officio: Commissioner Rick Greene

Also Present: Kurt Schneider, Director of Environmental Services  
Tara Guy, Assistant Zoning Director

The Chair called the meeting to order at 7:00 p.m. and led the assembly in the Pledge of Allegiance. Roll call of Board members was taken and a quorum established with two members missing and excused.

**APPROVAL OF AGENDA** - On motion by Froberg and second by Sutcliffe, the meeting agenda was approved as published.

**APPROVAL OF MINUTES** - On motion by Sutcliffe and second by DuBose, the minutes of the meeting of December 1, 2016 were approved as presented.

**ADOPTION OF MATERIALS AND SUBMITTALS INTO THE RECORD** - Upon motion by Froberg, and second by DuBose all applications, submittals, reports and other materials were adopted into the record by reference. Staff Reports had been distributed in advance to the Planning Commission and the applicants, for their review. Copies of all applications, correspondence and Staff Reports were made available on a table at the entrance to the hearing room.

**NEW PUBLIC HEARINGS :**

**Vince Charles** - Mr. Charles was present at the meeting to seek approval of a preliminary plat of three lots on 18 acres to be known as "Wild River Hills." This is located in Amador Township, Sec.30, T.35, R.20, in the southwest corner of the intersection of Wild Mountain Road and Reed Avenue (PID #01.00146.10.) The Amador Township Board had recommended approval with no conditions. Mr. Charles explained that he intends to create three lots out of the parent parcel, one of which will access off of County Road 16 on the north side of the property, and two lots which will share an access off of County Road 81 on the east side. County Engineer Joe Triplett had approved a variance from the Access Management Ordinance's prohibition against more than one access into a new subdivision. The Plat Review Committee had submitted a report indicating that the proposed subdivision met and/or exceeded all of the platting requirements for the Zoning District, and they recommended approval. After brief discussion, Jim Froberg moved to recommend approval of the preliminary plat as proposed, John Sutcliffe seconded it and the motion was carried unanimously.

**Denise Hansen** - Ms. Hansen was present at the meeting to request an Interim Use Permit for a dog kennel, to board and train K-9 and PTSD service dogs. This is located in Franconia Township, Sec.35, T.33, R.20 (PID #04.00437.00) at 24595 Olinda Trail. The Franconia Township Board was notified of the Planning Commission continued.....Page 2  
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application, but did not meet or take an action on it. At the outset of the hearing, a letter was distributed to the Planning Commission by nearby landowner Donna Thordson, accepted into the record, and marked as "Exhibit A". A letter was also distributed to the Commission by applicant Denise Hansen in support of her original application materials, which was also accepted and marked as "Exhibit B". Chairman Storm invited Ms. Hansen to give an overview of her proposal to the Commission. Ms. Hansen explained that she was seeking an Interim Use Permit to operate a part-time dog training kennel, including K-9 and PTSD service dogs. The training kennel will be operated at her home property, with a maximum of five dogs boarded at any one time. Dogs are trained one-on-one; there is no group training, and dogs are controlled at all times. She would also like to have two annual three-day field trial events at the property for up to 25 dogs per trial event. She wishes to offer the property to law enforcement personnel on occasional weekend days to train their K-9 dogs. Almost all such training involves non-barking activities, with the exception of protection work, which involves the dog cornering its target, and a performing "bark and hold" maneuver. Dogs are trained individually, and this period of barking could last for ten minutes during a training session. This type of training would normally be completed by 3:00 p.m. All boarded dogs will be kept indoors in the existing kennel facility in the pole barn. This building is insulated and sound-proofed, and dogs are only allowed outside when leashed, and/or supervised at all times. When Ms. Hansen had concluded her overview, the Chair invited questions and comments from the Commission. After several general questions for clarification purposes, the Chair opened the public comment portion of the public hearing. There were several people present to offer comment on the application. Those who offered comment included Tressa Krause of "Saving Shepherds of Minnesota", Matt Crescenzo, Donna Thorsdon, Ron and Susan Prokop, Kevin Solis, and Scott Hansen. Tressa Krause operates a rescue shelter called "Saving Shepherds of Minnesota" and has had numerous business dealings with Ms. Hansen. She commended Ms. Hansen for the good work she does, and praised her professionalism, and excellent care and training of dogs. She recommended that the County approve the permit to enable her to continue her good work. Matt Crescenzo (24543 Olinda Trail, Scandia) spoke in favor of the application, explaining that he was the neighbor most likely to be affected by the kennel, in that the Hansens access their land via a long easement road across his property. He stated that the kennel operation was unobtrusive, well-run and very professional. He had allowed Ms. Hansen to place an advertising sign for the kennel at the driveway on Olinda Trail, as he would like to see the kennel succeed. Donna Thordson (15316 244<sup>th</sup> St., Scandia) presented a letter of opposition, citing barking from the dogs as a nuisance they experienced in the fall, and the lack of security fencing as a concern. She and her husband live directly southeast of the Hansen property, and spend much time outdoors in the summer. They worry about unrestrained dogs running at large, with no fence. Susan Prokop (24749 Olinda Trail, Scandia) also spoke, citing past barking and shooting activity on the property as a nuisance, and stating her concern that the business would flourish and grow larger, and become more disruptive to the immediate neighborhood. Ron Prokop stated that he also found the sound of shooting disruptive to the neighborhood. Kevin Solles identified himself as Ms. Hansen's partner, and stated that the shooting that was heard was his visiting family engaging in target practice on a few occasions, not associated with the kennel operation, and apologized for any disruption. When guns are occasionally used with the dog training, this takes place on the field further west, in a hollow, surrounded by evergreen trees, and only blanks

are used in the training. Scott Hansen spoke, identifying himself as Ms. Hansen's son, and described his mother's professionalism, excellent business ethic, and concern for others as her guiding principles. Tara Guy noted for the record that Staff had been unaware that shooting was part of the training, and consequently didn't include any conditions related to the use of firearms. When there were no further persons wishing to offer public comment, Chris DuBose moved to close the public hearing, John Sutcliffe seconded it, and the public comment portion of the hearing was closed. The Chair called for deliberation by the Commission, and an action on the application. Commission members generally concurred that the use  
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was acceptable, provided appropriate conditions were placed on the IUP to lessen the potential for negative impacts upon the immediately neighborhood. Craig Mold stated that he would like to see the exterior kennel enclosure on the south side of the pole barn removed, or moved to another more remote location on the property, as this was the closest point to the neighbors. The other members concurred, and Ms. Hansen willingly agreed to do so. After further brief discussion, and review of the Staff analysis and draft conditions suggested for discussion, **Chris DuBose moved** to adopt the Staff analysis contained in the Staff Report as findings of fact in support of approval, and to recommend approval of the IUP with conditions. **John Sutcliffe seconded it.**

**The following are the findings of fact in support of approval:**

**1. Is the proposal consistent with the Comprehensive Plan and development policies of the County?**

Yes. The Comprehensive Development Plan provides for a number of varied land uses in the Agricultural Zone, including the establishment of animal-keeping facilities, such as farms with livestock and poultry, and commercial and residential animal kennels.

**2. Will the use create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area?** No. This use will be fully contained on the subject property, will generate very little additional traffic, nor will it impact or require other public facilities or utilities.

**3. Will the use be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development?** **4. Will the structure and site have an appearance that will have an adverse effect upon adjacent properties?** The property is heavily forested, and is screened almost completely. The kennel building is already existing, and is an attractive structure which matches the house. No new buildings are planned which would alter the aesthetically pleasing appearance of the property, or provide any kind of negative impact. Because of the physical configuration of the property, and its nearly total screening, no undue negative impact would be generated that could affect future development.

**5. Is the use in the opinion of the County reasonably related to the overall land use goals of the County and to the existing land use, and consistent with the purposes of the Zoning Ordinance/Zoning District in which the applicant intends to locate the proposed use?** Yes.

The County's Comp Plan intends to provide for a wide variety of land uses in the Ag zone. The Chisago County Zoning Ordinance specifically provides for animal kennels, both residential and commercial, as Interim Uses. By specifically listing kennels as an allowed use, the County indicates its clear intent to allow them in the Ag zoning district.

**6. Will the use cause traffic hazard or congestion?** No. The on-site dog population is so low, and the two larger scale annual events are so infrequent, that no traffic congestion or hazard will be generated by this use.

**7. Will existing nearby properties be adversely affected by intrusion of noise, glare or general unsightliness?** No. As stated, the land is nearly completely screened by heavy forestation, which will eliminate any visual impact. This will also assist in dampening the occasional dog barking that might occur

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during the two annual training events, which, in any case, will terminate by dusk. Further, the field where the two training events will take place is a “dished” area on the property, with treed slopes all around it, which will further contain any noise generated. No undue noise, glare, general unsightliness or other negative impacts is likely to be generated by the proposed use.

**The following are the recommended conditions of approval for the Interim Use Permit:**

1. This permit is an Interim Use Permit for the operation of a commercial dog-training kennel.
2. The training operation and associated boarding of visiting dogs shall be limited to no more than five dogs being boarded at any one time.
3. No general commercial dog breeding shall be allowed at this kennel; sales of puppies shall be limited to law enforcement agencies or therapy/search/rescue or other working dog placements or service organizations.
4. Routine outdoor dog training shall conclude by 3:00 p.m. daily. This IUP shall also permit two field trial events involving a maximum of 25 dogs occurring over two three-day weekends annually, with hours of operation from 8:00 a.m. to dusk.
5. All dog boarding shall be contained within the existing finished and soundproofed structure as described in the application, with the exception of brief outdoor periods of supervised training of the animals.
6. Permittee shall control barking of boarded dogs so as to avoid undue negative noise impact to neighboring community. Noise levels originating from the kennel operation shall not exceed the maximum decibel level/duration stipulated by MPCA Rule 7030.0020.
7. No additional full time employees shall be employed at the kennel.
8. There shall be no outside storage of goods, materials or equipment associated with the kennel.
9. Dog waste shall be composted and managed in accordance with best management practices.
10. The exterior kennel enclosure situated on the south side of the kennel building shall be removed to a location more remote from the residential properties to the southeast.

11. The permit holder must notify the County annually that the activity permitted by the IUP is ongoing, and the activities being conducted continue to adhere to the conditions of approval.

12. This Interim Use Permit shall terminate upon sale of the property to anyone outside of family members.

**Being put to a vote, the motion carried unanimously.**

**County Board directive to study animal kennels and cemeteries** - Zoning Staff advised the Planning Commission that at their organizational meeting on January 3, 2017, the County Board had directed the Planning Commission to consider possible revisions to the Zoning Ordinance sections governing animal  
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kennels and cemeteries. While lacking detailed direction or specific goals, Staff believes that the desired revisions might center upon the adoption of performance standards for these land uses. The Planning Commission acknowledged the County Board's request and directed Staff to place the items on the upcoming Planning Commission agenda, for discussion in a work session.

**Comprehensive Plan Update Discussion** - The Planning Commission continued their review and discussion of various parts of the Comprehensive Plan update. The Commission started their discussion by reviewing and commenting on the latest proposed version of the Agricultural Element (dated November 8, 2016). They reviewed the latest additional language for this element of the Comprehensive Plan (as proposed by County staff) and requested a few changes to the proposed language on pages 5-4, 5-10 and 5-12. After discussion amongst the Commissioners and staff, it was the consensus of the Commission to move forward with this element of the Comprehensive Plan update with the changes recommended this evening. The Commission then reviewed a document (dated December 13, 2016), prepared by staff about broadband or high speed internet for possible inclusion in the County's Comprehensive Plan. As noted in this document, the availability broadband and internet in Chisago County is an important element of the County's economic and development success. Since the last plan Comprehensive Plan update, the availability and use of the internet at home and in business has exploded to the point that it is a necessity - not a luxury. One could now argue that broadband or high speed internet is an important utility (just like electricity) for home owners and business operators.

Because of its importance, staff was recommending that the Planning Commission and County Board consider adding information, goals and policies about telecommunications (including high speed internet) to the Comprehensive Plan. Staff had included several proposed goals and policies about telecommunications in the document for the County to consider including in the Comprehensive Plan. After some discussion about the importance of internet to life in Chisago County, it was the consensus of the Planning Commission to include the proposed language about broadband and internet in the Comprehensive Plan - specifically in the infrastructure element of the Plan.

The Commission then moved on to a review and discussion of the first draft of the update to the Infrastructure Element (dated December 23, 2016) of the Comprehensive Plan. The Commission suggested changes or additions to the language on proposed pages 7-5, 7-8 and 7-17 (about private drain tile systems). They also requested that all maps be full-sized (8x11) in this element (and in all elements) of the Comprehensive Plan update. The Commission then

recommended approval of this element of the Plan update with the noted changes and suggestions.

**ADJOURNMENT** - There being no further business, upon motion by DuBose and second by Sutcliffe, the meeting was adjourned at 8:40 p.m.