

MOWER COUNTY

AUSTIN, MINNESOTA

55912



September 30, 1986

MINUTES OF THE MOWER COUNTY PLANNING COMMISSION REGULAR MEETING

Members Present: Gary Braaten, Ray Capelle, Joe Monsen,
Richard Cummings

Members Absent: Jen Ulwelling, John Hill, Bob Werner

Others Present: Daryl Franklin, Julie Lewon, William Buckley

Chairman Capelle called the meeting to order at 8:09 p.m. on Tuesday, September 30, 1986 in Conference Room I in the Mower County Courthouse in Austin, MN. The minutes of the August 26, 1986 meeting were approved as mailed on a motion by Mr. Monsen, seconded by Mr. Braaten and passed unanimously.

Re-evaluation of CUP 361 - Grading and Filling in the Shoreland Area - Randy and Luan Overocker: Mr. Franklin reviewed the events that had taken place concerning this request. On August 26th the Planning Commission reviewed the request and recommended approval by a unanimous vote with the following conditions:

- 1) All grading and filling shall remain at least twenty (20) feet from the ordinary high water mark of the creek;
- 2) The slope of the area should be no steeper than 2:1.

The County Board heard the request on September 2nd and tabled it to September 23rd to give the Board members a chance to view the site. At the September 23rd meeting the Board sent the matter back to the Planning Commission for re-evaluation and to see if the petitioner and Town Board could come to a compromise. Mr. Franklin distributed copies of a drawing showing that the open width of the bridge is twenty-eight (28) feet.

Mr. Overocker was present and said that he and the Town Board had met with Kenneth Lutner from the Soil Conservation Service about the matter.

Mr. Morse, from the Town Board, presented a letter Mr. Lutner had sent the Town Board regarding the matter and Mr. Franklin read it. Mr. Franklin stated that he had also talked to Mr. Lutner and read the letter he had received. Both letters said it appeared that the landscaping that had been done restricted the flow of the creek, that the present channel needed widening

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and the fill needed a cover crop planted on it to eliminate erosion. Mr. Franklin said he called Mr. Lutner after receiving the letter and asked how wide the channel would have to be considering the width of the bridge opening. Mr. Lutner stated that the bridge itself was an impedence to the water flow.

Discussion followed on the width of the opening of the new bridge located approximately one-half mile up-stream from the property in question and how the fact that it was wider, about 70 feet, affected the water flow of the creek.

Jon Erichson, acquaintance of Mr. Overocker and a registered Civil Engineer, was present and agreed that the old bridge itself was a determining factor of how much water the creek bed could take.

The Windom Town Board officers, Mr. Morse, Mr. Enright and Mr. Verdoorn stated their concerns that the fill was causing flooding on land that hadn't flooded in the last eight years and that without any kind of cover, the fill was washing into the creek bed and plugging it up.

Mr. Cummings stated that he felt if the dirt didn't encroach any farther than the 28 foot bridge opening then it shouldn't make much of a difference to the water flow.

Mr. Monsen said he felt the new bigger bridge had caused as much of a problem as the fill.

The Town Board was asked what they would like to see done and Mr. Morse replied that he wanted all the fill removed.

Mr. Overocker was asked his opinion and he said he didn't feel he should be made to remove all the fill, especially since DNR had been there to look at it earlier and didn't object to it.

After further discussion a motion was made by Mr. Monsen to recommend approval of the request for grading and filling in the Shoreland area with the following conditions:

- 1) All grading and filling shall remain at least twenty-eight (28) feet from the far (south) bank of the creek. This will leave a channel the same width as the bridge opening; and
- 2) From the twenty-eight (28) foot setback the slope of the project shall be no steeper than 2:1.

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The motion was seconded by Mr. Cummings and passed unanimously. Mr. Franklin notified those present that the County Board would reconsider the matter at their October 7th meeting at 3:30 p.m.

Review of Proposed Zoning Ordinance: Mr. Cummings asked that something be put together showing where the major changes had been made between the current Zoning Ordinance and the updated one. It was decided to present this to the Planning Commission at next months meeting due to three members not being present now.

Review of Proposed Well Ordinance: William Buckley distributed copies of the proposed Mower County Water Well Construction and Abandonment Ordinance to members of the Planning Commission and Groundwater Protection Committee. Following a short discussion it was decided to further review the proposed ordinance at a future meeting.

There being no further business the meeting adjourned at 10:00 p.m. on a motion by Mr. Braaten, seconded by Mr. Monsen and passed unanimously.

Respectfully submitted,

Julie Lewon

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