

MOWER COUNTY

AUSTIN, MINNESOTA

55912



MINUTES OF THE MOWER COUNTY PLANNING COMMISSION REGULAR MEETING

Members Present: Jen Ulwelling, Joe Monsen, Conrad Stemson, Ray Capelle, Richard Cummings, Bob Werner, John Hill

Members Absent: None

Others Present: Julie Lewon

Chairman Capelle called the meeting to order at 8:00 p.m. on Tuesday, August 28, 1984 in the Commissioners Conference Room of the Mower County Courthouse. Minutes of the July 31, 1984 meeting were approved as mailed on a motion by Mr. Monsen, seconded by Mr. Werner and passed unanimously.

Petition for Renewal of a Conditional Use Permit for an Automobile Wrecking Yard -

Michael Stock: Ms. Lewon read the staff report. Petitioner is requesting renewal of a conditional use permit for an automobile wrecking yard in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 36, Le Roy Township. This permit was originally issued in 1978. It had been renewed every time it came before the planning commission and county board. One of the conditions placed on the permit the last time it was renewed, was that it be renewed again in 1984. Ms. Lewon had visited the site and reported that there were no problems and all conditions were being met.

Mr. Monsen questioned Mr. Stock about the river that went through the property and whether any vehicles were worked on or stored near the river. He was concerned about oil getting into the river. Mr. Stock stated that he doesn't keep any vehicles close enough to the river for oil to get into it. Mr. Monsen recommended that a condition should be placed on the permit requiring all vehicles to be kept 200 feet from the river bank. Mr. Cummings recommended that a condition be placed on the permit requiring that all junk, scrap iron and vehicles be removed within 60 days if the permit is ever revoked or the operation discontinued. Mr. Stock agreed to these conditions. A motion was made by Mr. Monsen to recommend approval of the renewal of the petition with the following conditions:

1. All vehicles should be kept 200 feet from the river bank.
2. If the permit is revoked or the operation discontinued, all junk, scrap iron, vehicles, etc. shall be removed from the site within 60 days.
3. A \$2,500 surety performance bond must be posted with the county auditor.
4. The permit will be reviewed in August 1989.

The motion was seconded by Mr. Cummings and passed unanimously. Ms. Lewon announced that the county board would hear the petition on September 4, 1984 at 3:15 p.m. in the Commissioners Room.

Petition for Renewal of a Conditional Use Permit for an Automobile Wrecking Yard -

Roger Crews: Ms. Lewon read the staff report. Petitioner is requesting renewal of a conditional use permit for an automobile wrecking yard in the NW $\frac{1}{4}$ corner SE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 22, Waltham Township. This permit was originally issued in 1975 and has been renewed every time it came before the planning commission and county board.

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One of the conditions placed on the permit the last time it was renewed was that it be renewed again in 1984. Ms. Lewon had visited the site and reported that there were no problems and all conditions were being met.

After discussion, Mr. Cummings made a motion to recommend approval of the renewal of the petition with the following conditions:

1. A screen mesh fence of durable construction no less than 7 feet in height shall be maintained 300 feet from the right-of-way of the township road. The fence will be parallel to the road and extend for approximately 150 feet. A row of bushes or trees shall be maintained in front of the wire fence so as to completely screen the operation from the road.
2. The site of the permitted operation is to be south of the fence, within the area bounded by the present grove of trees. This site is approximately 150'x150' and abuts the west property line.
3. A \$2,500.00 performance bond must be posted with the county auditor,
4. The remaining portion of the property shall be kept free from scrap iron, junk, debris, etc.
5. If the permit is revoked or the operation discontinued, all junk, scrap iron, vehicles, etc. shall be removed from the site within 60 days.
6. The permit will be reviewed in August 1989.

The motion was seconded by Mrs. Ulwelling and passed unanimously. Ms. Lewon announced that the county board would hear the petition on September 4, 1984 at 3:15 p.m. in the Commissioners Room.

Petition for Renewal of a Conditional Use Permit for a Gravel Pit - Ulland Bros. Inc. and Lawrence Grimstead: Ms. Lewon read the staff report. Petitioner is requesting renewal of a conditional use permit for a gravel pit in 30 acres in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 14, Lansing Township. This permit was first issued in 1974 and had been renewed every time it came before the planning commission and county board. One of the conditions placed on the permit the last time it was renewed was that it be renewed again this year. Ms. Lewon had visited the site and reported that there were no apparent problems. All of the conditions were being met except that no sign had been posted. Mr. Cummings said that he drives by the site often and he thought the signs were posted when trucks were actually hauling from the site. There was some discussion regarding the procedure for filling and covering the pit when it was finished. Ms. Lewon and Mr. Cummings both stated that there are regulations concerning this in the county ordinance. After further discussion, a motion was made by Mr. Stenson and seconded by Mr. Monsen to approve the renewal of the conditional use permit with the following conditions:

1. Gravel will be excavated no closer than 25 feet from the south property line at a 3 to 1 (horizontal to vertical) slope; no closer than 100 feet from the flood bank on the east end.
2. Soil erosion and runoff will be controlled in an acceptable fashion approved by the Mower County Soil and Water Conservation District.
3. The reclaimed depth will be no more than 12 feet.
4. Signs will be posted at the entrance warning drivers of trucks hauling.
5. Access will be gained from the north driveway at the farmstead on said property.
6. No gravel stockpiling or blacktop plant facility is permitted.

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7. A \$2,000.00 performance bond must be posted with the County Auditor and be continuously renewed as long as the gravel pit is being operated.
8. The permit will be reviewed in August 1989.

The motion passed unanimously. Ms. Lewon announced that the county board would hear the petition on September 4, 1984 at 3:15 p.m. in the Commissioners Room.

Petition for Renewal of a Conditional Use Permit for a Demolition Landfill - Wallace Bustad: Ms. Lewon read the staff report. Petitioner is requesting renewal of a conditional use permit for a demolition landfill in the S $\frac{1}{2}$, NE $\frac{1}{4}$, Sec. 15, Austin Township. This permit was first issued in 1982. One of the conditions placed on the permit was that it be renewed in 1984. Ms. Lewon reported that William Buckley, county sanitarian, has been making periodic inspections of the site. Mr. Buckley felt that all the original conditions were being met. Nancy Heimsness, area resident, asked if access was restricted to County Road 28. Ms. Lewon said that there were no conditions on the permit restricting the access. Mrs. Heimsness said that she lived north of the site and that the north road had not been used for access in the past. She further said that she hoped they wouldn't use the north road since it wasn't in good enough shape to hold up to truck traffic. Mr. Bustad told the commission that there was a fence across the road at the north property line and the only time anyone used that access was when they were getting wood. Dave Jackson, Austin Town Clerk, asked if the gravel pit was being expanded. Mr. Bustad replied that he did have an approved permit for the site and that he was taking a small amount out once in a while.

After further discussion, Mr. Hill made a motion to recommend approval of the renewal of the conditional use permit with the following conditions:

1. The permit is temporary and is to be renewed August 1986.
2. All requirements of the Pollution Control Agency regarding demolition landfills must be met.

The motion was seconded by Mr. Monsen and passed unanimously. Ms. Lewon announced that the county board would hear the petition on September 4, 1984 at 3:15 p.m. in the Commissioners Room.

Other Business: Mr. Cummings reported that the county board was referring the Durst rezoning petition back to the planning commission. The county board isn't asking the commission to rethink their position on the same request, but to look at an amended petition.

The Austin Town Board officials asked what action could be taken on a junk yard located in Feeley's Addition. The junk yard is a non-conforming use and it now appears that it is being expanded. Also, the owner has moved a trailer onto the property that he is living in.

Ms. Lewon said that non-conforming uses are not allowed to expand. Once the junk yard expands, it then must apply for and be granted a conditional use permit. Regarding the trailer, a building permit and approved septic system are required. It was decided to write a letter to the property owner explaining these issues and asking that he apply for the necessary permits.

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There being no further business, the meeting adjourned at 9:10 p.m. on a motion by Mr. Monsen, seconded by Mr. Cummings and passed unanimously.

Respectfully submitted,

A handwritten signature in cursive script that reads "Julie Lewon".

Julie Lewon
Secretary