

# Mower County Planning Commission

County Court House  
Austin, Minnesota 55912

The regular meeting was called to order October 31, 1978 with the following members present:

Ray Cappelle	Stella Jensen	Conrad Stemson
M. E. Chesebrough	Roger Peck	Jan Ulwelling
Grace Dooley	Wm. Rugg	Art Vogel

Staff: Daryl Franklin      Wm. Buckley      Chris Haang

Minutes of the last meeting were accepted as received on a motion by Roger Peck seconded by Wm. Rugg.

CUP 217 Stephen and Joyce Fenske for conditional use to utilize property in Racine Twp. for commercial storage of garbage trucks was presented for discussion with staff recommendation for approval with conditions. Mr. & Mrs. Jim Foote spoke against the petition, and a letter from Michael G. Hustak was presented which was not in favor of the petition. After discussion a motion by Stella Jensen seconded by Wm. Rugg to table CUP 217 until the situation is investigated by a member of the Planning Commission carried.

Staff presented some information on the 1978 amendments to Zoning regarding Conditional Use Permits. A motion by Grace Dooley seconded by Roger Peck to request an interpretation of the law from the County Attorney regarding temporary or conditional use permits carried.

CUP 216 Arnold H. and Evelyn M. Johnson for a permit to conduct a feedlot on less than 80 acres on S $\frac{1}{2}$  S $\frac{1}{2}$  Sec. 31 Dexter Twp. was presented with staff recommendations for approval with conditions. A letter from Edson Quast with permission to use his property for manure disposal accompanied the petition. Mr. and Mrs. Shealy from Beaver Trails Campgrounds were present to voice objection to the feedlot. After discussion a motion by Grace Dooley seconded by Stella Jensen carried unanimously that the Planning Commission recommend approval of the petition with the following conditions: 1. A feedlot permit must be obtained from the MPCA. 2. A concrete lip must be installed along the outside edges of the bottom section of the feedlot floor to prevent any wastes from entering the waterways. 3. Signatures must be obtained from neighbors stating that the petitioner has permission to spread manure on their property. 4. This permit shall be permanent.

CUP 218 Wallace Bustad for a demolition fill on 10 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ -15-102N R18W was presented with Staff recommendation for denial because the property is within the Shoreland Management area where such uses are not permitted. A motion by Art Vogel seconded by Ray Cappelle to recommend denial of the petition to the County Board based on the provisions of the Shoreland Management Ordinance carried unanimously.

CUP 219 C. A. and Kay Watkins for permit to operate a disposal site for clean earthen fill in an old gravel pit on 11 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  33-102-18W (Austin Twp.) was presented with Staff recommendation for approval with conditions. Several neighboring property owners were present for information and

to express their opinions on the petition. Daniel Getman opposed the petition, Robert Nelson favored it because of the long-range plan to level the pit and return it to agricultural use. Dr. Stahl, Betty Leppen and Duane Hall were seeking information. The Commission felt there were several unanswered questions pertinent to making a recommendation, and because Mr. Watkins was not present a motion by Jan Ulwelling seconded by Conrad Stemson to table the petition until Mr. Watkins is available carried.

Wm. Buckley presented a sewer violation complaint against James Hardenberg i.e. that he is discharging sewage on neighboring property in NE $\frac{1}{4}$  Sec. 23 Lansing Twp. He also presented a letter he wrote to Co. Attorney Seih and the answer stating that determination must be made if the discharge affects "the public health, safety or welfare" if the Planning Commission is to act. Mr. Hardenberg's lawyer documented an easement for the drainage field through the neighboring property. A motion by Art Vogel seconded by Conrad Stemson to table decision pending a conference between the County Attorney, property owners and their lawyers as to property rights and responsibilities resulted in a tie vote: Aye: Vogel, Capelle, Stemson, Dooley; Nay: Chesebrough, Peck, Ulwelling, Rugg; Jensen abstaining. A motion by Roger Peck seconded by Grace Dooley to reconsider the motion carried; the chair changed his vote to the affirmative and decision was tabled.

A sewer violation complaint against James Allen Sec. 7 Lodi Twp. for surface discharge from a sewer system that then goes into a stream. A letter to Mr. Allen from Mr. Buckley dated Oct. 17 stating non-compliance with the Ordinance as to installation and inspection was read into the record. A motion by Roger Peck seconded by Wm. Rugg to issue an order that the surface discharge from the system be discontinued immediately and that the system be opened for inspection by Mr. Buckley to establish if sewer discharges to the surface carried, Jensen abstaining.

A complaint of sewage discharge violation against Lloyd Otterson, Sec. 10 Lansing Twp. was presented to the Commission by Mr. Buckley. A motion by Art Vogel seconded by Grace Dooley that Mr. Otterson be given the date of June 1, 1979 to bring his system into compliance carried unanimously.

Daryl Franklin announced a meeting between the Planning Commission and a representative of DNR on Flood Plain Management for November 14 at 7:30 and that a joint City-County Planning Commission meeting schedule will be arranged with meetings twice a year.

The meeting adjourned on a motion by Wm. Rugg seconded by Art Vogel.

*Grace M. Dooley*  
Secretary

A special meeting was called November 14 to consider the proposed updated Flood Plain Ordinance for Mower County. The following were present:

Ray Capelle	Grace Dooley	Roger Peck	Conrad Stemson
M. E. Chesebrough	Stella Jensen	Wm. Rugg	
Staff: Daryl Franklin	Ron Hitman	Chris Huang	
DNR: John Shall			