

MOWER COUNTY BOARD OF ADJUSTMENT

Minutes of the Mower County Board of Adjustment

Members Present: Gary Braaten, Bill Millbrath, Joan Roe.

Members Absent: Don Olson.

Others Present: Richard Gabrielson, William Buckley, Daryl Franklin.

The regular meeting of the Mower County Board of Adjustment was called to order by Vice-Chair Gary Braaten on Wednesday, August 30, 1995, at 1:30 p.m. in the Conference Room of the Mower County Office Building, 1105-1/2 NE 8th Avenue, Austin, Minnesota.

Minutes of the May 31, 1995, meeting were approved as mailed on a motion by Joan Roe, seconded by Bill Millbrath. The motion passed unanimously.

Variance #287 - Richard Gabrielson - Variance from Section 6-82 of the Mower County Well Code to allow the petitioner to drill a cased and grouted Galena limestone well in Section 32, Red Rock Township. Staff report was presented. A letter of approval from the Minnesota Department of Health was read. After some discussion, a motion was made by Joan Roe, seconded by Bill Millbrath, to approve Variance #287 because (1) the variance is in harmony with the spirit and intent of the ordinance because by following the standards of the State Health Department it will insure an adequate and safe supply of water, (2) the variance is consistent with the Comprehensive Plan for the reasons stated above; (3) there are practical difficulties and particular hardships shown because going to the St. Peter Sandstone would not insure any better quality or quantity of water. The variance was approved with the following 11 conditions of the Minnesota Department of Health and one additional condition from the County. The 12 conditions are as follows:

1. The variance is valid only with the written approval of Mower County (County). Approval must be given prior to construction and in accordance with the Mower County Water Well Ordinance (Article VII). All conditions from the granted state approval shall be included within the final variance decree of Mower County.
2. The Galena formation at the well location must be overlain by the Spillville, Maquoketa, and Dubuque formations.
3. The static water level in the completed well must be no lower than the elevation of the top of the Maquoketa formation.
4. The well must be cased and grouted to a minimum depth of 250 feet and at least 20 feet below the static water level in the well. If the gamma-log and geological cutting samples, analyzed by the Minnesota Geological Survey

(MGS), indicate that the top of the Galena formation is at a shallower depth than the required minimum depth given in this condition, the well can be cased and grouted to a depth not less than 10 feet into the Galena formation.

5. The well must be constructed in a bore hole which is at least 3.25 inches larger than the outer diameter of the casing. If couplings are used, the bore hole must be at least 3.25 inches larger than the outer diameter of the couplings. The annular space around the casing must be filled with neat cement grout in the rock portion of the well.
6. The well shall be test pumped and the well water sampled prior to grouting. The water sample taken from the well must meet water quality standards for coliform bacteria (less than 1.0 organism/100 milliliter [ml] MF method or less than 2.2 organisms/100 ml MPN method) and nitrate nitrogen (less than 10.0 milligrams/liter [mg/l]). If the water quality in the Galena formation is unsatisfactory, the well must be cased and grouted into an underlying safe aquifer or be sealed in accordance with Minnesota Rules, Chapter 4725.
7. Water from this well must be tested annually for nitrate nitrogen for a period of three years. The results of these tests must be forwarded to: Minnesota Department of Health (MDH), Southeastern District Office, Campus Center Building, 2116 Campus Drive SE, Rochester, Minnesota, 55904-4744; and the Mower County Environmental Health Department.
8. Representative samples of drill cuttings shall be collected for each 5-foot drilled interval. These samples shall be collected in bags which will be sent to the well contractor under separate cover. The MGS will pick up the bagged drill cuttings.
9. The MGS must be contacted at 612/627-4788 after the bore hole is drilled so that a gamma-log of the well may be obtained. The gamma log and cuttings will be used to determine the depth to the Galena limestone.
10. Mr. Chris De Mattos or Mr. Peter Zimmerman at the MDH (507/285-7289) and the County (507/437-9527) shall be notified at least 24 hours prior to the construction of the well.
11. The well must be constructed in accordance with all other provisions of Minnesota Rules, Chapter 4725.

An additional condition was stated by the Board of Adjustment:

12. The nitrate-nitrogen concentration of the finished well shall be less than 5 mg/l as required by Mower County Ordinance.

The motion passed unanimously.

Variance #286 - Mower County - Variance #286 for Mower County to allow a well that can not be found to remain unsealed was continued until next month because no new information has been received.

Other Business - Holding tank discussion regarding Dinsmoor Acres. The Board of Adjustment was informed of the situation in Dinsmoor Acres concerning the citing by the MPCA for violations of wastewater discharges; the possibility of an orderly annexation

agreement between Austin Township and the city of Austin; and the concern that exists that interim sewer systems that would be required in the area would probably have to be mounds. Considering this it was recommended that holding tanks allowed to be installed in the Dinsmoor Acres as a acceptable means of sewage treatment disposal. The Board discussed the situation and felt that this was a reasonable considering the time frame for annexation. After some discussion a motion was made by Bill Millbrath, seconded by Joan Roe, to approve a blanket variance for holding tanks in the Dinsmoor Acres area because: 1) the variance is in harmony with the spirit and intent of the ordinance because by this is an acceptable means of sewage disposal., (2) the variance is consistent with the Comprehensive Plan for the reasons stated above and alternative systems under MPCA Rule 7080; (3) there are practical difficulties and particular hardships shown because the high water table in the area and the cost of the mounds as a standard on-site sewer system. The variance will expire as of 12-31-1998. The following conditions will pertain to the installation of holding tanks:

1. The holding tank shall be constructed of materials specified in MN Rules 7080.0130, subpart 1.
2. A clean-out pipe of at least six inches diameter shall extend to the ground surface and be provided with seals to prevent odor and to exclude insects and vermin. A manhole of at least 20 inches least dimension shall extend through the cover to a point within 12 inches, but no closer than six inches below finished grade. The manhole cover shall be backfilled with at least six inches of earth.
3. The minimum size shall be 1,000 gallons, or 400 gallons times the number of bedrooms, whichever is greater.
4. The holding tanks shall be located: in an area readily accessible to the pump truck under all weather conditions and where accidental spillage during pumping will not create a nuisance.
5. A contract for disposal and treatment of the septage shall be maintained by the owner with a pumper.
6. The holding tanks shall be monitored to minimize the chance of accidental sewage overflows. Techniques such as visual observation, warning lights, or audible alarms, or regularly scheduled pumping shall be used.

There being no further business, the meeting adjourned at 2:20 p.m. on a motion by Bill Millbrath, seconded by Joan Roe. The motion passed unanimously.

Respectfully submitted:



Daryl W. Franklin