

Memo to: Jenny Bourbonais, St. Louis County Land Use Manager.

From: Barry L Johnson, land owner, 11342 Zaymar Road, Orr, MN, 55771.

Date: 8 August 2022

Re: Comments and question on application by Van Tassell Enterprises for a conditional use permit for resort expansion, Commercial Planned Development Use – Class II, at 4442 Birch Forest Road, Orr, MN.

Dear Ms. Bourbonais,

I received notice, dated 26 July 2022, of a public hearing to be held 11 August 2022 regarding the application for a conditional use permit by Van Tassell Enterprises.

I have 2 areas of concern regarding this application:

1) Increase in vehicle traffic on Birch Forest Road, especially in the stretch bordering the expansion area.

1a) On the application, p. 3, “Traffic, Parking, and/or Dockage,” the estimated increase in traffic is listed as “10 vehicles or less.” However, the proposal is for 12 new units (10 RV campsites + 2 cabins) so 10 vehicles seems like an underestimate. The category of “11-25 vehicles” seems more appropriate.

1b) This increase in traffic will occur on Birch Forest Road, but there will also be a new influx of traffic crossing Birch Forest Road between the existing resort area, where the beach and boat docks are located, and the new expansion area. During the time the resort (Birch Forest Lodge) operates, there is considerable pedestrian use of Birch Forest Road from the resort and local residents, but also from Cabin O’ Pines resort because of a trail connecting that resort to the end of Birch Forest Road.

What will be done by Van Tassell Enterprises or by Leiding Township to reduce the potential for accidents and ensure the safety of pedestrians and local residents from vehicles crossing Birch Forest Road?

In the Staff Report addressing this application, mention is made of approval for a similar expansion at Cabin O’ Pines resort in May 2020. However, that expansion was entirely within the existing boundaries of their property and the issue of increased traffic crossing a public road was not a factor.

2) Potential negative effects on a sensitive wetland within the property involved.

The property involved in the application (PIN 425-0030-00751) contains a perched, open-coniferous bog (Type 8 wetland per Minnesota Rules, Chapter 8420, and Minnesota Statutes, 103G.005 DEFINITIONS.), which occupies the northwest portion of the property and borders Birch Forest Road. The bog is approximately 580 ft long and 260 ft wide (about 3 acres) and is visible on the “Location Map” provided with the notice of public hearing. The east and south boundaries of the bog are relatively steep. To my knowledge, this bog is continuously saturated, and does not dry up seasonally. This type of wetland is particularly susceptible to inputs of elevated nutrients and sediments.

The Van Tassell expansion does not propose any changes to this bog. However, my concern is for unintended effects on the bog during construction (increased runoff and sediment input) and from operation of the newly expanded area (increase human incursions into the bog, changes in runoff and sediment input, and increased nutrients from sediment and wastewater). There are many objectives in the St. Louis County Comprehensive Land Use Plan that address responsible development and stewardship of sensitive areas like this (for example, Objective NE-2.1, NE-3.2, LU-10.1, LU-10.6).

This bog is a beautiful area and provides an opportunity for residents and visitors to observe plants not easily seen nearby. As such, I would hate to see it negatively affected and have the following questions:

2a. Is there any requirement for a buffer area around this bog? Has this area been identified as a Sensitive Area by the County and have the boundaries of this bog been delineated?

2b. Is a stormwater management plan required for this new use of the area?

2c. Will water supplied for the new cabins and for RV hookups come from the existing resort well(s) or will a new well be installed? Will this additional water use affect this wetland?

2d. Will the new septic system include direct hook-ups to RV's, an RV dump station, or both? Will this require any special consideration because of the proximity to this wetland?

Thank you for your consideration and I look forward to the meeting.

Sincerely,

Barry Johnson