

# OTTER TAIL COUNTY PLANNING COMMISSION

Otter Tail County Government Services Center, 540 West Fir, Fergus Falls, MN 56537 218-998-8095

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April 9, 2025

Meeting of the Otter Tail County Planning Commission was held on April 9, 2025, at 6:00 P.M. at the Government Services Center; the hearing was held in person and via Microsoft Teams.

## **Roll Call:**

Members Present: Steve Langlie, Tina Bladow, David Trites, David Wass, Rick Wilson & Judd Fischer.

Absent: Brent Frazier

Michelle Eldien represented the County Attorney's Office.

Chris LeClair represented the Land & Resource Management Office.

Chair, Steve Langlie announced that he will only be voting during the meeting if there is a tie vote.

**Minutes of December 11, 2024:** No changes or corrections to the Minutes of the December 11, 2024, Planning Commission Meeting, Fischer moved to accept minutes as presented with a second by Bladow. Voting: All members in favor. Motion Passed.

## **Nominations**

**Election of Vice Chair for 2025:** – Fischer made a nomination, seconded by Wilson to elect Bladow to serve as Vice Chair of the Planning Commission for 2025. Trites ceased nominations and cast a unanimous ballot for Bladow, to serve as Vice Chair of the Planning Commission for 2025. Voting: All members in favor.

**Election of Secretary for 2025:** A motion by Fischer second by Trites to nominate Frazier for secretary for the Planning Commission for 2025. Voting: All Members in favor.

**Public Comment Standards** – Fischer made a motion seconded by Wilson to adopt the Public Comment Standards with the change to add “approximately” to the 3 minutes section of the Rules for Public Comment. The Rule will read “Each person will have approximately 3 minutes to provide comments”. Voting: All Members in favor.

## ***The Planning Commission considered the following application(s):***

Bladow has recused herself from the Shircliff Properties LLC – East Batte South Shore Application.

## **Shircliff Properties LLC “East Battle South Shore” — Recommend Approval as Presented with Conditions:**

A Preliminary Plat of “East Battle South Shore” consisting of 5 Riparian Single Family Residential Riparian Lots and 6 Single Family Residential Non-Riparian Lots, 2 Blocks, located in Section 2 of Nidaros Township, East Battle Lake (56-138) RD. The proposal is located South & East of 21978 450<sup>th</sup> Ave., Battle Lake MN 56515, Parcel No. 41000020010000.

## **Shircliff Properties LLC “East Battle South Shore” – Continued**

Brad Nyberg, Nyberg Surveying; Mike Fletchall, Interstate Engineering and Don Shircliff, property owner represented the Preliminary Plat. Brad Nyberg gave an overview of the Preliminary Plat Application indicating that there is approximately 14 acres that is being subdivided. There will be 5 lake lots and 6 back lots. Each lot will be 40,000 sq ft to 50,000 sq ft and the lake lots will have 150 feet of lakeshore. The Township is aware of the proposed road that will be constructed for the proposed plat. There is a bluff on the property, soil borings have been done, and wetlands have been delineated. Also proposing shared steps and access to the lake. The Shared Access will be created by an easement and will be located between Lots 3 & 4 Blk 1 to service the riparian lots with stairs and an elevator. Brad indicated that this is a very common in the Alexandria area. This will be addressed in the declarations.

3 Comments have been submitted for this Conditional Use Permit Request: 1. The Minnesota Pollution Control Agency submitted comments indicating that if required, the applicants should obtain and comply with any necessary permits as applicable. 2. Mark & Marcia Daly submitted a comment indicating that they are not opposed to the proposed plat, but they are concerned about potential damage to the pavement on 450<sup>th</sup> Ave & 453<sup>rd</sup> Ave. 3. Asha Lundgren submitted a letter on behalf of Shirley Lundgren and the Lundgren Family addressing concerns about Notification Procedure/Inadequate Notice to Stakeholders; Environmental & Legal Compliance Concerns; Zoning, Density & Infrastructure; Property Line Setbacks and Neighbor Rights; Roadway and Infrastructure Damage; Cultural and Historical Preservation; Constructive Alternatives with conservation easements and reduced density development. All comments are on file at Land & Resource Management and has been forwarded to the Applicant and Planning Commission Board Members for their review.

The Development Review Team submitted a Report dated April 2, 2025, with the following recommendations to the Planning Commission:

1. **SHARED DOCK SYSTEM.** If the shared dock system is approved, an easement must be created that gives egress/ingress access from the road right-of-way of East Battle South Shore Drive. The easement must be very clear that the only properties that can use the easement are Lot 2 Block 1, Lot 3 Block 1, Lot 4 Block 1, Lot 5 Block 1 and Lot 6 Block 1. Lot 1 Block 1 and all lots in Block 2 are non-riparian and cannot use the easement, as that would be classified as controlled access, which is prohibited in the Shoreland Management Ordinance. a. If the Preliminary Plat is approved, the Development Review Team recommends that a condition be placed on an approval that the easement be submitted to the office prior to recording to ensure this condition is met.
2. **MILLERBERND PROPERTY.** The Delores Millerbernd property (21978 450th AVE, PIN 41000020010001) appears to have structures on or very close to the north property boundary of proposed Lot 1, Block 1. There also appears to be a fence, a generator and a transformer on Lot 1, Block 1. a. This property boundary discrepancy must be addressed and remedied prior to the plat being recorded. If the Preliminary Plat is approved, the Development Review Team recommends that Planning Commission place a condition that this property line discrepancy be remedied prior to the Final Plat being submitted.

The audience was polled with Deloris Millerbernd who presides at 21978 450<sup>th</sup> Ave, Vining spoke in support of the request. She indicated that she owns the property next to the development. She indicated that if it doesn't infringe on her she supports the development.

### **Shircliff Properties LLC “East Battle South Shore” – Continued**

Don Shircliff addressed her questions about what lots would have access to the lake as well as the road location. Asha Lundgren questioned the need for an EAW and concerns with the eagles.

**Motion:** After consideration and discussion Trites made a motion, seconded by Fischer to recommend approval of the Preliminary Plat of “East Battle South Shore” consisting of 5 Single Family Residential Riparian Lots and 6 Single Family Residential Non-Riparian Lots, 2 Blocks to the County Board with the following conditions:

1. Need to obtain a Conditional Use Permit for the proposed road to service the Preliminary Plat.
2. Follow the recommendations made by the Development Review Team on April 2, 2025.
  - a. The boundary line discrepancy between the proposed plat and the Deloris Millerbernd property (Parcel No. 41000020010001) must be remedied prior to the final plat being recorded.
  - b. The Access Easement for the Dock System be submitted to the office prior to recording to ensure this condition is met.
3. A private entity must be established to enforce access for the shared dock system and all riparian lot owners are required to use the dock system.
4. Lots 2, 5, & 6 Blk 1 have continuous vegetation along the shoreline.
5. A professional plan is provided for the centralized access to the shared dock system.
6. The protective covenants need to address the centralized dock system requirements.

**Voting:** Motion passed with all members in favor.

Bladow has returned to the meeting.

### **Carlisle Family Rev Liv Tst — Recommend Approval as Presented with Conditions:**

A Conditional Use Permit Application for Shoreland Alteration to build a driveway to access new dwelling; Excavate two feet of bluff to establish house grade at 1348. Cut will be approx. 488.82 cubic yards of which 130 cubic yards will be cut within the bluff and 489.70 cubic yards of fill. The proposal is located at 30866 West Point Trl., Richville MN 56576, Section 23 of Amor Township, Otter Tail Lake (56-242), GD, Parcel No. 02000990795000.

Dan Carlisle, Property Owner, Josiah Rostad, Moore Engineering and Chris Heyer, Moore Engineering (appeared via Teams) represented the Conditional Use Permit Application.

Property owner gave an overview of the request and indicated that the Plat has been in existence since the mid 90’s and consists of 17 lots with some sort of elevation on Otter Tail Lake. Most of the lots are developed and they want to build a 2400 sq. ft. slab on grade dwelling with an attached garage.

6 Comments have been submitted for this Conditional Use Permit Request: 1. The Minnesota Pollution Control Agency submitted comments indicating that if required, the applicants should obtain and comply with any necessary permits as applicable. 2. Ryan Bjerke, DNR submitted an email indicating the DNR’s primary concern is the portion of the project involving extensive excavation, grading, and tree removal within the bluff impact zone (BIZ)—for which there would likely be negative implications for bluff stability, neighboring properties, the viewshed from the lake, and water quality. Approval of these

## **Carlisle Family Rev Liv Tst – Continued**

specific activities would set a poor precedent for other sensitive areas around the lake unsuited for similar developments—particularly when there are reasonable alternatives that would have fewer resource impacts and are better aligned with the spirit and intent of the county shoreland ordinance. 3. Brian & Cindy Becker submitted an email indicating they are in support of the Conditional Use Application request. 4. Rand & Ann Bertoch submitted a letter which indicated that they support the Conditional Use Permit Application request. 5. Paula & Val Dietz submitted an email indicating that they have no concerns with their request. Brandon & Bailee Currie submitted an email (received after comment period ended) in support of the Conditional Use Permit request. Comments are on file at Land & Resource Management and has been forwarded to the Applicant and Planning Commission Board Members for their review.

The audience was polled with no one speaking for or against the Conditional Use Application.

**Motion:** After consideration and discussion Fischer made a motion, seconded by Wilson to recommend approval to the County Board to build a driveway to access new dwelling. Project consists of excavating two feet in the bluff impact zone to establish house grade at an elevation of 1348. The cut will consist of 488.82 cubic yards of which 130 cubic yards will be within the bluff impact zone with the following conditions:

1. Protect the septic area with lath and caution tape.
2. Need to minimize water drainage towards the bluff and provide the Land & Resource Management Office a drainage plan.

**Voting by Roll Call Vote:** Motion passed with Wass & Trites voting no to recommend approval to the County Board.

### **Brian & Laura Bachelor — Recommend Approval as Presented:**

A Conditional Use Permit Application for Shoreland Alteration to extend the existing roadway 452nd street approximately 795' to service proposed residential riparian and non-riparian lots (Proposed Plat of Loon View). Earthmoving will consist of 1212 cubic yards cut, 518 cubic yards of fill to subgrade, 295 cubic yards of class 5 to top the road, and 694 cubic yards for re-shaping construction of a roadway for a total of 2719 cubic yards. The proposal is located at 31807 Mallard Dr., Vergas MN 56587, Section 3 of Dora Township, Loon Lake (56-523), RD, Parcel No. 16000030015900.

Bladow has recused herself from this Application.

Jack Rosenthal, Boundary Pro and Jade Berube, Apex Engineering represented the Conditional Use Permit Application. Jade Berube handed out a revised plan dated April 7, 2025, for the road ditch per the Township comments.

1 Comment has been submitted for this Conditional Use Permit Request: 1. The Minnesota Pollution Control Agency submitted comments indicating that if required, the applicants should obtain and comply with any necessary permits as applicable. Comment is on file at Land & Resource Management and has been forwarded to the Applicant and Planning Commission Board Members for their review.

The audience was polled with no one speaking for or against the Conditional Use Application.

### **Brian & Laura Bachelor – Continued**

**Motion:** After consideration and discussion Wilson made a motion, seconded by Wass to recommend approval to the County Board to extend 452<sup>nd</sup> Street approximately 795 feet to service the proposed residential riparian and non-riparian lots (Proposed Plat of Loon View). Earthmoving will consist of a total of 2,719 cubic yards of cut and fill as presented in the revised plans for the ditch dated April 7, 2025.

**Voting by Roll Call Vote:** Motion passed with all members in favor.

Bladow has returned to the meeting.

### **Leisuretime LTD — Recommend Approval as Presented with Conditions:**

A Conditional Use Permit Application to revert back to Commercial PUD and keep as a resort. The proposal is located at 28507 Co Hwy 35, Underwood MN 56586, Section 32 of Maine Township, West Lost Lake (56-481), NE, Parcel No. 38000320247006 & 3800032024700.

Melvin Lempiainen & Mami Lempiainen, Proposed Property Owners and Jen Oyster represented the Conditional Use Permit Application.

1 Comment has been submitted for this Conditional Use Permit Request: 1. The Minnesota Pollution Control Agency submitted comments indicating that if required, the applicants should obtain and comply with any necessary permits as applicable. Comment is on file at Land & Resource Management and has been forwarded to the Applicant and Planning Commission Board Members for their review.

The audience was polled with no one speaking for or against the Conditional Use Application.

**Motion:** After consideration and discussion Wass made a motion, seconded by Wison to recommend approval to the County Board to change back to a Commercial Planned Unit Development (Amend CUP #2024-03) with the following Conditions:

1. Septic system be replaced in 2025.
2. Number of docks allowed is 11.

**Voting by Roll Call Vote:** Motion passed with all members in favor.

### **Edward A Smith Rev Liv Tst — Recommend Approval as Presented with Conditions:**

A Conditional Use Permit Application: In 2024 a Non-dwelling PUD was approved for a storage building development. After the planning commission approval, the neighbor sold an additional 5 acres to the developer. With this additional land the 2024 site drainage plan was significantly improved by rotating the building to an east-west orientation. We discussed the proposed building rotation with Chris LeClair, and his opinion was the change was significant enough to require the application again. Therefore, since a re-application was needed the site was re- designed with additional units and a revised site drainage plan. Requesting the planning commission to re-consider the proposed additional storage units with the same conditions based on these revised plans. Earthmoving Consists of 1,674 yards cut; 1,841 yards fill; 167 yards of imported fill; 344 yards of imported class 5. Total of 4,026 Cubic Yards. The proposal is located at 42265 County Rd 1, Ottertail MN 56571, Section 4 of Otter Tail Township, Otter Tail Lake (56-242), GD, Parcel No. 46000991128000 & Pt of 46000040016007.

### **Edward A Smith Rev Liv Tst - Continued**

Edward Smith, Property Owner (appeared remotely), Jack Rosenthal, Boundary Pro and Jade Berube, Apex Engineering represented the Conditional Use Permit Application.

1 Comment has been submitted for this Conditional Use Permit Request: 1. The Minnesota Pollution Control Agency submitted comments indicating that if required, the applicants should obtain and comply with any necessary permits as applicable. Comment is on file at Land & Resource Management and has been forwarded to the Applicant and Planning Commission Board Members for their review.

The audience was polled with no one speaking for or against the Conditional Use Application.

**Motion:** After consideration and discussion Trites made a motion, seconded by Bladow to recommend approval of the Non-Residential CUP for a total of 16 Units in 3 Storage Buildings with individual ownership with a total of 4,026 cubic yards of earthmoving to the County Board with the following conditions:

1. Lighting on the buildings will need to be downward lighting.
2. No outside storage.
3. Signage cannot exceed 4 x 8.
4. None of the units should be at any time be resided in or used as dwelling or living units.
5. Need to remove the portion of the sentence between the words “except” and “reference” in the first paragraph on page 3 of the Declaration under Purposes and Uses.

**Voting:** Motion passed with all members in favor.

### **Brian & Valerie Oman — Recommend Approval as Presented:**

A Conditional Use Permit Application: The lot is currently approved for a 39 foot by 9-foot camper and 10 by 22-foot deck. The request is to change from a camper to a seasonal or four-season cabin instead of a camper, within the same overall footprint of the currently approved camper and deck footprint. If possible, we would also like to move the deck from facing the woods to facing the lake. The proposal is located at 38092 Co Hwy 44, County Hwy 44, Richville MN 56576, Section 16 of Dead Lake Township, Dead Lake (56-383), NE, Parcel No. 14000990704000.

Valerie Oman, Property Owners represented the Conditional Use Permit Application remotely.

1 Comment has been submitted for this Conditional Use Permit Request: 1. The Minnesota Pollution Control Agency submitted comments indicating that if required, the applicants should obtain and comply with any necessary permits as applicable. Comment is on file at Land & Resource Management and has been forwarded to the Applicant and Planning Commission Board Members for their review.

The audience was polled with Ernie West addressing concerns of allowing this structure to be larger than it currently is and limits for septic areas and dock space. Approval of this opens the door for everyone else.

**Motion:** After consideration and discussion Trites made a motion, seconded by Fischer to recommend approval of structure type (going from a camper to a stick-built dwelling) to the County Board as presented.

**Voting By Roll Call Vote:** Motion passed with all members in favor.

**Joseph & Lisa Harlow — Recommend Approval as Presented with Conditions:**

A Conditional Use Permit Application: 6 Campers and Properly Permitted Gas Pump  
The proposal is located directly East of 43606 Mosquito Heights Rd., Perham MN 56573, Section 17 of Pine Lake Township, Big Pine Lake (56-130), GD, Parcel No. 52000990449000.

Bladow has recused herself from this Application.

Joe & Lisa Harlow, Property Owners represented the Conditional Use Permit Application.

5 Comments have been submitted for this Conditional Use Permit Request: 1. The Minnesota Pollution Control Agency submitted comments indicating that if required, the applicants should obtain and comply with any necessary permits as applicable. 2. A letter was received from Pete & Jackie Dulski addressing concerns for additional parking spaces needed, access for emergency vehicles, maintenance/cleanup of the property and drainage on the road to private residences. 3. Jesse Richter submitted 3 emails addressing safety concerns and appearance of the property and unnecessary clutter along with lack of parking. Mr. Richter indicated that they are in support of the Harlow's and wish them much continued success. 4. Lisa Baumgart submitted an email in opposition to the request for Conditional Use. She addressed the concerns with increased traffic and noise levels disrupting the overall tranquility of the neighborhood. 5. Jim Baumgart submitted an email expressing his objections to the Conditional Use Permit request indicating his concerns of egress issues. Comments are on file at Land & Resource Management and have been forwarded to the Applicant and Planning Commission Board Members for their review.

The audience was polled with no one speaking for or against the Conditional Use Permit Application.

**Motion:** After consideration and discussion Wilson made a motion, seconded by Fischer to recommend approval of a 6 camper Commercial Planned Unit Development and Gas Pump to the County Board as presented with the following conditions:

1. Need approval of the Gas Pump from the MPCA.
2. The 6 campers need to get licensed by Public Health.

**Voting By Roll Call Vote:** Motion passed with all members in favor.

Bladow has returned to the meeting.

**Loon Lake Holdings LLC — Recommend Approval as Presented with Conditions:**

A Conditional Use Permit Application to add 16 additional boat slips for a total of 47 slips, request to add a 490 sq. ft. 3-Season addition the Park Model RV Site #41 and move existing RV Site #1 which is currently closest to the lake. Would like to relocate RV to the south side of the boat shed. The proposal is located at 32053 Loon Dr., Vergas MN 56587, Section 35 of Candor Township, Loon Lake (56-523), RD, Parcel No. 08000350267900, 08000350267001, 08000350267002 & 08000990531000.

Deforest (Jay) Malmstrom III, Property Owner represented the Conditional Use Permit Application.

2 Comments have been submitted for this Conditional Use Permit Request: 1. The Minnesota Pollution Control Agency submitted comments indicating that if required, the applicants should obtain and comply with any necessary permits as applicable. 2. Brad Sinclair, Chairman of Loon Lake Preservation Committee submitted a letter in objection to

## **Loon Lake Holdings LLC – Continued**

the Conditional Use Permit Application request to add 16 additional boat slips for a total of 47 boat slips. The letter indicates that on December 22, 2021, Land & Resource determined that Loon Lake Holdings is limited to a total of 33.3 boat slips and presently they have been approved for 31 boat slips. It also indicates that the request was not properly staked and is not compatible with the surrounding area, environmental impacts, adequate parking and traffic control along with adequate lot area and water frontage. Comments are on file at Land & Resource Management and have been forwarded to the Applicant and Planning Commission Board Members for their review.

The audience was polled with Brad Sinclair, 30881 Park Manor Rd, West Loon Lake Resident. He indicated that he filed comments on behalf of Loon Lake Association and talked about statutory interpretations. He went over the attachments and comments he submitted. Steve Odegard, 32313 Loon Dr. spoke against the additional boat slips and thinks that the current approved 31 boat slips is generous. He does not see the need for the additional boat slips and 47 is more than needed. Bill Russell, 32271 Loon Dr. spoke and supports the comments made by Brad Sinclair.

The Board has considered and are aware of the 16 factors and factors were looked at as a whole. The Board discussed concerns regarding increasing the number of boat slips to 47 with regards to adequate lot area and water frontage with there being approximately 1850 feet of water frontage, they feel that 47 boat slips is to many along that area. The board also expressed concerns with adequate parking and traffic management by the cul-de-sac and that area being very restricted and congested. The Board also identified concerns with hazards that may be created on both land and water as well as the density.

**Motion:** After consideration and discussion Trites made a motion, seconded by Fischer to recommend approval to add a 490 sq. ft. 3-Season addition the Park Model RV Site #41, relocate existing RV Site #1 to the south side of the boat shed and limit the total number of boat slips to 33. This is an increase of 2 boat slips that were approved in the initial Conditional Use Permit Application (CUP # 6976) in January of 2022 for 31 boat slips.

**Voting By Roll Call Vote:** Motion passed with all members in favor.

**Adjourn:** Wilson made a motion, seconded by Fischer to adjourn the Planning Commission Meeting at 8:47 P.M.

Respectfully submitted,



Amy Busko  
Recording Secretary

The minutes were emailed on April 14, 2025, to the Otter Tail County Planning Commission Members. Official action regarding these minutes will be taken by the Planning Commission at their next regularly scheduled meeting.