

McHenry County Zoning Commission

November 16, 2017

2:00 PM

The meeting was called to order by Chairman Matt Zelinski. Other members present were Bill Goodwin, Tom Krumwiede, Larry Haman, Lyle Hendrickson, Lloyd Gardner, Darrell Haman and Darlene Carpenter.

A motion was made by Bill and seconded by Lloyd to approve the minutes from October 26th. Motion carried unanimously.

The public hearing was held for the variance application from Erick Nelson to place a structure 85' from the center of 17th Ave N located in the NE1/4NE1/4 of section 18-151-80. No one appeared for or against the application. A motion was made by Lloyd and seconded by Tom to recommend the commissioners approve the variance. Motion carried unanimously.

The application from David and Brenda Schmitt was discussed. A motion was made by Bill and seconded by Lyle to table the application until information on the distances and septic are received. Motion carried unanimously.

An application was received from Doug Woodall to rebuild a shop. A motion was made by Darrell and seconded by Lloyd to approve the permit. Motion carried unanimously.

A note was received from a Buffalo Lodge resident asking why Todd Langevin can stay at his home at Buffalo Lodge year around. This had been addressed by the zoning board in November of 2016. A motion was made by Bill and seconded by Tom to turn this over to the States Attorney. Motion carried unanimously.

A call was received from an engineering firm in Devils Lake, asking for clarification of what the board considers "surface water" as it pertains to animal feeding operations Section 2-B-c "Within 1,000 feet of surface water which is not included in source water protection area." The board determined surface water is any standing water or an area that could hold water in wet years. Since feedlot operations are also required to obtain a permit from the State Health Department, it was the consensus of the board if the permit meets state standards, the county would not deny it for reasons of surface water issues.

A motion was made by Lloyd and seconded by Larry to request maps from the cities, indicating the locations of their wellhead protection areas. Motion carried unanimously.

Ken Gefroh has resigned from his position on the zoning board. A replacement will be sought.

The board discussed changing the meeting schedule to only call meetings when necessary. All meetings would then be considered special meetings and notices would need to be published and a strict agenda would need to be followed. The board agreed to schedule monthly meetings as in the past and to cancel a meeting if there is nothing on the agenda.

Brenda Schmitt called with the distances their lake cabin will be from the section lines and water line. A motion to reconsider the previous motion above was made by Bill and seconded by Lloyd to approve the permit, pending receipt of the septic permit. Motion carried unanimously.

Larry mentioned the States Attorney research the question if board members can abstain from voting. His conclusion was board members can only abstain if they have a conflict of interest.

At 3:10 PM, a motion was made by Lloyd and seconded by Lyle to adjourn. Motion carried unanimously.

ATTEST:

Darlene Carpenter, Auditor