

**Planning & Zoning Commission Proceedings**  
**Monday, February 27, 2017**

Chairperson Rick Hultberg opened the meeting at 1:30 p.m. Present were Commissioners Hultberg, John Matthews, Doug Krebsbach, Roger Britton, Darwin Saari, Don Flinn, and Noelle Kroll. Also present were Dean Weidler of Velva, Ward Knutson of Bismarck, Richard Wolf and Randy Heiser of Ruso, Jimmy Ravnaas of Turtle Lake, Calvin Sheelar, John and Loretta Ganje, and Ricki Hauf, representing Otis Township, McLean County Water Board members Lynn Oberg and Shannon Jeffers, Land Use Administrator Todd Schreiner, his assistant Cassie Goetz, County Assessor Ryan Oberg, and Secretary Nancy Leidholm.

Hultberg introduced John Matthews as the newest member of the commission who has been appointed to finish out the term vacated by the death of commission member Vernon Ostby.

Moved by Flinn, seconded by Britton, to approve the minutes of the previous meeting as submitted. Roll Call Vote: Aye: Kroll, Matthews, Krebsbach, Britton, Saari, Flinn, and Hultberg. Nay: None. Motion carried.

Ward Knutson and Dean Weidler were present to request approval of a subdivision plat involving land located in part of Government Lots 4 and 5 of Section 36, and part of the SW¼ of Section 36, Township 150 North, Range 80 West, to develop a 10 lot rural residential subdivision to be known as Strawberry Lake First Addition, located in Otis Township. Knutson described that phase one of the development consists of ten lots, two of which have been deemed unbuildable. Lot 10, consisting of 27,815 square feet, will be turned over to the Strawberry Lake Cabin Owners Association (Lake Association); another property owner is interested in Lot 1. He went on to say that a road will be built along the south side of the property, the roads east and west will connect over to the section line, and it also consists of rebuilding the road that goes from the southwest corner of the property down to the north alongside Lot 1. Knutson explained that these will be residential lots and they plan to cut the hill down to level the lots to make them sellable. County Assessor Ryan Oberg showed those in attendance where the property was located using the county's GIS website. Hultberg questioned where this was located and Knutson stated that it is along the southeast side of Strawberry Lake. Schreiner added that it is along the public beach area. Schreiner is of the understanding that once the road is built according to county specs and approved, the other road will be vacated stating that it would have to go through a county commission hearing to vacate the road. Knutson told the commission that the lots are well over an acre and a half in size and that water will be supplied by wells. He went on to say that they will be cutting a hill down in order to make a necessary parking area on the south side of Lot 10 to eliminate beach goers from parking along the road. They plan to work with the Lake Association to place "No Parking" signage along the road to keep the road accessible for area farmers and ranchers. Saari requested that the parking lot be drawn in on the final plat. Discussion followed regarding the boat dock, tearing down of the rest room facilities, and moving in portable outhouses. Knutson told the commission that the current frontage of the beach now is 220 feet and will be reduced to 110 feet.

Richard Wolf, who farms about a half mile north of Strawberry Lake, was present with questions regarding the road and it being assessable. The beach itself is used by more than the cabin owners around the lake and at times gets hectic. He is concerned that the parking area will be big enough for everyone if they can't park along the road. He also questioned what will happen to the handicapped fishing dock provided by Game & Fish. Wolf is concerned about the new road and young people coming down the hill at a respectable speed; he doesn't want to see anyone hurt. The shrinking size of the beach is also a concern.

Commissioner Britton questioned if the beach front is going to be reduced to 110 feet wide, will the depth of the beach change. Knutson responded that there will be 75 feet more than what there is today for parking. Weidler responded that they would gain the area previously used for parking when people would park along the outside of the beach. The Lake Association will fence it off. Britton questioned the total square footage of the old beach to the new beach. Oberg stated that the old beach was about 9/10ths of an acre; the new beach will be about 2/3rds of an acre. He went on to say the biggest impact will be to the frontage where it will be reduced to 110 feet from now somewhere between 375 and 400 feet. Discussion followed regarding the handicap dock and the boat dock, both owned by Game & Fish.

John Ganje of Otis Township stated that the current owner, Floyd Anderson, leases the beach to the Lake Association on a year to year basis. Knutson stated that it is a five year agreement and has documentation to prove it.

Calvin Sheelar from Otis Township stated that the agreement terminates on the sale of the land. Discussion followed regarding this issue as well as lot size and various covenants.

Krebsbach questioned about how many vehicles the new parking area will hold. Knutson and Weidler had no idea. Saari would like to see the number of parking spots included in the final plans.

Randy Heiser questioned the south side road being built to county specs and who will be responsible for it when completed. Knutson stated that it would become the responsibility of the Lake Association. Schreiner stated that typically when a road is built by a developer the developer is responsible until they sell all the lots and the county does not maintain the road. His office encourages requiring a Home Owners Association (HOA) that can collect monthly fees to help with the maintenance of the road, snow removal, etc. Oberg added that they could add an HOA to the covenants and restrictions when they file for the subdivision that states that anyone buying any of the lots agrees to be in the HOA along with the responsibility of the dues. Schreiner stated that it would be recorded in the Recorder's office and it becomes the rule. Krebsbach added that the developer signs off stating that the county has no responsibility for the road at all. Knutson stated that it says in the covenants that the Lake Association will be responsible for maintaining the road. Schreiner would like something permanent on record. Saari would like to see a formal contract.

Discussion followed in regards to law enforcement on the beach. Krebsbach spoke with States Attorney Ladd Erickson by phone determining that law enforcement can go on a private beach.

Britton questioned how the beach being made smaller affects the cabin site owners. Wolf responded that not all cabin owners around the lake have a beach that's usable so they use the beach so it is a concern. Schreiner stated that some cabin owners have nice beaches and some have steep banks. Sheelar stated that about 90% of the owners have to use the beach area to put their boats in the water.

Hultberg questioned who takes care of the cleanup of the beach to which Wolf responded that the Lake Association does. They have a dumpster there and guys who mow and clean it up. The beach is well manicured.

Schreiner stated that engineers will be involved in the process to create a drainage report and storm water drainage easements and work with the local water board to make sure there are no water issues.

Krebsbach stated that total understanding of policing the area is needed; some names behind the yes and no votes of the Lake Association; and consideration by the developers to giving up part of Lot 10.

Moved by Britton, seconded by Saari, to table a decision on the Strawberry Lake First Addition subdivision until the next Planning & Zoning Commission meeting scheduled for March 20, 2017 at 1:30 p.m. Roll Call Vote: Aye: Kroll, Matthews, Krebsbach, Britton, Saari, Flinn, and Hultberg. Nay: None. Motion carried.

There being no further business, the chairperson declared the meeting adjourned at 2:28 p.m.

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Richard Hultberg, Chairperson

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Nancy Leidholm, Secretary