

# **ECKLES TOWNSHIP**

## **DRAFT COMPREHENSIVE PLAN**

### **INTRODUCTION –**

Eckles Township is a rapidly growing township immediately west of the city of Bemidji in Beltrami County. Aerial photos(Appendix D – Map) reflect recent mixed use developments and have prompted citizens to publicly ask what can be done to protect property values, slow multi-family housing development and protect the rural nature of the Township. The answer to that is fraught with pitfalls, traps and controversy that must be overcome in accordance with state law, county regulation and individual desires of the people who live in the Township. Other attempts to memorialize those interests, desires and requirements have, in the past, been met with considerable opposition on the part of some people and applauded by other members of the community to the point of abandonment of any effort to contain and control growth as it happens. Enforcement of controls is a costly endeavor that generally creates as many conflicts as it solves.

A comprehensive plan is not a law, an ordinance, or any other form of regulation. Instead, it is a blueprint for the development of those tools to accomplish the desires of the entire community. It is the statutory basis for taking time to evaluate, via a moratorium or similar action, and developing regulations or ordinances to counteract those actions taking place in the community that are undesirable or that will enhance desired growth. A comprehensive plan is required by Minnesota State Law before many of the actions can take place. A comprehensive plan ensures that the governing body, in this case the Township Board, follows the desires of the entire community when creating policies and/or regulations for such actions as road maintenance prioritization and improvement, approving new roads, plats, and other common areas of concern within the Township. The plan then becomes the guiding document for passing ordinances and resolutions that affect residents and landowners, and proposing tax levies that support same. With a comprehensive plan in place the Township can legally determine the future of the Township as it relates to growth and other issues relating to quality of life for all residents and landowners.

### **ECKLES TOWNSHIP INVENTORY –**

Eckles Township is located immediately northwest of the City of Bemidji. It is almost 36 square miles in size, limited only by the Municipal Airport on the SE corner, in section 36, of the Township and the small city of Wilton located in portions of Sections 31, 32, and 33. Eckles Twp has approximately 2200 residents as of the 2020 census. Eckles Township maintains approximately 50 miles of roads(see Appendix A – Map), most of which are gravel. There are approximately 10 miles of bituminous roads (18%). A full 43% of the land mass of Eckles Twp is public lands administered and maintained by Beltrami County. Twp roads pass through these public lands in numerous places. Three major highways bisect the land within the Twp. US Highway 2 is the primary east/west corridor running through sections 31-36 on the south end of the Twp. The preponderance of business activity in the Twp is alongside this corridor on both sides. Access to said businesses is controlled by MNDOT. CSAH 9 is a primary north/south corridor located immediately west of the airport, one mile west of

the eastern boundary of the Twp. CSAH 9 traverses the Twp in a north/south direction to its northern border, MN Trunk Hwy 89 passes through the Twp on its western edge. It is a heavily used State Highway maintained by MNDOT. Grange Road (Cty road 22) is the northern border of the Twp. It is maintained by Beltrami County. Heavy residential development has occurred along both sides of the southern 4 miles of CSAH 9 in the past fifteen years. Occasional commercial development also occurred, primarily in the southern mile of this corridor. MN State Highway 89, is a heavily traveled state controlled and maintained highway. It traverses north/south through the entire Twp, 3 miles west of CSAH 9. Development along this highway is less pronounced than along other thoroughfares within the Twp, primarily due to a preponderance of public lands along the northern four (4) mile portion of the road. However, traffic on this road rivals that on CSAH 9 due to connections into the Red Lake Nation and communities further north. Eckles township is bordered on the north by County Road 22/Grange Road, a heavily utilized east/west traffic corridor. Eckles Twp is bordered on the extreme East by Northern Township with mostly public lands on both sides of the southern 4 miles. There are no developed roads along the southern 4.5 miles of boundary line. On the west boundary is Lammers Twp. Grant Creek Road is the boundary line for the Northern 2/3 of the Twp. This boundary line is sparsely populated. The Southern end of the Twp is bounded by Grant Valley Twp with sparsely developed private lands, City of Wilton, wetlands and public land.

Agricultural endeavors are generally small hobby farms with horses and small animals. They are primarily located in the northern tier of sections. Many of the previously farmed acreages have been subdivided into residential properties. Public lands are used primarily for wood production and recreation, including many miles of trails and an abandoned railroad track traversing the SW area of the Twp. Small lakes and wetlands(see Appendix B – Map), designated as DNR numbered lakes, are controlled by the County Shoreland Ordinance. Grant Creek traverses the SW corner of the TWP from NW to SE emptying into the Mississippi river south of the TWP in Grant Valley Twp. The trails are used by both motorized and non-motorized activities as well as hunters. Beltrami County also maintains recreational facilities within the Twp, namely Scribner Hill for motorized recreation, the Horse Camp on Blom Road on the western side of the Twp with connections to numerous multi-purpose trails, numerous snowmobile and ATV trails throughout the Twp, and the Beltrami Shooting Sports Facility in the center of the TWP. Crude oil Pipelines cross the Twp along the SW properties from NW to SE and a natural gas pipeline crosses west to east alongside most of Balsam Road. And abandoned railroad corridor running SE to NW crosses the majority of the western portion of the TWP.

Primary businesses in the Twp that have prompted recent discussion concerning development roads are junkyards, pipeline operations, multi-family rental housing, the airport, animals, noise, garbage and the newly built shooting sports range. Developers have also complained about requirements on new plats, including engineered drainage plans, road agreements and paved roads. Garbage dumping and disregard for private property are the two primary issues concerning recreational trails and surrounding private properties. Additionally, maintenance of roads and ditches is frequently referred to the road authority as a sight or erosion problem. This is believed to be primarily from frequent use of the trails by motorized vehicles.

Along with new development, home based business such as daycares, hair salons, tax preparation services, small engine repair services and similar service oriented businesses present themselves within new and old neighborhoods. The majority of them require licensing by state or county agencies. Certain standards are required to be maintained as a condition of those licenses. Many of them are required to be updated and inspected on a regular frequency.

Eckles Twp also maintains and operates a cemetery that is available for both residents and non-residents of the Twp. The cemetery is located in the center of the Twp alongside and in sight of Mn State Highway 89. Maintaining a pleasant appearance to travelers on State Highway 89 is a priority for the Township. The Twp budgets for the maintenance and appoints a sexton to maintain the facility.

Eckles Twp is proud of its natural resources, clean roads and ditches and rural nature. Each year the community conducts a cleanup date wherein citizens pick up garbage along roads and on public lands. We prioritize the maintenance of that rural nature of the entire Township in every decision made regarding development while understanding and protecting the value of home ownership and right of individual landowners/residents to make as many decisions/choices as possible regarding their investment.

Eckles Twp has a history of environmental concerns that are being addressed by other agencies. All activities within the Twp are served by private wells and individual wastewater treatment (septic) systems. In 1997 and again in 1999 southern portions of the Twp were beset by a phenomenon referred to as groundwater flooding. Water tables rose so precipitously that Beltrami County commissioned a regional study that resulted in identifying southern portions of the twp that required certain building restrictions to prevent further damage to homes in the area. A large area in the middle of the Twp (Deerfield Estates and proximity) was contaminated by fertilizer chemicals(nitrogen) more than forty years ago and is still being monitored by the MN Dept of Health for drinking water contamination. Wells being permitted in this area require special conditions(monitored by MN Dept of Health) to prevent contaminated drinking water. All private residential wells in this area require special considerations when being permitted with the MN department of health. Road rights of way were purchased from State and County agencies and added into the road system as minimum maintenance roads to ensure access to trails and public lands well into the future. In the early 1900's, several judicial ditches were excavated to drain land in the South east portions of the Township. Some are still being maintained and used today. Gravel pits and logging operations are carefully reviewed to attempt to prevent damage to Township roads due to heavy truck traffic.

## **CURRENT REGULATORY EFFORTS –**

As indicated earlier, Eckles Twp has seen rapid growth in the past 20 years ( see Appendix C – MAP). Although growth has been rapid, there are numerous tracts of land in the southern portion of the Twp tht can be developed into additional residential or commercial uses. Beltrami County is the main regulatory agency within the Twp. Through the subdivision controls ordinance, parcel sizes are limited to 45,000 sq ft (150' X 300') minimum size. All new plats are permitted under the aforementioned and require that the Township review and approve same before county approval. At a minimum, Eckles Twp requires an engineered drainage plan that does not increase water moving onto adjacent properties, and that water does not stand in the ditches. A signed and recorded road agreement that ensures road construction standards are met and the road is paved before the Twp is required to accept it for maintenance is also required. The Beltrami County Shoreland management ordinance governs and requires permitting for any construction within 1000 ft of any designated lake or stream (see Appendix D-Map) within the twp or within 300 ft of Grant Creek. Individual septic systems are regulated and permitted by the Beltrami County wastewater regulations. Land within one mile of the airport is regulated and/or protected by the Airport zoning regulations. Individual wells are regulated and permitted by the MN Department of Health. Access onto US and State highways (US2 and Hwy

89) are regulated and permitted by MNDOT. Accesses onto CSAH 9 and County Rd 22 are regulated and permitted by Beltrami County Highway dept. Access onto Twp roads are controlled and permitted by Eckles Township via access control permits to insure proper drainage and erosion control and safe distances from intersections are maintained. Solid waste and unsightly or unhealthy private properties are controlled by the Beltrami County solid waste and public health ordinances. Public lands are administered, and activities controlled by the Forestry division of Beltrami County. Townships can be more restrictive but not less restrictive than State and County in regulating activity including land use within its jurisdiction. State Building Codes regulate the construction of new buildings, particularly, plumbing and electrical codes as well as septic and well codes. Inspections are required in each of these areas. Therefore, most of the concerns regarding fire and health safety are addressed by the state or county permitting and inspection processes.

Beltrami County does not regulate numbers of dwelling units per parcel except through wastewater (septic) usage and septic design.

The County does not regulate animal control except through health and safety concerns such as bites and rabies, etc. The county Sherriff responds to complaints that endanger the health or safety of neighbors when an animal is roaming at large.

The county defers to the Township regarding road standards and access control onto Twp roads. Eckles Township requires all new and reconstructed roads to be engineered and built to a minimum 66 ft wide, 7-ton standard and when complete, be certified by a registered civil engineer of the Township's choosing..

#### **THE PLAN –**

The following plan shall guide the growth within Eckles Township. Additional permitting, from that listed above, does not appear to be warranted for the foreseeable future. However, Eckles Twp reserves the right to adopt regulations and/or moratoriums as necessary whenever this plan is being overwhelmed by additional development.

1. **ROADS** – Eckles Township will require that all roads be engineered and built or reconstructed to a minimum 66 foot wide, 7-ton standard as specified by MNDOT and County standards. All roads so built shall be inspected and certified by a civil engineer to ensure standards are met before accepting and paying for the construction. All exceptions to this standard shall require specific action, in writing, on the part of the Town Board in advance of starting and/or contracting for the project. Platted roads, in addition to the aforementioned, shall require a signed and recorded road agreement with stipulations that the roads be paved prior to acceptance by the Township.
2. **SUBDIVISIONS OF LAND** - The Beltrami County Subdivision Control Ordinance shall remain the primary tool for controlling land use in Eckles Township. If deemed necessary, Eckles Township ma adopt an ordinance to control rapid development of multi-family housing in order to limit the number of units on each parcel. As mentioned earlier in this document, multi-family housing is further limited by the State and County wastewater regulations. Plats shall continue to be carefully reviewed for drainage, lot standards, access control, road standards, potential nuisances, etc. They do not appear to require additional regulation at this time.

3. NOISE – There is no plan or desire to attempt to regulate noise, either from animals or from other sources. Neighbors can and should attempt to work out their differences. If that is not possible the Twp and the County Sheriff can be contacted to reconcile differences or health concerns.
4. GARBAGE – Eckles Twp will continue to work with Beltrami County to limit the dumping of garbage alongside our roads or into the public lands administered by Beltrami County. Additional regulation does not appear to accomplish anything. Annual clean-up days will be encouraged and vigorously promoted.
5. GROUNDWATER PROTECTION – Controls are currently in place, via regulatory agencies listed above, to protect groundwater and to monitor for additional pollution or other groundwater concerns through state and county agencies.
6. BUSINESS DEVELOPMENT – Eckles Twp will continue to encourage small and/or home-based businesses throughout the Twp by not requiring additional permits. Encouragement of respect for neighbors through communication has served the community well for many years.
7. FIRE PROTECTION – Due to increased concern for safety of our residents and protection of resources, fire protection is a major concern. The development of housing stocks shall be governed by State and county standards to the greatest extent possible through the state and county permitting and inspection processes. The Township shall continue to provide Fire protection via the Bemidji Rural Fire Association through the levy of annual payments thereof.
8. ANIMAL CONTROL – Due to the rural nature of the Twp, Animal Control does not appear warranted in spite of recent concerns from some neighborhoods regarding animals running at large.

## SUMMARY

It is the desire of the Township Community to preserve the rural nature of the Township and its natural environment, encourage growth without additional regulation and encourage neighbors to work together to solve local differences locally and neighborly before looking to government to solve routine differences. Needed controls will be evaluated at the Twp level by the Board of supervisors before resorting to additional regulation.

A comprehensive plan is required by statute in order to temporarily halt or permanently regulate any unwanted activity within the boundaries of a community or local governmental unit. If an activity presents an immediate danger to health or safety the County or the Fire department responds appropriately. This plan identifies the specific concerns that have been brought to the attention of the Town Board, both privately and publicly within the past several years. After careful consideration of our resources and our desire to live in a rural environment with minimal regulation, it is the township's position that regulations already abound to control most of the concerns. Therefore, efforts can and should be made to hold the various agencies accountable to enforce the ordinances and regulations that exist. The Township Board shall use all efforts to direct that accountability to the appropriate agency prior to passing additional or more restrictive regulations. However, the Township Board reserves the responsibility to protect this plan through further regulation as it deems necessary and as the Statutes allow.

The cost of enforcement of more strict rules and regulations is an overriding concern of all taxpayers. Living in a rural area has certain personal responsibilities not the least of which is “talk to your neighbor before expecting your local government to solve the minor disputes that arise in more and more densely packed neighborhoods”. Governmental controls cost taxpayers more money.

Additional regulation does not appear necessary if Township officials hold other regulatory agencies responsible for those actions listed above..

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