

# MOWER COUNTY

## AUSTIN, MINNESOTA



August 31, 1982

### MINUTES OF THE MOWER COUNTY PLANNING COMMISSION REGULAR MEETING

Members Present: Conrad Stemson, Robert Shaw, Joe Monson, Roger Peck, Ray Capelle, Jen Ulwelling, John Hill

Members Absent: None

Others Present: David Olson, Julie Lewon, William Buckley

Chairman Peck called the meeting to order at 8:00 p.m., Tuesday, August 31, 1982 in the Commissioners Room of the Mower County Courthouse. Minutes of the July 27, 1982 meeting were approved as mailed on a motion by Mr. Capelle, seconded by Mr. Monson, and passed unanimously.

Conditional Use Permit #304 - Additional Farm Dwelling - Robert King: A petition from Robert King for a conditional use permit for an additional farm dwelling, located in the N $\frac{1}{2}$ , NW $\frac{1}{4}$ , and the NE $\frac{1}{4}$  of Section 15, Pleasant Valley Township, was read to the commission. Mr. King is proposing to place a mobile home near the existing home on the farm. Mr. King's son and daughter-in-law are living on the farm now, and Mr. King will be helping them with the farm. Following discussion, a motion was made by Mrs. Ulwelling to recommend approval of the permit with the following conditions:

- 1) The permit is non-transferable.
- 2) The permit be made permanent.
- 3) The residents of this dwelling must be associated with the farm operation.
- 4) This permit is void unless building and sewer permits are approved.

The motion was seconded by Mr. Hill and passed unanimously. Mr. Olson announced that this permit will go to the county board, Tuesday, September 7, 1982 at 3:30 p.m.

Conditional Use Permit #303 - Demolition Landfill in a Rural Zone/Change of Use #117- Rezone from Floodway to Flood Fringe - Wallace Bustad: A petition from Wallace Bustad for rezoning from floodway to flood fringe and a conditional use permit for a demolition landfill in a rural zone, located in 15 acres in the S $\frac{1}{2}$ , NE $\frac{1}{4}$ , Section 15, Austin Township, was read to the commission. Mr. Bustad is requesting a conditional use permit to operate a demolition landfill in the rural zone. This request is subject to approval of the rezoning request, since a demolition landfill would not be allowed in the floodway. A letter from DNR regarding the requests was also read to the commission. The letter stated that because the gravel pit is a non-effective flow area, it could be zoned as flood fringe rather than floodway. It also stated that DNR would be in favor of granting the conditional use permit if the restoration of the river bank was made a condition of the permit. Mr. Olson also suggested the

Page two  
Mower County Planning Commission Minutes  
August 31, 1982

following conditions be placed on the permit if approved; That all the requirements of the Pollution Control Agency regarding demolition landfills be met. There were questions on the limestone bottom and high water table of the site. Mr. Buckley, county sanitarian, stated there would be 5 foot of fill material between the refuse and the limestone. Mr. Olson read what would and would not be allowed to be brought to the site. Paul Sween, attorney for Mr. Bustad, explained that 7-8 months ago, Mr. Bustad had received a conditional use permit for a gravel pit at this site, with the intention of filling it. After the pit is filled, it will be used for agricultural purposes. Mr. Bustad has been working with the neighbors, DNR and PCA for the last 7-8 months and agrees with the proposed conditions to be placed on the permit. There will be a culvert with gate valve put in for draining water from the pit to the river. Ruby Klingfus, resident of the area, asked how the neighbors could be assured nothing hazardous would be put in the pit. Mr. Sween stated there will always be someone there when it is open, and it will be chained when closed. He added that access control would be better than it is now, with a chain along the northeast corner right next to the pit, and a gate along the south end. Ann Richardson, resident of the area, asked who would be bringing in fill. Mr. Sween replied that just Mr. Bustad would be using the pit at first, with others possibly using it later. He also stated that it would not be open certain hours of the day for everyone's use. Following further discussion, a motion was made by Mr. Capelle to approve the rezoning from floodway to flood fringe with the condition that the cut in the bank be restored to the original elevation. This motion was seconded by Mr. Monson and passed unanimously. A motion was then made by Mr. Hill to approve the conditional use permit for a demolition landfill with the following four conditions:

- 1) That the permit be a temporary permit to be renewed January 1, 1984;
- 2) That all the requirements of the Pollution Control Agency regarding demolition landfills be met;
- 3) That all non-demolition materials be removed prior to operation of the landfill;
- 4) That demolition materials present now be covered prior to operation of the landfill.

This motion was seconded by Mr. Stemson and passed unanimously. Mr. Olson then announced that the petitions would go before the Board of Commissioners on Tuesday, September 7, 1982 at 3:30 p.m. in the Commissioners Room of the Courthouse.

St. Michaels Sewage Complaint: Mr. Buckley brought the planning commission up to date on the dye tests that had been done on houses in St. Michael's Addition. There seems to be a problem with the system at the Sunset Motel and the sewage is not getting the treatment it should. Mr. Buckley recommended two alternatives to the planning commission: 1) ask the motel owner to find the connection with the field tile and destroy it or have Mr. Buckley make a recommendation; and 2) the lot to the north is big enough to take care of two systems or one for both homes having problems.

After further discussion, Mr. Shaw made a motion to table the issue for now and instruct Mr. Buckley to work with the motel owner for a solution. The motion was seconded by Mr. Hill and passed unanimously.

There being no further business, the meeting adjourned at 10:15 p.m. on a motion by Mrs. Ulwelling, seconded by Mr. Capelle, and passed unanimously.

Respectfully submitted.,

*Julie Lewon*

Julie Lewon  
Secretary, Mower County Planning Commission