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CALL MEETING TO ORDER

Chair John Weiers called the meeting to order at 6:00pm with the following members present: John Weiers, Chris Carlson, Deanna Soderberg, Amy Birnbaum, Steven Johnson. Absent: Kendal Braun and Loren Lueck
Zoning staff present: Keenan Hayes, Jessica Sonsteby

PLEDGE OF ALLEGIENCE

Chair John Weiers led those present in the Pledge of Allegiance.

APPROVAL OF THE MINUTES:

MAY 11, 2026, PLANNING COMMISSION MEETING AND BOARD OF ADJUSTMENT MEETING

Mr. Johnson makes a motion to approve the May 11, 2026, minutes as presented and seconded by Ms. Birnbaum.
Motion carried unanimously 5-0.

OLD BUSINESS:

None

NEW BUSINESS:

CONSIDERATION OF A REQUEST BY ELIZABETH MICKELSON FOR THE TOWERS, LLC FOR A CONDITIONAL USE PERMIT

Mr. Hayes reads the staff report.
No written comment.
Public comment opens at 6:03pm

1) Gerald Latterell, 11837 160th Ave, Foreston, MN 56330

Mr. Latterell would like clarification on the location and height of the tower, if the towers will devalue property values around it, or if there are any statistics on health concerns that could occur with the new tower.

Public comment closes at 6:08pm.

Mr. Hayes explains the location of the tower to be located south of Hwy 23, north of the primary residence in an agricultural field. Mr. Hayes states he is not aware of any health concerns or if property values would be decreased.

Mr. Carlson states that he lives near a tower and his property value has not changed due to the proximity.

Mr. Johnson makes a motion to approve the request as submitted and seconded by Ms. Soderberg
Motions carries 5-0

CONSIDERATION OF A REQUEST BY MAYWOOD FARMS LLC FOR A FINAL PLAT

Mr. Hayes reads the staff report.
No written comment.
Public comment opens and closes at 6:11pm.
Mr. Johnson makes a motion to approve the request as submitted and seconded by Mr. Carlson
Motions carries 5-0

CONSIDERATION OF A REQUEST BY JACOB MICKUS FOR A CONDITIONAL USE PERMIT

Mr. Hayes reads the staff report.

The applicant was not present. His brother, Andrew Mikus, of 7739 Cedar Road, Milaca, appeared on his behalf and represented the application.

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During the discussion, Mr. Weiers asked about the similarities between hemp and cannabis. Mr. Carlson explained that hemp is generally lower in THC content, while cannabis contains higher levels of THC.

No written comment.

Public comment opens and closes at 6:15pm.

Mr. Carlson makes a motion to approve the request as submitted,

Mr. Hayes states there was an error in the agenda and staff recommendations are not listed.

Mr. Carlson withdraws his motion to approve the request as submitted.

Mr. Hayes read the staff's recommended conditions.

Staff recommends approval of this request with the following conditions:

1. The Conditional Use Permit (CUP) authorizes up to one (1) acre of outdoor cannabis cultivation and small-scale cannabis processing limited to activities conducted entirely within the existing buildings, as shown on the approved site plan and described in the application materials. The cannabis cultivation area shall meet or exceed all fencing and security requirements of the Minnesota Office of Cannabis Management (OCM). The use shall be developed and operated in substantial compliance with the approved site plan, narrative, and CUP application materials.

2. Any expansion of cultivation area, processing operation, change in license class, or change in operational intensity shall require amended CUP approval.

3. The applicant shall obtain and continuously maintain all required Minnesota OCM licenses and approvals. This CUP shall be null and void if state licensure is not maintained.

4. Cannabis odor shall not be detectable beyond the property boundary at an intensity of Level 3 (Distinct) or greater on the ASTM Odor Intensity Referencing Scale, as determined by the Zoning Administrator or their designee, considering intensity, frequency, duration, and prevailing weather conditions. The verification of a Level 3 or greater odor shall be considered a nuisance and subject to enforcement action.

5. If this use is discontinued, inactive, or otherwise ceases for a period of three consecutive years or more, the CUP shall be deemed abandoned and may be revoked by Mille Lacs County.

Mr. Carlson makes a motion to approve the request as submitted with conditions recommended by staff and seconded by Ms. Soderberg.

Motions carries 5-0.

CONSIDERATION OF A REQUEST BY JEFFERY SMITH FOR A VARIANCE

Mr. Hayes reads the staff report.

The applicant is present and shows the board the new building plans.

Mr. Weiers appreciates the building plans to help clarify the project. Mr. Johnson states that these lots are very narrow in this area.

No written comment.

Public comment opens and closes at 6:24pm.

No other discussion with the board.

Mr. Johnson makes a motion to approve the request as submitted and seconded by Ms. Birnbaum

Motions carries 5-0.

CONSIDERATION OF A REQUEST BY DOUGLAS BENTHIN FOR A VARIANCE Mr. Hayes reads the staff report.

Written Response:

1) Kris and Imina Oftedahl, neighboring property owners at 35455 100th Ave.

Date: June 1, 2026

The letter formally opposes a request to reduce the required septic system soil treatment and dispersal areas and any related proposal to create a new buildable parcel through subdivision.

Main Concerns Raised

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1. Public Health and Environmental Risks

- The writers argue that eliminating the required primary and backup septic dispersal areas removes an important safeguard designed to prevent septic system failure.
- They contend that without a backup area, there is an increased risk of sewage surfacing and groundwater contamination.

2. Creation of a New Buildable Parcel

- The writers believe a buildable lot must have sufficient land to support both primary and replacement septic areas.
- They argue that if the property cannot accommodate those requirements, it should not be considered a buildable parcel.
- They state that they purchased their property with the understanding that the neighboring parcel was not buildable.

3. Failure to Meet Variance Standards

- The letter asserts that a variance should only be granted when a true hardship exists.
- The writers argue that economic considerations alone do not justify eliminating essential septic infrastructure.
- They believe the request would undermine neighborhood character and create a public safety concern.

Requested Action

The authors request that the County:

- **Deny the reduction of required septic dispersal areas,** and
- **Deny the creation of any new buildable parcel** that relies on the reduced septic standards.

2) Rocklin Shir; 547 Lagrandeu Rd, Somerset, WI 54025

Date May 30, 2026

The author owns property adjacent to the Benthin parcel and expresses concerns about the requested septic system variance. The letter notes that the property is adjacent to Black Brook, a tributary of the Rum River, and references the Clean Water, Land and Legacy Amendment and the Rum River Watershed management efforts.

Main Points

- The parcel is located near Black Brook, which ultimately drains into the Rum River watershed.
- Because of the property's proximity to water resources, the author believes additional environmental review is warranted before granting a variance.
- The author requests that a **soil analysis be required and reviewed by the Minnesota Board of Water and Soil Resources (BWSR)** before any variance is approved.
- The concern appears to be protecting water quality within the Rum River watershed.

Requested Action

The author is not explicitly requesting denial of the variance but is asking the Board of Adjustment to require a soil analysis and obtain review or approval from the Board of Water and Soil Resources before making a decision on the variance request.

Overall, the letter raises environmental and watershed-protection concerns and seeks additional technical review prior to approval of the septic variance.

Public Comment opens and Closes at 6:29pm

Mr. Hayes indicated that the comments submitted by the Oftedahls may be based on a misunderstanding of the variance request. The request is not to eliminate the requirement for a future replacement septic site or to create a buildable lot without adequate septic capacity.

The variance request is solely to allow the installation of a Type 3 septic system in lieu of a Type 1 system. The proposed Type 3 system will comply with applicable septic system requirements and standards.

Should a new dwelling be proposed in the future, a building permit application would be required, and

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the applicant would be required to identify and maintain a compliant replacement septic treatment area in accordance with county and state regulations at that time.

Mr. Johnson makes a motion to approve the request as submitted and seconded by Mr. Carlson.
Motion carries 5-0.

OTHER BUSINESS:

Mr. Carlson raised concerns regarding the 100-foot rear yard setback requirement in the Agricultural zoning district. He stated that a County Commissioner had stopped at his residence and asked whether he would visit a property to determine if a shed could be constructed within the required setback.

Mr. Carlson noted that, due to his position on the Board of Adjustment, he did not feel it was appropriate to visit the property in that capacity. However, acting in his role as a township official, he did visit the property and informed the property owner that a variance request would be necessary in order to construct the shed within the required setback.

Mr. Hayes stated that a variance would be required for the proposed shed location and indicated that staff would likely recommend approval of such a request based on the circumstances described.

ADJOURNMENT.

Mr. Johnson makes a motion to adjourn at 6:35pm and seconded by Mr. Carlson.
Motions carries 5-0.