

## APPROVED MINUTES

### DELTA COUNTY PLANNING COMMISSION MEETING

Delta County Service Center

Monday, May 5, 2025

- I. Call to Order. The meeting was called to order at 5:30 p.m.
- II. Pledge of Allegiance.
- III. Roll Call. Member(s) present: John Denholm, Amy Berglund, Clayton Harris, Curtis Larsen, Charles Lawson, Matthew Jensen, Kelli van Ginhoven. Member(s) absent: None. Recording Secretary present: Kasja Nelson. Also present: Jack Smith
- IV. Approval of the April 7, 2025 minutes.

Motion to approve the minutes as written was made by Curtis Larsen and seconded by John Denholm.

Vote: Yes-7 No-0. Motion Carried.
- V. Approval of agenda.

Motion to approve the agenda as written was made by John Denholm and seconded by Curtis Larsen.

Vote: Yes-7 No-0. Motion Carried.
- VI. Public Comment. None.
- VII. Declaration of conflict of interest. None.
- VIII. New Business.
  1. CASE 5-25-PC – Jane Nattsas.

Presented by Building & Zoning Administrator: the property owner is looking for the Planning Commission to grant a Conditional/Special Use Permit to allow them to build on a 2+ acre parcel. The property owners had been given a Conditional/Special Use Permit in 2000 but the permit is only valid for one year, but they didn't end up building at the time. The parcel in question meets the 300' lot width requirement and has been approved for a septic tank/drain field by Public Health.

- Curtis Larsen wanted to get the Building & Zoning Administrator's opinion on distances between structures and Jack Smith said he had no issues regarding the distances between structures.

Motion to open the public hearing made by Kelli van Ginhoven and seconded by Matthew Jensen.

Roll Call:	John Denholm	Yes	Amy Berglund	Yes
	Clayton Harris	Yes	Charles Lawson	Yes
	Curtis Larsen	Yes	Matthew Jensen	Yes
	Kelli van Ginhoven	Yes		

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Vote: Yes-7 No-0. Motion Carried.

**Public hearing opened:** 5:34 p.m.

- Richard Lantagne said that he supports the project.
- Amy Berglund wanted to verify that the parcel met all the requirements for a Conditional/Special Use Permit and Building & Zoning Administrator, Jack Smith, verified that it did meet all the requirements.

Motion to close the public hearing made by John Denholm and seconded by Kelli van Ginhoven.

Roll Call:	John Denholm	Yes	Amy Berglund	Yes
	Clayton Harris	Yes	Charles Lawson	Yes
	Curtis Larsen	Yes	Matthew Jensen	Yes
	Kelli van Ginhoven	Yes		

Vote: Yes-7 No-0. Motion Carried.

**Public hearing closed:** 5:37 p.m.

**Worksheet:** Application has been reviewed; it meets Ordinance requirements; location is appropriate for use; no effect on district; no concerns from adjacent property owners; no environmental impact and is not a spot zone.

Motion to approve the application that was submitted was made by Curtis Larsen and seconded by Matthew Jensen.

Roll Call:	John Denholm	Yes	Amy Berglund	Yes
	Clayton Harris	Yes	Charles Lawson	Yes
	Curtis Larsen	Yes	Matthew Jensen	Yes
	Kelli van Ginhoven	Yes		

Vote: Yes-7 No-0. Motion Carried.

### 2. Opening on Master Plan RFQs that were received.

- Amy Berglund opened the one proposal that was submitted that was made by CUPPAD. Berglund then asked the members of the Planning Commission to read through the proposal.
- Curtis Larsen said that he has worked with CUPPAD in the past and has found them to very helpful and recommends approval of the proposal.
- Clayton Harris asked what the budget was for the Master Plan and Amy Berglund stated that \$60,000 had been set aside by the county to complete the Master Plan.
- Jack Smith wanted clarification on what exactly community engagement would entail. Dotty LaJoye from CUPPAD was in attendance and she stated that it would include town halls with the townships within Delta County.

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- Dotty LaJoye asked if the Planning Commission wanted to include just the areas that the Planning Commission does the zoning for, or all the townships in Delta County. Amy Berglund responded that the expectation was all the townships would be included in outreach activities to get as much information as possible.
- There was some confusion as to what the “fifteen meetings” referred to in the proposal meant. Dotty LaJoye reached out to Ryan Carrig via telephone for clarification. He stated that the 15 meetings were broken down into 10 township meetings and 5 additional meetings with the Planning Commission and Delta County Board of Commissioners.
- Matthew Jensen asked CUPPAD to write up an addendum to the proposal clarifying what the 15 meetings included for the Delta County Board of Commissioners to review. Dotty LaJoye stated that she would have the addendum written up for the Delta County Board of Commissioners to review during their meeting on May 20, 2025. She will submit it to Amy Berglund and Rachel Pascoe.

Motion to recommend the proposal with the additional amendment clarifying what is included regarding public input and the 15 meetings that were budgeted for in the proposal to the Delta County Board of Commissioners was made by Curtis Larsen and seconded by John Denholm.

Roll Call:	John Denholm	Yes	Amy Berglund	Yes
	Clayton Harris	Yes	Charles Lawson	Yes
	Curtis Larsen	Yes	Matthew Jensen	Yes
	Kelli van Ginhoven	Yes		

Vote: Yes- 7 No- 0. Motion Carried.

### IX. Unfinished Business.

#### 1. PA233 Compatible Renewable Energy Zoning Ordinance.

- Commissioner Jensen informed the Planning Commission that he met with Rachel Pascoe, Assistant Building & Zoning Administrator, to work on codifying and making the ordinance ADA compliant. No time frame is known currently.

### X. Correspondence.

Motion to place the Bark River Township Master Plan and the Au Train Township Master Plan on file and send a letter each entity made by John Denholm and seconded by Matthew Jensen.

Vote: Yes-7 No-0. Motion Carried.

### XI. Public Comment.

- Wendy Branstrom, Baldwin Township: She said that she attended tonight’s meeting because she thought she would be on the agenda. She explained that the

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chicken/duck/geese issue that she had previously contacted Commissioner van Ginhoven and Commissioner Malnar about is still going on. She now feels like she is a prisoner in her home because of the noise and smell. She stated that she is being videotaped in her backyard and the videos are being placed on Facebook. People are using her driveway to access the storefront her neighbor has set up.

### XII. Planning Commission Member Comments.

- Building & Zoning Administrator, Jack Smith, provided an update on the chicken issue that was brought up during public comment. There is a letter that her neighbor will be receiving notifying her that she has 30 days to remove the chickens. The Delta County Prosecutor is looking into what that process will look like after the 30 days expire. Amy Berglund asked what happens after 30 days. Smith stated that it is written into the ordinance that individuals that violate the ordinance and don't correct the issue can be found guilty of a misdemeanor. He's hopeful that the letter will be enough. Clayton Harris asked if all livestock/chicken owners that were in violation of the ordinance were getting the same letter. Smith stated that this must be handled on a case-by-case basis as complaints are received by citizens. Commissioner Jensen stated that he's handled this type of issue previously and in his township's case the matter was handled through the magistrate and the District Court.
- Commissioner van Ginhoven wanted to let Ms. Branstrom know that this was placed on the agenda for the Planning Commission meeting held in March. It was determined in March that more information was needed regarding the citation process and that the prosecutor would need to be reached out to. She suggested that the citizen contact law enforcement if she is being videotaped in her backyard. Clayton Harris thought that he had been told that law enforcement didn't want anything to do with this issue. Jack Smith stated that wasn't true and the process for this type of scenario just needed to be determined and takes time.
- Curtis Larsen complimented Amy Berglund and how she handles the Planning Commission meetings and Clayton Harris seconded that thought.

### XIII. Adjournment.

Motion to adjourn at 6:06 p.m. made by Kelli van Ginhoven and seconded by Curtis Larsen.