



Planning & Zoning Advisory Commission

MINUTES

SEPTEMBER 19, 2022

7:42 PM

NICOLLET COUNTY
 GOVERNMENT CENTER

BOARD MEMBERS	David Hermanson ☒ <i>Chair</i>	Dave Ubel ☒ <i>Vice Chair</i>	Marie Dranttel ☒ <i>Commissioner</i> Terry Morrow ☐ <i>Commissioner, Alternate</i>
	Justin Laven ☐	Lloyd Hoffmann ☒	
ABSENT EXCUSED	David Hermanson ☐ <i>Chair</i>	Dave Ubel ☐ <i>Vice Chair</i>	Marie Dranttel ☐ <i>Commissioner</i> Terry Morrow ☐ <i>Commissioner, Alternate</i>
	Justin Laven ☒	Lloyd Hoffmann ☐	
ABSENT	David Hermanson ☐ <i>Chair</i>	Dave Ubel ☐ <i>Vice Chair</i>	Marie Dranttel ☐ <i>Commissioner</i> Terry Morrow ☐ <i>Commissioner, Alternate</i>
	Justin Laven ☐	Lloyd Hoffmann ☐	
STAFF PRESENT	Property and Public Services Director Jaci Kopet ☒		
	Deputy Zoning Administrator Spencer Crawford ☒		
	County Attorney (CA) Michelle Zehnder Fischer ☒		
	Other Staff ☒ Administrative Support Specialist Crystal Madden, County Administrator Mandy Landkamer		

REVIEW OF CANCELLATIONS & ADDITIONS		PLN22-12 United Farmers Cooperative continued until the 10/17/2022 hearing due to lack of quorum.		
MOTION TO APPROVE MINUTES OF AUGUST 15, 2022		APPROVE ☒	APPROVE WITH REVISIONS ☐	
1 ST	David Hermanson ☐ <i>Chair</i>	Dave Ubel ☐ <i>Vice Chair</i>	Marie Dranttel ☐ <i>Commissioner</i> Terry Morrow ☐ <i>Commissioner, Alternate</i>	
	Justin Laven ☐	Lloyd Hoffmann ☒		
2 ND	David Hermanson ☐ <i>Chair</i>	Dave Ubel ☒ <i>Vice Chair</i>	Marie Dranttel ☐ <i>Commissioner</i> Terry Morrow ☐ <i>Commissioner, Alternate</i>	
	Justin Laven ☐	Lloyd Hoffmann ☐		
VOTE TO APPROVE MINUTES		PASS ☒	FAIL ☐	VOTE: 4-0
PUBLIC APPEARANCES	None.			

PUBLIC HEARINGS:

**M.R. PAVING &
EXCAVATING, INC.**

PLN22-15

THREE-YEAR MINERAL EXTRACTION PERMIT REVIEW.

APPLICANT COMMENT	Adam Hoffmann was present at the meeting representing M.R. Paving & Excavating, Inc. He had no comment.		
PUBLIC COMMENT	None.		
PUBLIC TESTIMONY	None.		
PUBLIC PARTICIPATION	None.		
MOTION	APPROVE WITH CONDITIONS ☒		DENY ☐
1ST	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☒	
2ND	David Hermanson ☐ Chair	Dave Ubel ☒ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
COMMISSION DISCUSSION	None.		
VOTE TO APPROVE REQUEST	PASS ☒	FAIL ☐	VOTE: 4-0
MOTION TO ADOPT FINDINGS			
1ST	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☒ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
2ND	David Hermanson ☐ Chair	Dave Ubel ☒ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
VOTE TO ADOPT FINDINGS	PASS ☒	FAIL ☐	VOTE: 4-0

PROPOSED AMENDMENTS TO THE NICOLLET COUNTY ZONING ORDINANCE & OFFICAL ZONING MAP

PUBLIC COMMENT	DZA Crawford stated the Property Services Department had received numerous calls regarding the proposed changes. DZA Crawford stated some members of the public also expressed their disagreement with FEMA's Floodplain determinations.
PUBLIC TESTIMONY	Craig Smith testified. He expressed concern over the accuracy of the floodplain map and stated the floodplain should be moved further back on his property. He stated that he should not have to buy flood insurance. Mark Forst testified. He expressed concern over his driveway bridge flooding. Terri Stratton-Hickey testified. She stated the floodplain map was not colorblind friendly, so she could not interpret the map. She was also concerned about the economic impact of her property being in floodplain. Terry Genelin testified. He expressed concerns over the accuracy of the floodplain map and asked how FEMA obtained their measurements. He also expressed concern about the economic impact of the new restrictions. Ted Boys testified. He started his concern about FEMA's public notification process, and requested Nicollet County take more time to study FEMA's map amendment before voting. DZA Crawford requested a recess at 8:39 PM. The Board resumed at 8:43 PM. CA Zehnder Fischer provided information about FEMA's map amendment process, and explained that the role of the Planning and Zoning Advisory Commission is to make a recommendation to the Board of

	Commissioners. She also explained the potential consequences of not approving the maps and Floodplain Ordinance revision. DZA Crawford read part of the April 13, 2022 letter from FEMA to Nicollet County relating to the appeal period ending for the FIS report and FIRM map. Craig Smith testified. He stated his concern about FEMA's notification process, and recommends this Commission not approve the recommended changes. Bruce Erkel testified. His primary concern is the accuracy of the Floodplain Zoning Map by using satellite imagery vs. on-site surveys. Dan Born testified. He inquired about the ratio of the Floodplain Zoning District being added and removed on his family farm and wanted technical information about the webmap. Mark Forst testified. He stated his concern about the notification process by FEMA. DZA Crawford read part of the April 13, 2022 letter from FEMA to Nicollet County relating to the public notice process for the Flood Insurance Study and Flood Insurance Rate Map. Mark Forst testified. He asked what the consequences of not adopting the maps would be. CA Zehnder Fischer explained the potential consequences of not approving the maps and ordinance revision. Bruce Erkel testified. He asked if this Commission will contact any federal representatives to state the map is inaccurate. Mike Martens testified. He asked why Nicollet County is discussing this map amendment now when FEMA notified the County in April. Terry Genelin testified. He asked the Commission if they had seen the map changes.		
COMMISSION DISCUSSION	PC Ubel stated he sympathizes with the landowner's concerns, and the map is the main issue and not the Ordinance change. PC Hoffmann stated he also sympathized, but if the changes are not accepted there may be consequences. Commissioner Dranttel noted her concern would be a lack of federal support during catastrophic flooding if the proposed changes are not approved. DZA Crawford read a part of the April 13, 2022 letter from FEMA to Nicollet County relating to the consequences of not approving the proposed changes to the zoning map and ordinance. PC Ubel stated his belief that variances could be granted within the floodplain. DZA Crawford stated the floodplain ordinance would not apply if a structure or proposed structure was proven to be above the 500 year floodplain elevation. PC Ubel stated that he thinks the ordinance primarily pertains to putting up new homes where they should not go, and that Nicollet County often works with property owners. DZA Crawford stated that staff must follow the zoning ordinance. DZA Crawford noted that Nicollet County would not require the immediate removal of structures within the floodplain, but that substantial damage and substantial improvement determinations would apply in the event existing structures were damaged or improvements were sought.		
MOTION TO RECOMMEND ADOPTION OF THE PROPOSED AMENDMENTS TO THE OFFICIAL NICOLLET COUNTY ZONING MAP			
1ST	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☒ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
2ND	David Hermanson ☐ Chair	Dave Ubel ☒ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
VOTE	PASS ☒		FAIL ☐
		VOTE: 4-0	

MOTION TO RECOMMEND ADOPTION OF THE PROPOSED AMENDMENTS TO THE NICOLLET COUNTY ZONING ORDINANCE

1ST	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☒	
2ND	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☒ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
VOTE		PASS ☒	FAIL ☐ VOTE: 4-0

OTHER:

OLD BUSINESS	None.
OTHER BUSINESS	None.
REVIEW OF PERMITS	The permits for August were reviewed.
COMMUNICATIONS	None.
MOTION TO ADJOURN	9:10 PM

1ST	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☒ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
2ND	David Hermanson ☐ Chair	Dave Ubel ☒ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	

DAVID HERMANSON, CHAIR		DATE 10/17/2022
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SPENCER CRAWFORD, DEPUTY ZONING ADMINISTRATOR		DATE 10/17/2022
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