

Coordinated Development In

MOWER COUNTY

AUSTIN, MINNESOTA

55912



507-437-9527

AUSTIN-MOWER COUNTY PLANNING DEPARTMENT

February 24, 1987

MINUTES OF THE MOWER COUNTY PLANNING COMMISSION REGULAR MEETING

Members Present: Joe Monsen, Jen Ulwelling, John Hill, Gary Braaten, Bob Finbraaten, Ray Capelle

Members Absent: Bob Werner

Others Present: Daryl W. Franklin, Bill Buckley, Craig Eliason

Chairman Capelle called the meeting to order at 8:00 p.m. on Tuesday, February 24, 1987 in Conference Room I of the Mower County Courthouse in Austin, Minnesota. The minutes of the January 27, 1987 meeting were approved as mailed on a motion by Mrs. Ulwelling, seconded by Mr. Hill and passed unanimously.

CUP 363 Demolition Landfill in the Rural Zone - Ulland Brothers, Inc. and Cliff Wold: Mr. Franklin read the petition, history and staff report. The petitioner is requesting a conditional use permit to allow a demolition landfill in the rural zone. The petitioner wishes to deposit demolition material at this site located on 3.8 acres in the SW 1/4 SW 1/4, Section 33, Dexter Township. The demolition material would be concrete surfacing from the reconstruction of I-90 in 1987. The existing land use is an abandoned gravel pit and the existing zoning is rural. The surrounding land use and zoning: North - Agricultural, zoned Rural; South - Old gravel pit, zoned Rural; East - Agricultural, zoned Rural; West - Agricultural and old gravel pit, zoned Rural.

This property was previously approved as a demolition landfill site in May, 1983. At that time the County Board placed the following conditions on the permit:

- 1) This site shall no longer be used as a demolition landfill and shall be covered by December 31, 1983. The permit is renewable for the next construction season after this date.
- 2) After the demolition material has been deposited, the site shall be landscaped properly and aesthetically, covered with a minimum of one foot of fill and the area seeded down to control erosion in an acceptable fashion approved by the Mower County Soil and Water Conservation District if the permit is not renewed for another year.

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- 3) A gate shall be located at the entrance and closed and locked when the landfill is not in operation.
- 4) An approved, authorized, reflectorized "No Trespassing" sign shall be posted at the entrance.
- 5) The township ditch along the west edge of the demolition landfill shall be reconstructed.
- 6) Only demolition material from the reconstruction of I-90 shall be deposited in the landfill.
- 7) Road maintenance and dust control on the township road shall be the responsibility of Ulland Brothers during the time the landfill is being used.

This site is a depleted gravel pit that has not been restored. The demolition material will be placed and covered with a minimum of two feet of dirt to restore it to agricultural use. The petitioner is in the process of submitting the necessary forms and requirements to the Minnesota Pollution Control Agency.

Ann Entorf, Ulland Brothers, Inc., was present to answer any questions the Planning Commission may have. No one was present to speak in opposition to the petition.

Mrs. Ulwelling asked when the landfill would be filled. Ms. Entorf replied that the contract states the project must be completed by October 15, 1987. Ms. Entorf also explained that the demolition landfill may not be used if their existing demolition landfills have enough room for the new material.

Following further discussion, a motion to recommend approval of a demolition landfill in the rural zone was made by Mr. Monsen with the following conditions:

- 1) A gate shall be located at the entrance and closed and locked when the landfill is not in operation.
- 2) A "No Trespassing" sign shall be posted at the entrance.
- 3) Only demolition material from the reconstruction of I-90 shall be deposited in the landfill.
- 4) After the demolition material has been deposited the site shall be landscaped properly and aesthetically, covered with a minimum of two feet of soil and seeded down to control erosion in an acceptable fashion approved by the Mower County Soil & Water Conservation Office.

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- 5) Road maintenance and dust control on the township road shall be the responsibility of Ulland Brothers during the time the landfill is being used.
- 6) Petitioner must comply with the regulations of the Minnesota Pollution Control Agency regarding demolition landfills and must secure a MPCA demolition landfill permit.
- 7) Petitioner must secure a Mower County Solid Waste Permit.
- 8) A \$2,000.00 performance bond must be placed with the County Auditor.
- 9) This site shall no longer be used as a landfill and shall be covered and seeded down by December 31, 1987.

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

Mr. Franklin announced that the petition would go before the County Board at their March 3, 1987 meeting at 3:45 p.m.

CUP 364 Gravel Pit and Demolition Landfill in the Rural Zone - Ulland Brothers, Inc. and Robert Unverzagt: Mr. Franklin read the petition and staff report. The petitioner is requesting a conditional use permit for a gravel pit and demolition landfill construction. The petitioner wishes to extract gravel from this site, located on 4.85 acres in the SE 1/4 NW 1/4, Section 34, Dexter Township, and then fill it with demolition material. The gravel extraction will be at least 250 feet from the creek. The demolition material will be concrete surfacing from the reconstruction of I-90 in 1987. The existing land use is agricultural and the existing zoning is rural. The surrounding land use and zoning: North - Trees and agricultural, zoned Rural; South - Agricultural and I-90, zoned Rural; East - I-90, zoned Rural; West - Trees and agricultural, zoned Rural.

Ann Entorf, Ulland Brothers, Inc., was present to answer any questions the Planning Commission might have. No one was present to speak in opposition to the petition.

Mr. Monsen asked if Ulland Brothers is planning on removing any of the existing trees. Ms. Entorf replied that they were not.

Following further discussion, a motion to recommend approval of a conditional use permit for a gravel pit and demolition landfill was made by Mr. Hill with the following conditions:

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Gravel Pit

- 1) A gate will be located at the entrance and closed and locked when the pit is not in operation.
- 2) A "No Trespassing" sign will be posted at the entrance.
- 3) Soil erosion and run-off will be controlled in an acceptable fashion approved by the Mower County Soil & Water Conservation Office.
- 4) A \$2,000.00 performance bond must be posted with the County Auditor.
- 5) The gravel pit shall be a slope no greater than 3:1 (horizontal:vertical)
- 6) Extraction of gravel shall remain at least ten feet from all adjoining property lines.
- 7) This site shall no longer be used as a gravel pit by December 31, 1987.

Demolition Landfill

- 1) A gate will be located at the entrance and closed and locked when the landfill is not in operation.
- 2) A "No Trespassing" sign shall be posted at the entrance.
- 3) Petitioner must comply with regulations of the Minnesota Pollution Control Agency regarding demolition landfills and secure a MPCA demolition landfill permit.
- 4) Petitioner must secure a Mower County Solid Waste Permit.
- 5) This landfill shall be used only for concrete surfacing from the I-90 reconstruction project.
- 6) After the demolition material has been deposited, the site shall be landscaped properly and aesthetically, covered with a minimum of two feet of soil suitable for growing vegetation and seeded down to control erosion in an acceptable fashion.
- 7) A \$2,000.00 performance bond must be posted with the County Auditor.
- 8) This site shall no longer be used as a landfill and shall be covered and seeded down by December 31, 1987.

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

Mr. Franklin announced that the petition would go before the County Board at their March 3, 1987 meeting at 3:45 p.m.

CUP 365 Demolition Landfill in the Rural Zone - Road Constructors, Inc. and Everett Helgeson: Mr. Franklin read the petition and staff report. The petitioner is requesting a conditional use permit for demolition landfill construction. The petitioner plans to deposit the fill in two areas, located on 2 acres in the North 1/2 SW 1/4, Section 23, Racine Township. The first area will have 10,500 yards of fill and the second area will have 4,200 cubic yards of fill. There will be a dirt berm between the two areas. The existing zoning is rural and the existing land use is an abandoned gravel pit. The surrounding zoning and land use: North - Agricultural, zoned Rural; South - Old dump, zoned Rural; East - Agricultural, zoned Rural; West - Agricultural, zoned Rural.

Mike Wenzel, Road Constructors, Inc., was present to answer any questions the Planning Commission may have. He stated that Road Constructors, Inc. has no problems with the conditions being proposed and that the area would actually be improved by filling up the existing holes. No one was present to speak in opposition to the petition.

Dick Capelle, a resident of the area, was present and stated that he is concerned about the possibility of old tar barrels, appliances, etc. being dumped in the area. Mr. Franklin answered that the permit only covered those materials from an urban renewal project for the City of Stewartville.

Bernie Rath, a resident of the area, asked if a burning permit would be issued to Road Constructors, Inc. Mr. Buckley answered that before a burning permit would be granted his office would check with the Minnesota Pollution Control Agency and they would be very selective on what could be burned.

Clarence Klenke, of the Racine Townboard was present and stated he thought the Planning Commission should add a condition that Road Constructors, Inc. be responsible for maintaining the township road.

Bill Hanke of the Racine Townboard was present and asked if the pit would be monitored to see that the conditions are being met. Mr. Buckley replied that his office and the Minnesota Pollution Control Agency would periodically inspect the pit. Mr. Buckley then read condition #1 from the MPCA's permit which stated "only the disposal of debris from the Stewartville urban renewal

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project is approved by this letter. The materials consists of concrete, brick, mortar, wood, glass, metal and plastic building parts, and bituminous material. The disposal of tires, ashes, garbage, machinery, vehicles, liquids, industrial waste and hazardous waste is strictly prohibited."

Following further discussion, a motion to recommend approval of a conditional use permit for demolition landfill construction was made by Mrs. Ulwelling with the following conditions:

- 1) A gate will be located at the entrance and closed and locked when the landfill is not in operation.
- 2) A "No Trespassing" sign shall be placed at the entrance.
- 3) Petitioner must comply with regulations of the Minnesota Pollution Control Agency regarding demolition landfills and secure a MPCA demolition landfill permit.
- 4) Petitioner must secure a Mower County Solid Waste Permit.
- 5) Only demolition debris from the Stewartville urban renewal project is authorized for the site. The material consists of concrete, brick, mortar, wood, glass, metal and plastic building parts and bituminous material. The disposal of tires, ashes, garbage, machinery, vehicles, liquids, industrial waste and hazardous waste are strictly prohibited.
- 6) There shall be no asbestos deposited at the site.
- 7) Access to and from the site shall only be by Highway 63 and the east-west township road.
- 8) The petitioner shall be responsible for maintaining and repairing any damage that is done to the east-west township road during the operation of the demolition landfill.
- 9) After the demolition material has been deposited, the site shall be landscaped properly and aesthetically, covered with a minimum of two feet of soil suitable for growing vegetation and seeded down to control erosion in an acceptable fashion.
- 10) A \$2,000.00 performance bond must be posted with the County Auditor.
- 11) This site shall no longer be used as a landfill and shall be covered and seeded down by December 31, 1987.

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

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Mr. Franklin announced that the petition would go before the County Board at their March 3, 1987 meeting at 3:45 p.m.

Continued Public Hearing on Proposed New Zoning Ordinance: The Planning Commission continued discussion on the proposed new zoning ordinance. Grace Dooley was present and questioned how the new ordinance will handle sewage disposal facilities on new commercial and industrial areas. Mr. Buckley said that the Sewage Disposal Ordinance still would remain in effect and the Minnesota Pollution Control Agency would still be involved in the process.

Art Peck was present and asked if new zoning maps would be made. Mr. Franklin stated that new zoning maps would be developed and available for public viewing before a recommendation is made by the Planning Commission to the County Board.

There being no further business, the meeting adjourned at 9:00 p.m. on a motion by Mr. Hill, seconded by Mr. Braaten and passed unanimously.

Respectfully submitted,

Craig Eliason

Craig Eliason, Secretary