MiNUTES

**Mountrail County Planning & Zoning Commission**

**March 22, 2021**

The meeting of the Mountrail County Planning & Zoning Commission was called to order at 8:30 AM by Chairman Charlie Sorenson with Commissioners Trudy Ruland, Gary (Fritz) Weisenberger, Roger Hovda, Joan Hollekim, Arlo Borud, Thomas Bieri, and Zachary Gaaskjolen present. Absent was Commissioner Thomas Nash. Also present were Planning & Zoning Administrator Melissa Vachal, Mountrail County Tax Director Lori Hanson, Mountrail County Auditor Stephanie Pappa, and Mountrail County States Attorney Wade Enget.

Moved by Commissioner Borud, seconded by Commissioner Gaaskjolen, to approve the agenda. All present voted yes. Motion Carried.

1. **8:35 a.m. Wayne Giesen (PZ-2021-0021) Outlot Plat**

Outlot Plat Review Application for the following described property: Government Lot 5 and the S1/2SW1/4 Section 11, Township 152 North, Range 88 West to be known as Outlot 2 (Plaza Township) (Parcel# 420005300)

The applicant (represented by Jacob Maxson) is proposing an outlot to clear up a metes and bounds description not accepted by the Mountrail County Auditor so they can sell the tract.

Moved by Commissioner Hollekim, seconded by Commissioner Weisenberger to approve the zoning request platting an outlot of land over 35.01 acres filed by Wayne Giesen landowner for a tract 39.86 acres more or less in Government Lot 5 and the S1/2SW1/4 Section 11, Township 152 North, Range 88 West to be known as Outlot 2 of Government Lot 5 and the S1/2SW1/4 (Plaza Township). Wayne Giesen has met all criteria as set forth in Mountrail County Subdivision Resolution. All present voted yes. Motion carried.

1. **8:40 a.m. Sundre Sand & Gravel, Inc.-Applicant; Christopher & Chandra Rystedt- Landowners (PZ-2021-0029) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: A Tract 40 acres more or less in SW1/4NW1/4 located in Sections 19, Township 157 North, Range 94 West (White Earth Township) (Parcel# 040005700)

The applicant (represented by Dave Abel with Sundre Sand & Gravel Inc.) is seeking a conditional use permit in concurrence with landowners to use agricultural land to mine gravel on a tract of land 40 acre more or less. Applicant has met all requirements of the Planning & Zoning board.

Moved by Commissioner Borud, seconded by Commissioner Ruland to approve the zoning request filed by Sundre Sand & Gravel, Inc. in concurrence with Christopher & Chandra Rystedt-Landowners, for a conditional use permit to use land zoned agricultural for mining gravel on a tract of land 40 acres more or less in SW1/4NW1/4 also known as Government Lot 2 located in Section 19, Township 158 North, Range 91 West (Lostwood Township) for a period of two (2) year term to the end of the lease expiration date being 12-31-22, requiring a $125,000.00 letter of credit to be renewed and filed with the Planning & Zoning office annually and a road haul agreement with the County/township if applicable, as Sundre Sand & Gravel, Inc. in concurrence with Christopher & Chandra Rystedt-Landowners, has met all criteria as set forth in Article IV, Section IV of the Mountrail County Zoning Ordinance and is further contingent on Sundre Sand & Gravel, Inc. complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion carried.

1. **8:45 a.m. Sundre Sand & Gravel, Inc.-Applicant; John Moen-Landowner (PZ-2021-0030) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: A Tract 25 acres more or less in N1/2SE1/4SW1/4 and N1/2SW1/4SE1/4 North of the railroad tracks located in Section 8, Township 158 North, Range 92 West (Powers Township) (Parcel# 050004301)

The applicant (represented by Dave Abel with Sundre Sand & Gravel Inc.) is seeking a conditional use permit in concurrence with landowners to use agricultural land to mine gravel on a 25 acre more or less tract of land. Applicant has met all requirements of the Planning & Zoning board pending the addition of “north of the railroad” being added to the description for better accuracy.

Moved by Commissioner Hollekim, seconded by Commissioner Weisenberger to approve the zoning request filed by Sundre Sand & Gravel, Inc. in concurrence with John Moen-Landowner, for a conditional use permit to use land zoned agricultural for mining gravel on a tract of land 25 acres more or less in N1/2SE1/4SW1/4 and N1/2SW1/4SE1/4 North of the railroad tracks located in Section 8, Township 158 North, Range 92 West (Powers Township) for two (2) year term to end of the lease expiration date being 12-31-22, requiring a $125,000.00 letter of credit to be renewed and filed with the Planning & Zoning office annually and a road haul agreement with the County/township if applicable, as Sundre Sand & Gravel, Inc. in concurrence with John Moen-Landowner, has met all criteria as set forth in Article IV, Section IV of the Mountrail County Zoning Ordinance and is further contingent on Sundre Sand & Gravel, Inc. complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion carried.

1. **8:50 a.m. WBI Energy Transmission-Applicant; Travis & Britta Enget-Landowners (PZ-2021-0035) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: A Tract 39.7 acres more or less in NW1/4 less outlot 1 of SW1/4NW1/4 located in Sections 20, Township 157 North, Range 94 West (White Earth Township) (Parcel# 140012000 & 140011900)

The applicant (represented by Michael Winslow with WBI Energy Transmission) is seeking a conditional use permit in concurrence with landowners to use agricultural land as a pipe/materials storage yard for a twenty-four-inch pipeline from the Tioga Gas Plant to Watford City, as a gas pipeline. They will be reclaiming this site back to original state when finished. Applicant has met all requirements of the Planning & Zoning board pending the amendment to the legal description to exclude Outlot 1 in the SW1/4NW1/4.

Moved by Commissioner Borud, seconded by Commissioner Hovda to approve the zoning request filed by WBI Energy Transmission in concurrence with Travis & Britta Enget-Landowners, for a conditional use permit to use land zoned agricultural for a pipe/materials storage yard on a tract of land 39.7 acres more or less in the NW1/4 less Outlot 1 of the SW1/4NW1/4 located in Sections 20, Township 157 North, Range 94 West (White Earth Township) for a period ending February 28 2022, as WBI Energy Transmission in concurrence with Travis & Britta Enget-Landowners, has met all criteria as set forth in Article IV, Section IV of the Mountrail County Zoning Ordinance and is further contingent on WBI Energy Transmission complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion carried.

**Minutes**

Discussion was had on simplifying the Planning & Zoning meeting minutes. It was recommended not to re-type the minutes of the last meeting but to restructure them going forward.

Moved by Commissioner Borud, seconded by Commissioner Hovda to approve the Planning and Zoning Commission minutes of the February 22 2021 meeting. All present voted yes. Motion carried.

**Temporary Water Applications – Non-Transferable**

Highline Water LLC- Permit Number – ND2021-20396 / PZ-2021-0032

Pumping of industrial water by lay flat hose; Colleen Weflen Family LLP, Landowner.

SW1/4SE1/4 Section 15, Township 153 North, Range 91 West (Crane Creek Township)

Highline Water LLC – Permit Number – ND2021-20398 / PZ-2021-0033

Pumping of industrial water by lay flat hose; Boyd and Connie Anderson, Landowners. NW1/4SE1/4 Section 16, Township 156 North, Range 94 West (Myrtle Township)

Highline Water LLC – Permit Number – ND2021-20397 / PZ-2021-0034 Pumping of industrial water by lay flat hose; Gary and Caroline Satterthwaite, Landowners. NW1/4NW1/4 Section 17, Township 153 North, Range 92 West (Knife River Township)

Hydra XL LLC – Permit Number – ND2020-20239 / PZ-2021-0038 Pumping of industrial water by lay flat hose; Double Eagle LLC (Fred Evans Manager), Landowner. SE1/4NW1/4 Section 33, Township 154 North, Range 92 West (Brookbank Township)

**Building Permits**

2155 -- PZ-2021-0018-Mitchell Hamdan, Applicant. Candous Christenson, Landowner. Parcel #110012900 – SE1/4SE1/4NE1/4 less ROW Section 27, Township 157 North, Range 91 West (James Hill Township) 16’ x 80’ Mobile Home

2156 -- PZ-2021-0026 – Todd and Stacey Ringoen, Applicant/Landowner. Parcel #220014305 – Outlot 1 of the NE1/4SE1/4 Section 30, Township 155 North, Range 88 West (Kickapoo Township) Shop/Living Quarters

2157 -- PZ-2021-0031 – Tim Johnson, Applicant/Lease Holder – Tract of land in Block 11 of Original Townsite of Van Hook. Lot size 50’ x 140’. Lot 9 Block 14 of Traynor Park.

2158 -- PZ-2021-0039 – Ron and Janet Sanford, Applicant/Landowner. Parcel #470026400 – Lot 14, Block 2 of the Arrowhead Point Subdivision Section 11, Township 152 North, Range 93 West (Unorganized Township) House and Garage.

Moved by Commissioner Hollekim, seconded by Commissioner Weisenberger to approve building permits 2155, 2156, & 2158. All present voted yes. Motion carried.

Moved by Commissioner Borud, seconded by Commissioner Weisenberger to approve building permit 2157. All present voted yes. Motion carried.

SRF – Scott Harmstead presented the Zoning Ordinance draft and answered questions on the following:

1. Rural Recreational District
2. Agricultural District
3. Wind Energy Standards
4. Solar Energy Standards
5. Rural Residential District

**BOARD CONCERNS:**

Commissioner Borud wants a honey bee issue looked into. Commissioner Ruland wants a residence north of Hwy 23 and the growing number of animals on their property looked into. Commissioner Ruland also brought up a concern about Big Bend Township and their park board wanting to do something at Reunion Bay and whether they need to come to the Planning & Zoning Commission.

**ONGOING BUSINESS:**

Gravel Pits

J&J Oilfield

White Earth Bay

Green Acres

**STAFF CONCERNS**

Green Acres Subdivision

Stanley Blaisdell RV Park

Next regular meeting of the Mountrail County Planning & Zoning Commission is **Monday April 26, 2021** at 8:30 am via GOTOMEETING or in the Commissioners room at the courthouse.

Accepted and approved this 26th day of April 2021.

Charlie Sorenson, Chairman Melissa Vachal, Administrator

Mountrail County Mountrail County

Planning & Zoning Commission Planning & Zoning

**\*Electronic recordings of full meetings are kept in the office per NDCC 44-04\***