

# MOWER COUNTY

## AUSTIN, MINNESOTA



June 28, 1983

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

MEMBERS PRESENT: Ray Capelle, Roger Peck, John Hill, Conrad Stemson, Joe Monson, Jen Ulwelling

MEMBERS ABSENT: Richard Cummings

OTHERS PRESENT: David Olson, Julie Lewon, Bill Buckley

Chairman Peck called the meeting to order at 8:00 p.m., Tuesday, June 28, 1983 in the Commissioners Room of the Mower County Courthouse. Minutes of the May 24, 1983 meeting were approved as mailed on a motion by Mr. Hill, seconded by Mr. Capelle, and passed unanimously.

Conditional Use Permit #313 - Construction of a Building (associated with an open space use) in the Floodway - Giles Healy and James Vacura: No one was present to represent the petition at this time, so it was postponed until later in the meeting.

Conditional Use Permit #314 - Extraction of Sand from the Floodway - Sherburn Roberts: A petition from Sherburn Roberts for a conditional use permit for the extraction of sand from the floodway at River Bend Campgrounds in the SE $\frac{1}{4}$ , SE $\frac{1}{4}$ , Section 17, Lyle Township, was read to the commission. Mr. Roberts is proposing to construct a canoe landing at the campground. He will be shaping the bank and removing a sand bar in order to make it easier to put canoes in the river. The Department of Natural Resources had already issued a permit to Mr. Roberts for beach development. Ms. Lewon had visited the site and said that the proposed location had a natural slope to the river. Mrs. Ulwelling asked where the sand Mr. Roberts removed would be placed. Mr. Roberts said he would use the sand on the road to fill holes. After further discussion, a motion was made by Mr. Monson and seconded by Mrs. Ulwelling to recommend approval of the permit with the following conditions:

1. The permit be made permanent.
2. Before beginning maintenance excavation of the project, the Planning Department must be notified of the amount of material to be removed, the manner of removal, and proposed disposal site for the material.

The motion passed unanimously.

Sewage Complaints: The first complaint was against Larry Wilson, who resides in Section 10 of Windom Township. Mr. Buckley explained to the commission that tests had been taken on material in the ditch in front of Mr. Wilson's property. Both analyses showed that the material was sewage or animal waste. Mr. Wilson was present and stated that he would be willing to stop the flow of sewage to the ditch either by constructing a drainfield or draining the sewage to his manure pit. He requested a one-year time period in which to do this so that he could get the financing needed. There was discussion on how long to give Mr. Wilson to have his system in compliance with the ordinance. Following this, a motion was made by Mr. Hill to give Mr. Wilson

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until July 1, 1984 to get his system brought to order. The motion was seconded by Mr. Capelle and was denied by a 2-3 vote with Mr. Monson, Mr. Stenson & Mrs. Ulwelling voting. More discussion followed on the time, with Mr. Monson stating that if Mr. Wilson ~~ing pay,~~ couldn't afford to fix the sewage system in the next 90 days, he wouldn't be able to afford it by July of next year, and would need an extension at that time. Mr. Monson then made a motion to give Mr. Wilson 150 days, or until the November 1983 planning commission meeting to correct his system, with the possibility of an extension at this time. The motion was seconded by Mrs. Ulwelling and passed unanimously, with Mr. Capelle and Mr. Peck abstaining.

The second sewage complaint was against Tom Branden. Mr. Buckley explained to the commission that Mr. Branden had constructed drain field trenches in his back yard, where the combined ground water and wash water now drain. This spring, the neighbor to the east complained that Mr. Branden's water was creating a problem for him. The back yards of Mr. Branden and the neighbor were saturated with water so the neighbor was unable to plant his garden as normal. When Mr. Buckley was on the property in May, he found the back yard to be extremely wet to the extent that the neighbor's newly constructed sewage mound was not working properly and the water table appeared to be at the surface of the ground in the vicinity of the garden. Mr. & Mrs. Branden were present and stated that the garden had been wet in seasons prior to their system being put in the back yard. After further discussion, Mr. Buckley suggested that the matter be tabled and that a committee consisting of two members of the planning commission, Gene Vincent from SCS and himself go out and look at the site to get an idea of what exactly causes the problem and what could be done to alleviate it. Mrs. Ulwelling made a motion to table the complaint and have a committee consisting of the people Mr. Buckley suggested go look at the site. The motion was seconded by Mr. Monson and passed unanimously.

Conditional Use Permit #313: There was still no one present to represent this petition, so Mr. Capelle made a motion to table the petition until the next meeting. The motion was seconded by Mr. Hill and passed unanimously.

Other Business: Mr. Buckley reported to the commission on the problems at Sunset Motel. He is not getting much cooperation from the owner in uncovering the tile and finding out where the drainage is coming from. If nothing can be done this summer, he said he would have to bring it back before the commission.

There being no further business, the meeting adjourned on a motion by Mr. Hill, seconded by Mr. Stenson and passed unanimously. The meeting adjourned at 10:02 p.m.

Respectfully submitted,



Julie Lewon, Secretary