

Becker County Planning Commission
February 22nd, 2023

Members Present: Chairman Dave Blomseth, Tom Disse, Kohl Skalin, Tommy Ailie, County Commissioner Erica Jepson, County Commissioner John Okeson, Harvey Aho, Mary Seaberg, Nick Bowers, and Zoning Director Kyle Vareberg. **Members Absent:** Jeff Moritz and Craig Hall

Chairman Dave Blomseth called the Planning Commission meeting to order at 6:09 pm. Introductions were given. Becker County Zoning Technician Nicole Hultin recorded the minutes.

Kohl Skalin made a motion to approve the minutes from the December 14th, 2023, meeting. Aho second. All members in favor. Motion carried.

Chairman Dave Blomseth explained the protocol for the meeting and stated that the recommendations of the Planning Commission would be forwarded to the County Board of Commissioners for final action.

Old Business:

1. **APPLICANT: Richard & Dana Laine** 20781 Co Rd 117 Osage, MN 56570
Project Location: 20781 Co Rd 117 Osage, MN 56570 **LEGAL LAND DESCRIPTION:** Tax ID Number: **33.0118.000** Section 10 Township 139 Range 038; LOT 1 & SW1/4 OF NW1/4; **APPLICATION AND DESCRIPTION OF PROJECT:** Request an Amendment to remove all stipulations from Conditional Use Permit Recorded Document number 680083, to allow for an expansion for a total of twenty-four (24) RV sites and twenty-one (21) mooring spaces.

Kyle Vareberg clarified that the request to remove stipulations and the request for expansion are two separate requests.

Richard Laine presented the application and explained the reasons for wanting stipulations removed.

Skalin asked Vareberg what stipulations were initially recommended by the Planning Commission.

Vareberg stated that the Planning Commission never recommended any stipulations.

Roger Ball, neighbor, spoke against the application.

46 Rick Lien, neighbor, spoke against the application and discussed the speed of traffic on
47 the road.

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49 Doug Lesage with Bambi's Resort spoke in favor of the application.

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51 Testimony closed.

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53 All letters regarding this application were received and read by the Planning Commission
54 Members before the meeting and are entered below:

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Good afternoon,

We are writing concerning the upcoming Feb. 22 meeting concerning the Laine's RV Park.
We are not surprised that the Laine's put in this application as they know a large amount of us
Are not home, on Toad Lake, to attend in the winter.
I did see on your website that you "usually" do not have meetings in January or February.
Can this meeting be postponed until next month so, we, residents can be present?

Thank you for your consideration!
Terry and Roger Ball

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Planning and Zoning Department:

I am writing to request a postponement of the hearing for the request to remove all stipulations from the Lanie's
Conditional Use Permit. We only received this letter 4 days ago, and feel it is too soon for lake property owners to make
plans to attend. Many are still wintering away from their MN property and others, like us, cannot make the trip due to
jobs and distance from Detroit Lakes.

We are curious as to why the Planning and Zoning Department allows Mr. Lanie to repeatedly return to request things
that have already been denied. Why does the Department not stand by what they have deemed unacceptable in the
past?

We have had one summer with RVs one block away from our property. If it remains as it is, we can live with it, but to
allow 24 sites and 21 mooring spaces is way over what we had ever thought it would lead to. Our "quiet" Toad Lake will
no longer be the pristine summer cabin site we love so much. The traffic on that road is awful and has moved much
faster since it has been black-topped. Lots of people walk and bike on the road, and 24 RV spots make for more cars and
traffic. There WILL be a tragic accident some day soon!

We are also curious as to the MN DNR ruling on removal of the bulrushes on the lake shore. I know there are lots of
rules concerning retaining native vegetation. How can they be allowed to make room for 21 mooring spots?

Thank you for the opportunity to reply to your notice of the meeting.
Barbara Franke`

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It seems like all facts were considered during the original creation of the RV site. Compromises were made by both sides
resulting in the current agreement. Please stick by your decision and deny the expansion. Thank you for your
consideration and for being good stewards of our natural resources.

Chris Lee

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Chairman Blomseth and Planning Commission Members

My name is Clark Lee

As I am unable to attend the 2-22-23 Public hearing in person I would like to offer the following for your consideration

I ask that you deny the application by Richard and Dana Laine for an expansion to 24 RV sites and 21 mooring spaces on Toad Lake

In my opinion, to recommend approval would be a violation of Becker County Zoning Ordinance found on page 8-121 paragraph J that states:

J. Requirements for previously denied applications. No application for a conditional use permit shall be resubmitted for a period of one year from the date that a request is denied by the Becker County Board of Commissioners, except the County Board may allow a new application if, in the discretion of the County Board, new evidence or a change in circumstances warrant it.

6-21-22 Richard & Dana Laine's request to change their Conditional Use Permit for this same property with the following action by the County Commissioners being documented in the approved minutes of the meeting as follows:

Motion to deny amendments to stipulations #5 & #6, amend stipulation #7 to remove split rail fence and replace with board fence, eliminate six (6) foot fence on north side to power pole once trees are established, and maintain trees on south side, amend stipulation #11 allow 2nd driveway upon Highway Department approval (Grimsley, Nelson) carried.

In my opinion the earliest there should be any reconsideration of the stipulations in their present Conditional Use Permit should be 6-21-23 or later to maintain compliance with Becker County Ordinance

If non compliance with Becker County Ordinance is not sufficient I would ask that you consider the following in reaching your decision to recommend denial

1) The colored drawing (attached to this email as well as part of your packet) of the project is not accurate and obviously something the applicant has dug out of the archives of his previous public hearings

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- It depicts a "proposed" fence whereas in reality there is a fence in place as dictated by the CUP with a modification approved at the 6-21-22 CC meeting in terms of type of fence
- It depicts "T" dockage in an area that was denied by DNR fisheries in June, 2022
- It depicts docking for 14 slips yet his current application is for 21 mooring spaces
- It depicts an inaccurate location of the well
- It depicts a proposed easement of Laine's existing driveway for the CUP
- It does NOT depict the area location & size of the DNR permit to remove vegetation that was approved in June or July, 2022 by Robert Ekstrom, Aquatic Plant Management Specialist from the Bemidji DNR Fisheries office which is the only DNR office that has authority to grant any change to aquatic vegetation such as is needed for any dockage for this RV park
- It makes no mention of the fact that all aquatic plant management permits expire September 1 of each year and must be renewed and approved by the DNR for the next year
- It does NOT contain any density calculations nor is there any density calculations contained in the packet for your meeting
- It does NOT contain any depiction of required wetland considerations other than an outdated mention of "50' wetland buffer"

2) Any decision to recommend approval of the application should also include the fact that if the present CUP stipulations are being removed then the entire process of public hearings etc on a new CUP should be started from scratch and all RV sites presently on this property should be removed during that process

Thank you for your consideration

M. Clark Lee
 20552 County Road 117
 Osage, MN 56570
 763-592-9028
clark@leebrokerage.com

First and foremost I request (and many others have requested) that this application be tabled until the March 22nd Planning meeting to allow more of us to attend the meeting. **February 22nd is Ash Wednesday** and is observed by many residents and so you are asking residents to choose between attending their church service or to attend this zoning meeting. Also because residents in the area were given a short notice of this meeting and have commitments already that will not allow them to attend the meeting. The importance of attending in person is that the Laine's are basically throwing out the last permit and conditions that the commissioners enforced on them and are going back to their original request of 24 RV units and 21 boat slips which Zoning commissioner and county commissioners denied several times over the last few years. I have attended 90% of all of the meetings, however I am currently out of state and I'm unable to attend the Feb. 22nd meeting.

If the Planning commissioners do decide to proceed with this hearing, I request this letter be included in their packet and if possible be read aloud at the meeting to ensure that the commissioners have indeed heard this information.

I am the president of the Toad Lake Association and full-time resident of Toad Lake. I oppose Laine's application that is in front of the planning commission at this time based on the following:

*The original application for the RV park was for 24 RV's and 21 boat slips which the Planning commission denied over three separate occasions and County Commissioners also denied the application.

*Many of the reasons included:

* Road safety: Adults and children crossing the road to get to lakeside on a busy road. Kids will no doubt be running to the lake to play.

No area on the lakeside for park residents/children to stand or park 4wheelers or golf carts when they are loading coolers, floaties, etc when loading their boats and pontoons.

* Agricultural status to commercial status: This land was parceled as Agricultural and all other property surrounding is residential residents. The status has now changed to commercial status. If the RV park is allowed to go to 24 Rv's and to 21 boat slips, that increases the road traffic and lakeshore traffic for those surrounding residents exponentially. Also potentially decreases property values for those residents. Anytime you put commercial property in a well established residential area many things have to be considered and certainly the residents need to be heard and considered.

* Shoreline: The concern is how much vegetation needs to be removed to accommodate 21 boat slips vs the approved 8. Laine was to work with the DNR. It should be requested of Mr. Laine to show proof that the DNR has approved the clearing for that many boat slips. All of last summer the Laine's never had any dock or boat slips on the approved area for the 8 so if he was approved for the 8 why didn't he have any put in the water for his 8 RV residents?

*Appearance of the RV park. The county board of commissioners only approved the project because of the stipulations/conditions that were placed on the project. This was to ensure the safety of the RV residents and to make sure the RV park did not become an eye sore and menace to the neighboring residents.

I implore the Planning Commission to **deny the application** to increase up to 24 RV sites and 21 boat slips which the prior commissioners denied 3 times before. Please review the stipulations/conditions that the commissioners did place on the project, they were put in place for a reason. I request that you **deny the request to remove all conditions** which was the only reason the Laine's even got approved for the 8 units.

Deb Nerud

I am writing in support of Dana and Richard Laine's application to expand their resort. I am hoping that the so-called Toad Lake Association will eventually stop harassing the Laine's and go back to their own lives.

I hope the people that constantly try to control their neighbors could then learn to enjoy their own lives instead of scaring themselves into a frenzied mob that only creates division, exclusion, and confusion in this community. The following was posted by Clark Lee on the Friends of Toad Lake MN Facebook page, "Toad lake owners please get involved and do not just sit back and assume someone else will watch over our beloved lake!" Despite Clark Lee's misrepresentation of the law, Minnesota's lakes are not the personal property of the lake shore residents. And just because some of them form an association and give themselves fancy sounding titles, they still don't own the lake nor do they have any authority to dictate their whims onto their neighbors.

In conclusion, after reading some of the objections in the emails to the county, it is safe to say that the more titles and/or accreditation that someone puts behind their signature, the more they show that their expertise lies outside the scope of this project. Everyone should just mind their own bobber.

Douglas LeSage, 21246 County Road 117 Osage, MN 56570 320-760-1437

Greetings!

I am writing to express my concern regarding Richard and Dana Laine's request to have all stipulations from their current conditional use permit removed, and to allow 24 RV sites and 21 mooring spaces to be developed on Toad Lake. My husband and I are opposed to this expansion request. We are property owners on Toad Lake and our concern stems from a desire to protect the health of the lake.

We are particularly concerned about the following items:

1. Destruction of vegetation running adjacent to the shoreline for mooring spaces. The area where the proposed mooring spaces will be is rich with vegetation, both on the shore and into the water. There are many feet of bulrushes along the shore and extending out into the water. Removal of this much vegetation will destroy needed shoreline buffer and habitat for fish and other wildlife. Along with that, 21 boats coming in and out of the mooring spaces will increase wave action thereby increasing the likelihood of shoreline erosion as the vegetation will not be there to absorb it. All of this negatively impacts the health of the lake.
2. Increased risk of infestation with AIS. More boats on the lake means more risk of transporting AIS into the lake. We already have curly leaf pondweed to manage; additional AIS will only further degrade the quality of the lake.
3. Overdevelopment threatens the health of the lake. The DNR reports that lakeshore development reduces critical habitat for all types of wildlife. Considering the extensive amount of vegetation that would need to be removed to install 21 mooring spaces, the impact would likely be significant.
4. Runoff from impervious surface. An RV campground of this magnitude 24 will increase impervious surface considerably, and now that County Rd 117 is paved, there is no longer much buffer between the property where these sites will go and the lake. Prior to the initial development, the area where these RVs now sit was full of trees and unmowed vegetation. It is now cleared and mowed regularly, reducing much needed buffer for the lake. An expansion stands to increase the amount of manicured lawn space and therefore increase the pollutants that enter the lake.

We have always appreciated the Planning and Zoning department's diligent oversight of lakes in Becker County. We fully support the department's mission "to promote the judicious use of our vast resources while protecting and preserving "Our" environment". Approving a request such as this does not align with that mission, and we hope that you agree and deny this request.

Thank you for your time,
Lezlee and Jason Franke

I am writing in support of Richard and Dana at Ly-Nee's RV Sites and their request to expand their small RV camp.

Toad Lake is designated as a public recreation lake, I have been coming there for years as a friend of folks who live on Toad Lake. It's a beautiful lake but I was never able to secure my own place because Bambi resort is always full and there were no other RV sites close by. Owning a cabin on the lake is not financially viable for most.

Finding a small, not over-crowded RV campground is extremely difficult in most of our lake country. Granting Richard and Dana's request to add a few more slips on their RV site would provide others the same experience I have been so lucky to have.

My time at Ly-Nee RV Sites has been wonderful. Richard and Dana are a class act. So friendly and accommodating. My friends who come out have gotten to know them too as they are very engaged with the campers and want to make sure their renters are enjoying the experience.

They have made many upgrades in my time there. Planting trees, adding a fence and planting grass. They raked and leveled the lots by hand. Then planted grass and watered it to make our lots more enjoyable. Most recently they started work on a dock for the park to enjoy.

One time I forgot to turn off the water when I went back to town to work for the week. I called Richard who was happy to check on my trailer for me. Another time he offered to help me find a handyman to work on my patio. But mostly he and Dana are just good neighbors who we enjoy having around whether we need something or just want to visit. They are truly interested in my wellbeing as well as the safety and security of the RV site.

I am really looking forward to being back at Ly-Nee's this spring. And to seeing Richard and Dana.

Darren Huber, 220 8th St S, Fargo ND 58013
Lot 5 LyNee's RV Site

Kyle,

Please read this letter to the Planning & Zoning Board Members at the February Meeting regarding the LyNee RV Park request by Rick and Dana Laine.

Members of the Planning & Zoning Committee,

I am writing this letter in opposition to the request made by Rick and Dana Laine to expand the LyNee RV park/resort. In their previous request to start up the RV park I expressed my opposition mainly because of safety concerns. This has NOT changed. In fact, in my opinion allowing more RV sites to be added is definitely an accident bound to happen. There may be room for the RV's on the east side of County Road 117, BUT there is NOT room for any activity to happen on the west (lake) side of Co.Rd 117. Presumably campers will want to have a beach area, set up chairs to enjoy the water, have some sort of area to haul boat paraphernalia or other water toys. There is NO room whatsoever for that to happen. To allow the density they are requesting will be creating a safety issue not only for campers trying to cross the road but for vehicles that travel that road. Co.Rd 117 was a gravel road up until last year, with the hard surface that placed, the speed of which vehicles has increased. This makes it much more dangerous.

Since the notification of this request was late coming to my attention (I have yet to receive a letter notification) I have not seen his new plat lay out. Does he have adequate parking, lot size for RV's, where is boat storage, trailer storage, visitor parking, access in/out of park, signs signaling there may be pedestrian traffic.

This does not even touch on ...does he have permits from the DNR, where are the docks to be placed, does he have permits to remove lake vegetation? Surely all these areas need to be addressed before he starts putting more RV sites. Even with the trees planted on the north side of RV park (per stipulations put in place), I have a clear view of all the RV's from my yard. I am concerned about having to look at even more RV's and all the noise that will be carried towards my house. (yes you are free to come in my yard and look)

In closing, I DO NOT feel there is adequate usable lake space density wise to warrant granting this request. I also feel adding these additional RV sites will create a traffic hazard on the County Road with people trying to cross the road to an already small area. I ask the Planning Commission to VOTE NO to this request.

Apparently, I cannot join the meeting via zoom or phone, (please change this for future meetings) here is my phone number if you have any questions of me during the discussion of this request, I will be available. 218-234-1757

Yvonne Kangas
21067 Co. Rd 117
Osage. MN

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Dear Madam/Sir,

I am writing in opposition to the application by Richard and Dana Laine for an expansion to 24 RV sites and 21 mooring spaces on Toad Lake.

I am a fisheries scientist with more than 30 years experience. This project, if implemented, will cause a significant loss of shallow water vegetation and habitat for juvenile fish. Science has clearly demonstrated that loss of shallow water vegetation and shoreline habitat will harm the ecology and fisheries on Minnesota lakes, and this is what will happen on Toad Lake if you allow this project to go forward.

I have spent my entire life (60 years) on and around Toad Lake. My family owned one of the first cabins to be built on the west shore. My 83 year old father still lives on the west shore. I have watched development consume the lakes shoreline to the point where now there is almost nothing remaining that isn't developed. This needs to stop.

I oppose this project based upon clear scientific evidence that it will forever harm the ecology and fisheries of Toad Lake. Attached are two scientific publications supporting this statement. Please do what's right for the long-term preservation of Toad Lake. Deny this application. Thank you.

Todd Koel, Ph.D. (406) 223-7845

Hello,

I am writing in support of Ly-nee's RV park expansion application. It has come to my attention that some people are again questioning Becker County's ability to follow their own ordinance.

Why is it the case that for the past 16 years we have heard the same group of people fight against anything and everything that pertains to creating resorts in this community? The regulations and enforcement mechanisms are in place and functioning properly for these types of properties. And yet, every time a property owner wants to help expand tourism and let others enjoy our natural resources, suddenly the sky is falling and the same baseless talking points are regurgitated to the planning and zoning committee and the county board. Despite their relentless determination to imagine hypothetical problems, not one of their specious claims or irrational concerns has ever materialized in this county, or anywhere else in MN.

With the current heavy regulations in place, there are no legitimate concerns when creating or expanding resorts in Becker County. The only problem is created by the bigotry, hatred, and vitriol that some homeowners have towards their neighbors because they dared to let outsiders into what they see as their closed community. Instead of engaging these tired and debunked concerns with a false equivalency, this committee should demand to be presented with legitimate concerns that are backed with a shred of science and maybe one real-world example.

These regressive activists have seen none of their claims or concerns materialize in over 16 years, proving themselves to be the most ignorant people to speak about family resorts, and yet they are still pretending to be experts. They should be given a participation trophy or a gold star and then be politely asked to leave so that the adults can get back to work, building the future.

In conclusion, there is no logical or legal reason to deny the application for the expansion of Ly-nee's RV park.

Thanks,

Don LeSage

I'm writing in support of the application to expand Ly-nee's RV park. Everything that Dana and Richard are asking to do fits well within all the county ordinances and as far as the DNR is concerned, the DNR has already been out to the site and have told Richard and Dana what they can do. These family resorts and RV parks are held to the highest standards and regulations and are better for the lake than the unregulated homeowners who constantly ask for more impervious surface and rent out to VRBO and AIRBNB guests which operate as resorts with no regulations. To me there is no real reason not to allow Richard and Dana an approval of their application. And definitely no reason to postpone or table the issue.

The application process for Dana and Richard's 100% legal expansion shouldn't be rescheduled just because some of the perpetual protestors are on vacation and can't make it. Why would they need to be here in person when they could just copy and paste into an email all the imagined problems they're going to give in their self important speeches. None of their hypothetical scenarios are realistic, none of their predictions have ever come true, and they should stop discrediting themselves by continuing with the knee-jerk harassment of any "outsider" that wants to enjoy Toad Lake.

In summary, there is no reason to deny or delay the application for Ly-nee's RV park expansion.

Diana Nelson

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This email is intended for the members of the Planning Commission for the February 22, 2023 meeting regarding Laine – LyNee rv trailer park.

We are unable to attend the meeting, please consider our email to be our position on this issue. Please read it so the attendees can hear our comments and our concerns are submitted for the minutes. We OPPOSE their request to remove all stipulations, to permit recorded 680083.

Here we are still (re)visiting the issue of the trailer park on Big Toad Lake.

The Laine's were voted down by this very committee more than once. It was then brought to the county commissioners and discussed at length, verge of being voted down – but there was one commissioner who was confused on the facts and the issues were tabled to the next month.

Again, it come to the CC meeting discussed at length and came down to a vote that passed – because one of the members voted with emotions than facts.

After that, it was again discussed at great length regarding lists of conditions that were set forth.

This list again was passed by the CC and agreed upon by the Laine's 'LyNee rv trailer park'.

The Laine's have not even completed/finished the original RV project that was granted, and now asking for more revisions and exceptions. What good are rules and regulations if they continue to come back time and time again. How many times are the Laine's going to be allowed to come back to the commission with request to the original stipulations they agreed upon and were granted... We strongly recommend for this request today and future requests, for changes be DENIED. Reason; it is never going to be enough. Along with the listed items below:

Our concerns still are:

*The **impact** this will have on **fishing, spawning of all lake fish**. This area of the lake shore has Never been disrupted, even prior to Laine's purchase of the farm. The implications of mooring spaces cannot be ignored for all Toad Lake inhabitants and its future.

*Land value, increased taxes for all lake residents, including seasonal cabins and potential vandalism.

*Safety issue, the speed limit on Co Rd is 50 mile an hour and to access lake, there is limited land between the lake shore and the county road 117.

* Plus, they keep coming back for more! (24 total rv's and 21 mooring spots, 21!! Think about the amount of lake area it will take to house that many).

*Allowing LyNee to change **their committed agreement** will only bring more traffic onto the roads and Lake Life. Disruption the current tranquility lake life provides for all lake owners. Well that's yet to be seen, since they have not completed/established themselves from the original request they agreed upon.

It's apparent, NO exceptions should be granted for less than they are asking, this is what they are aiming for!

Sincerely,
Al and Julie Neske

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Nicole,

We are in support of the Ly-Nee RV Park expansion. We believe this is a good addition to serve the growing tourist industry in Becker County.

Please approve this expansion.

Thank you,

Doug Newman and staff

Sent from [Outlook](#)
Douglas R. Newman
Newman's Factory Outlet
19401 Highway 10 West
PO Box 396
Audubon, MN 56511

PH: 218-439-3684

Fax: 218-439-3999

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February 20th, 2023

Mr. Vareberg,

Thank you for your time today.

We are writing you with regard to the proposed expansion of the Ly-Nees RV sites on Big Toad Lake. We would like to offer our support for the proposed expansion.

The owners, Richard and Dana, are among the hardest working people I have ever met, and in the short time we have been at Ly-Nees, they have made multiple improvements to the property, and its appearance. From planting trees, to fencing, to leveling and reseeding grass, they are putting in the work to make this a truly exceptional campground. All of the hookups are modern, and up to code. I know the owners are complying with the requests of the lake association, as well as any zoning requirements. Richard and Dana have shown us that they are committed to running a quality facility, through continual improvement. It is a clean, and well cared for facility.

Our family has been on Shell Lake for 19 years. However, our parents will be selling the family cabin this Spring. As such, we purchased our own camper for 2023, as our passion is being in Lakes Country every Summer. We began searching for a spot to call home for the next few seasons, and found that camping/resort spots have become very hard to find. When we began looking, both resorts on Shell had nothing for 2023. This was true of multiple resorts/campgrounds that we contacted. After much searching, we saw an ad on Facebook for Ly-Nees. We immediately reached out. Luckily, we scheduled an early AM appointment. There were multiple people scheduled to look at the site we ended up taking. My point is simple. There are not enough lake spots to fill public demand.

There are also certainly not enough campgrounds that can accommodate our special needs child. Ly-Nees is flat enough for our daughter to explore on her own, in her chair. We smiled when we saw Richard taking time to fill small pot holes, even in grassy areas. Just another example of caring, and doing things the right way, while potentially filling a need.

Toad Lake is a PUBLIC recreational lake. It is also a beautiful lake, and should be respected and cared for. Ly-Nees has already shown this commitment through their willingness to move the proposed location of their docks. The moving of the dock location was done to protect a critical weed bed. However, more people should be given access to Toad Lake, in order to enjoy this beauty.

If you have been to Ly-Nees, and enjoyed watching the sunset over Toad Mountain, you would see why we have said these things. Toad Lake belongs to the public, as do all the waterways of this great country. Ly-Nees has shown Kasey and I, that they intend to develop a quality place for families to enjoy lake life.

Ultimately, responsible development leads to jobs, income and taxes. Richard and Dana are responsible business owners. Please approve Ly-Nees request to develop additional camp spots.

Thank you for your consideration,

John and Kasey Oberg

From: Ray Olson <rainman6982@msn.com>
Sent: Tuesday, February 21, 2023 7:20 PM
To: 7314VoiceMail
Subject: [EXTERNAL]camp ground

BECKER COUNTY SECURITY NOTICE:

This email originated from an external sender. Exercise caution before clicking on any links or attachments and consider whether you know the sender. For more information please contact support.

Sent from [Mail](#) for Windows

Stop this laine camp ground once and for all he just keeps on and on he got what he wanted before so stop it or pull his campers out of there and close it down this is ridiculous he will just keep on and on

To whom it may concern:

I am objecting to the proposed expansion and the removal of all stipulations for Richard and Dana Laine's Toad Lake project.

In addition, I am offended that the meeting has been scheduled for 2/22/23 6:00 am, on Ash Wednesday.

The Becker County websites states that there are usually no meetings to be scheduled in January and February. Please clarify as to why this meeting is scheduled.

I will be expecting to receive a response from you within 24 to 48 hours.

Sincerely,
Tom and MariBeth Plankers

MariBeth Plankers MS CCC-SLP, ATP

My name is Patrick Strum and we have lived on the east side of Toad Lake for over 30 years. We are about 1/4 mile south of their campground on cty 117. Every day of the year my wife and I drive past the campground at least twice. The only time we have seen the facility in any sort of disarray was after last year's tornado, otherwise it is always perfectly fine. We have not noticed any additional traffic. We like the appearance of the campground and can't understand how adding a few more campers will negatively effect the area. Bambi's expansion was much larger and had little affect on traffic

Thank you for your consideration. Pat Strum

I would like to add my objection to the expansion of this campground.
There is not adequate space on the lake for additional boat traffic due to a current large campground and two public boat ramps. This campground expansion is on a very busy road County Road 117 that speeds and traffic do not allow for safe travel across the road and area for use of 21 boat lifts and docking. I would be surprised if DNR would approve removal of lake shoreline continuity. The lake has gotten very treacherous on weekends with all the high power boats with skiers and tubers zooming around especially for fisherman just trying to have a peaceful day on the water. I also question If these people pay lake taxes being across the road from the lake and plan to put all the boat lifts and docking in the lake they don't own.
Again I would like to see this permit denied for safety sake.
Thank you, Sincerely,
Lynn and Ramona Johnson
43667 218th St
Osage, MN 56570
Toad Lake Association Member

Becker County Decision makers please take into consideration before approving this application for land use ... I have enjoyed and Loved Toad lake for over 15 yrs , and been observing the beautiful lake become more and more congested nearly every year,
I do understand , That a land owner has an expectation to use His or Her property to make a living and even a profit .. But please consider the extreme . Harm It would do to the beautiful lake. I respectfully submit this plea, to be thoughtful stewards
of our land and rivers and lakes Thank You
Al Meyer Toad Lake association member.
612 810 6129 ph # lake address 43673 218 [th.st](#) Osage Mn.

Vareberg shared the legal opinion he received regarding the history of the application, specifically regarding stipulation numbers five (5) and six (6). The legal opinion received from the County Attorney is that this request is completely legal because it is not a new application. Regardless, Vareberg suggests not acting on stipulation numbers five (5) and (6) since the County Board voted to deny removal of those stipulations June 21, 2022.

Vareberg stated that the trees required in number five (5) are already in place.

Ailie asked Laine if the road were to become a one-way, would he be eliminating proposed site sixteen (16).

Laine said yes, if the road is allowed.

Vareberg said that stipulation had been amended, but this request is to completely remove the stipulation.

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177 Skalin asked if they allow fish houses to be used as campers.
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179 Laine said they did allow an ice castle, which the campers then took South for the winter.
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181 Disse asked if they have contracts with the campers.
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183 Laine stated yes, they do.
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185 Vareberg asked if this was the first year being occupied.
186
187 Laine said yes.
188
189 Vareberg noted that all stipulations are in place, and that the only thing that isn't there is
190 the dock.
191
192 Laine commented that the dock was approved by the DNR and will be going in this
193 spring.
194
195 Jepson commented that she has traveled that road many times throughout the summer,
196 and every time she drove by, she thought it looked like a well-kept campground. That it
197 looked very nice, and she has no concerns. She stated that the road doesn't seem to be
198 that fast of a speed or a very busy road. She said she has driven it at many different hours
199 of the day and doesn't recall meeting other vehicles on the road.
200
201 Mary asked about transient versus seasonal.
202
203 Vareberg stated that it's typically up to the resort owners if they want to allow for
204 transient based on demand.
205
206 Skalin stated that none of these restrictions make any sense to him. He stated that he
207 doesn't know of any other resorts with this level of restrictions. He said that he disagrees
208 with all the stipulations.
209
210 Seaberg agreed.
211
212
213
214
215 **MOTION: Skalin motioned to approve all twenty-four (24) sites and removal**
216 **of all stipulations except for stipulation numbers (5) and (6) based on the**
217 **following findings:**
218

Approve

1. **Effect on surrounding property.** That the conditional use will not harm the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

The proposal is located in both residential and general agricultural land use districts. A residential district is to be used for low to medium density which the project satisfies as the entire property allows for more units than existing and proposed. A non-farm use located in a general agricultural land use district shall be permitted for the use and enjoyment of lakes, rivers, and streams. It is the intent of the proposed use to utilize Toad Lake for the enjoyment of boating and fishing. The Commission finds through compliance with the Becker County Zoning Ordinance and all of its criteria the use and enjoyment of properties in the immediate vicinity will not be infringed upon. Measures to ensure this exist and have been implemented by the applicant to include tenant rules, a centralized location for RV's, newly planted vegetation, a "funnel" road crossing, and other guidelines provide mitigation for the land use. No evidence has been provided to this Commission to prove any fact that the existing park or expansion creates potential to impair property values in the immediate vicinity.

2. **Effect on orderly, consistent development.** That establishing the conditional use will not impede the normal, orderly development and improvement of surrounding vacant property for uses predominant in the area.

All of the land surrounding the proposal is owned by the applicant or bordered by an existing public road. The general area currently includes multiple land uses to include a Commercial Planned Unit Development (PUD) (Bambi's Resort and the existing park), a farm and crop land, and residences. All required criteria of the Becker County Zoning Ordinance have been met or exceeded to prevent any potential to impede or prevent normal, orderly development and improvements of surrounding vacant property for uses predominant in the area.

3. **Adequate facilities.** That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Required utilities, roads, and all necessary facilities have been and will be provided and have been mapped on the site map and meet the Becker County Zoning Ordinance. All

drainage is and will be created to the recommendation of Becker County Soil and Water and if necessary the current storm water pollution prevention plan will be amended. The Minnesota Pollution Control Agency and Minnesota Department of Health guidelines are and will be followed.

4. **Adequate parking.** That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed
A minimum of two parking spaces shall be provided for each RV unit, any additional parking may overflow to the common space provided on the map.
5. **Not a nuisance.** That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so none of these will constitute a nuisance, and to control lighted signs and other lights so that no disturbance to neighboring properties will result.

The proposal is not expected to produce any nuisance odors, fumes or vibration. County Highway 117 has been recently "auto sealed" by the highway department which eliminates any dust. The site and lease agreement prohibits any excessive noise. Multiple acres of vacant land and wetlands surround the existing park and proposal creating an extensive natural buffer from all neighboring properties.

6. **Additional criteria for shoreland areas.** In Shoreland areas, it shall be found that adequate measures have been or will be taken to assure that:
 - a. **Pollution.** Soil erosion or other possible pollution of public waters will be prevented, both during and after construction

Setbacks provided on the site plan show a minimum fifty foot buffer from any present wetland and over a one hundred foot from buffer from the ordinary high water mark of Toad Lake. Any possible pollution will be controlled by the above buffers and silt fences during construction.

- b. **View from public waters.** That the visibility of structures and other facilities as viewed from public waters will be limited;

Natural vegetation and tree planting along County Highway 117 limit the view of the proposed and existing RV sites, structures and other facilities as viewed from Toad lake.

- c. **Adequate utilities.** That the site is adequate for water supply and on-site sewage treatment; and

A compliant septic system and well exist within the park and will be utilized for the expansion and updated if needed.

Watercraft. That the types, uses, and number of watercrafts that the project will generate can be safely accommodated.

The docking structured used for mooring/boat lifts will be placed and constructed in accordance with Minnesota DNR regulation. The number of slips allowed is in compliance with the Becker County Zoning Ordinance. Toad lake is over 1700 acres in size and classified as a Recreational Development lake. The proposal encompasses over 1200' of lake shore. With the amount of lakeshore, size of Toad lake, and DNR guidelines being followed the amount of watercraft proposed should be safely accommodated with no issues generated.

Aho Second. Roll Call; Ailie, Disse, Skalin, Blomseth, Seaberg, Aho and Bowers in favor. Motion Carried.

New Business:

- 1. APPLICANT: Deanna L Noel** 40358 Little Toad Rd Frazee, MN 56544
Project Location: 40358 Little Toad Rd Frazee, MN 56544 **LEGAL LAND DESCRIPTION:** Tax ID Number: **15.0233.000** Section 24 Township 139 Range 039; 24-139-039 GOVT LOT 2 LESS PLAT GORANSON BCH AKA 9.43 AC & LESS .50 AC TO STATE & EX 27 AC FOR 15.0236.000 & EX 1.65 AC FOR 15.0232.000 & EX 1.42 AC FOR 15.0234.000 & EX ROADS
APPLICATION AND DESCRIPTION OF PROJECT: Request a Change of Zone from Agricultural to Residential for proposed Tract B.

Deanna Noel presented the application.

There was no one to speak for or against this application.

Testimony closed.

Vareberg commented that the county was essentially blanket zoned, and at that time, nothing was really zoned residential unless it was a good sized neighborhood.

There was discussion on what would be considered spot zoning and the need for a clearer definition.

Vareberg stated that lot size is a big factor when determining this.

Vareberg also stated that he will look into a legal opinion on what is considered to be “spot zoning.”

Ailie stated that there are smaller lots in this area.

Seaberg asked if the request meets the guidelines of the ordinance.

Vareberg said the proposed lot would if the Change of Zone is granted.

MOTION: Seaberg motioned to approve the application; Skalin second. Roll Call; Ailie, Disse, Skalin, Blomseth, Seaberg, Aho and Bowers in favor. Motion carried.

Since there was no further business to come before the Board, Skalin made a motion to adjourn. Ailie second. All in favor. Motion carried. The meeting adjourned at 7:17 pm.

David Blomseth, Chairman

Jeff Moritz, Secretary

ATTEST

Kyle Vareberg, Zoning Administrator