

MOWER COUNTY

AUSTIN, MINNESOTA

55912



October 29, 1985

MINUTES OF THE MOWER COUNTY PLANNING COMMISSION REGULAR MEETING

Members Present: Ray Capelle, Bob Werner, Joe Monsen,
Mary Keenan, Jan Ulwelling, John Hill

Members Absent: Gary Braaten

Others Present: Julie Lewon, Bill Buckley, Craig Eliason

Chairman Capelle called the meeting to order at 8:05 p.m. on Tuesday, October 29, 1985 in the Commissioners Conference Room in the Mower County Courthouse, Austin, Minnesota. The minutes of the September 24, 1985 meeting were approved as mailed on a motion by Mr. Monsen, seconded by Mrs. Keenan and passed unanimously.

Petition for a Conditional Use Permit for a Demolition Landfill - Bustad Crane Service, Inc.: Ms. Lewon read the petition and staff report. Mr. Bustad is proposing to use the site which is located on approximately 3.5 acres in Outlot 2 in Auditor's Plat of Outlots 1 to 11 inclusive in the S 1/2 SW 1/4, Section 27, Lansing Township, as a demolition landfill to deposit concrete demolition material only. This site has been used as a gravel pit and dump in the past. If this permit is approved the following conditions are recommended:

- 1) A temporary gate shall be located at the entrance to the demolition landfill while the landfill is being operated.
- 2) An approved, authorized, reflectorized "No Trespassing" sign shall be posted at the entrance.
- 3) Only concrete demolition material and clean earthen fill shall be deposited.
- 4) Three feet of fill must be placed between the water table and the bottom of the landfill.
- 5) After the demolition material has been deposited, the site shall be landscaped properly and aesthetically and covered with a minimum of two feet of earth suitable for growing vegetation.
- 6) The area shall be seeded down to control erosion in an acceptable fashion approved by the Mower County Soil and Water Conservation District.
- 7) The petitioner must post a minimum of a \$10,000 bond with the County Auditor.

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- 8) An existing elevation site plan must be submitted by the petitioner.
- 9) A final grade plan which shows finished elevations shall be submitted by the petitioner and attached to this permit.
- 10) This permit is not valid until the petitioner has secured a Minnesota Pollution Control Agency Demolition Landfill Permit and a Mower County Solid Waste Permit.
- 11) This permit expires when the Minnesota Pollution Control Agency Demolition Landfill Permit expires.

Mr. Bustad was present to answer any questions which the Planning Commission may have had. Bill Buckley, County Environmental Health Officer, asked Mr. Bustad if only concrete would be deposited in the landfill or whether other materials might be mixed with it. Mr. Bustad answered that it would be primarily concrete from the interstate project.

Mr. Arlo Jordan was present to ask how Mr. Bustad will separate the wood and other materials from the concrete he would be depositing there and what procedure would be followed to see if the conditions were being met. Mr. Jordan was informed that periodic inspections were performed by Mr. Buckley and if any complaints were received from the public they would be looked into.

Terry Lahann, who lives in the area, was present to voice his concerns about the truck traffic connected with the demolition landfill. Herb Wehner, who also lives in the neighborhood, was present and submitted a petition to the Planning Commission signed by residents of the neighborhood who were against the petition.

Ms. Lewon informed the Planning Commission that she had received two calls from people who had questions on the proposed petition but neither were opposed to it.

After further discussion, a motion was made by Mr. Monsen to recommend approval of the conditional use permit for a demolition landfill with the following amendments:

- Condition #3: delating the word "demolition" so that it reads: Only concrete material and clean earthen fill shall be deposited.
- Adding Condition #12: The landfill shall be in operation during daylight hours only.

The motion was seconded by Mr. Werner and passed unanimously.

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Ms. Lewon stated that the petition would go before the County Board of Commissioners on Tuesday, November 5, 1985 at 3:20 PM.

Petition for a Conditional Use Permit for a Gravel Pit - Osmundson Brothers Contracting: Ms. Lewon read the petition and staff report. It was brought to the attention of the Planning Office earlier this year that Osmundson's were operating a gravel pit at this site, located on 15 acres in the N 1/2 NE 1/4, Section 24, Lodi Township. A letter was sent at that time notifying them of the need for a conditional use permit for the gravel pit. The application was received from Osmundsons on September 23, 1985. If this permit is approved, the following conditions are recommended:

- 1) A gate shall be located at the entrance and closed and locked when the gravel pit is not in operation.
- 2) An approved, authorized, reflectorized "No Trespassing" sign shall be posted at the entrance.
- 3) Soil erosion and run-off will be controlled in an acceptable fashion, approved by the Mower County Soil and Water Conservation Office.
- 4) A \$2,000 performance bond must be posted with the County Auditor.
- 5) There shall be no temporary stockpiling of materials within fifty (50) feet of all property lines.
- 6) The excavation shall remain at least fifty (50) feet from the road right-of-way.
- 7) The gravel pit shall maintain a 3:1 slope.
- 8) The permit will be reviewed in October of 1987 to see if all the conditions are being met.

James Osmundson was present to answer any questions and presented a site plan to the Planning Commission. He explained that the reason that a conditional use permit was not applied for earlier was that it was previously used as a gravel pit by a different owner and he was unaware that they were required to apply for a conditional use permit.

Kathy Adams, who lives in the area, was present and asked Mr. Osmundson if any dynamiting would be undertaken and if it were possible their operations could affect the well water. Mr.

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Dsmundson assured her that no dynamiting would take place and that no well water would be affected. Mr. Buckley, Environmental Health Officer, stated that he could see no way that it could affect the well water.

After some discussion, a motion to approve the conditional use permit for a gravel pit was made by Mr. Hill, seconded by Mrs. Keenan and passed unanimously.

Ms. Lewon stated that the petition would go before the County Board of Commissioners on Tuesday, November 5 at 3:20 PM.

Other Business:

Mr. Buckley discussed the current situation at the Stardust Apartments and Sunset Motel. He stated that Norwest Bank has taken control of Stardust Apartments and are at the present time getting bids to bring it into compliance and a complaint is being drawn up for the Sunset Motel.

Ms. Lewon informed the Planning Commission of an Annual Planning Institute being held in Owatonna on November 15, 1985.

There being no further business, the meeting adjourned at 9:05 PM on a motion by Mrs. Keenan, seconded by Mr. Hill, and passed unanimously.

Respectfully submitted,

Craig Eliason
Craig Eliason, Secretary