

Coordinated Development In

MOWER COUNTY

AUSTIN, MINNESOTA

55912



507-437-9527

AUSTIN-MOWER COUNTY PLANNING DEPARTMENT

March 29, 1988

Minutes of the Mower County Planning Commission Regular Meeting

Members Present: Gary Braaten, Jen Ulwelling, Bob Shaw, Steve Wieland, Herb Hanson, Oliver Hillier, John Hill, Joe Monsen

Members Absent: Bob Werner

Others Present: Daryl W. Franklin, Katie Losness

Chair Monsen called the meeting to order at 2:00 p.m. on Tuesday, March 29, 1988, in Conference Room I of the Mower County Courthouse in Austin, Minnesota. The minutes of the February 23, 1988, meeting were approved as mailed on a motion made by Mr. Hill, seconded by Mr. Hillier and passed unanimously.

Review of CUP 341 - Gravel Pit and Demolition Landfill in Rural Zone - Lyle Elleby: A representative of Ulland Brothers was present but couldn't address the complaints as Mr. Elleby was not in attendance.

Renewal of CUP 365 - Demolition Landfill in the Rural Zone - Road Constructors Inc./Everett Helgeson: Ms. Losness read the staff report. Petitioner wishes to renew his conditional use permit which was issued in March of 1987 for a demolition landfill in Racine Township (2 acres in the N 1/2 SW 1/4, Section 23 - Twp 104 - R 14). The following conditions were originally placed on the permit:

- 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 is strictly prohibited;

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- 6) There shall be no asbestos deposited at this 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.

A representative of Road Constructors was present to answer any concerns of the Commission and Mr. Braaten told the others that the on-site investigation showed the area is well-kept. Mr. Braaten told the Commission that Road Constructors don't think it will take long to fill it.

Mrs. Ulwelling made a motion that the permit be renewed 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) The material consist 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;
- 6) There shall be no asbestos deposited at this site;

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- 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 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 \$20,000.00 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 May, 1990.

The motion was seconded by Mr. Hanson and passed unanimously. Ms. Losness announced that the hearing would be April 5, 1988 at 2:30 p.m. in front of the County Board.

CUP 372 - Home Occupation in the Rural Zone - Donna Slowinski: Ms. Losness read the staff report. Mrs. Slowinski wants to sell crafts and craft supplies in her home in Windom Township (E 600', W 1057', S 367', S 1/2, SW 1/4, Section 1 - 5.1 acres). Mrs. Slowinski told the Commission that they plan to enclose their porch to sell on a drop-in basis. She will be making the crafts. Chair Monsen asked if there was any opposition and there was not. Mr. Braaten told the rest of the Commission that the Slowinski's have a long driveway to accommodate off-street parking.

Mr. Hill made a motion to approve the petition which was seconded by Mr. Shaw and passed unanimously. Ms. Losness announced that the County Board hearing would be April 5, 1988, at 2:30 p.m.

CUP 373 - Additional Farm Dwelling in the Rural Zone - Brian and Debra Sorenson: Ms. Losness read the staff report. The Sorenson's are requesting an additional farm dwelling on their farmstead in Lansing Township (N 1/2 SE 1/4 & S 1/2 NE 1/4 of Section 18 - 160 acres). The Sorenson's were present and told the Commission that they dairy farm with Brian Sorenson's brother who has an equal interest in the farm. The brother and his wife would live in the mobile home south of the house. No one was present to speak against the petition. Mr. Shaw made a motion to approve the petition with the following conditions:

- 1) That the additional farm dwelling be a mobile home;
- 2) That the mobile home must be occupied by persons associated with the farm operation;

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- 3) That the permit is void if building and sewer permits are not applied for and approved.

The motion was seconded by Mr. Braaten and passed unanimously. Ms. Losness announced that the hearing in front of the County Board would be April 5, 1988 at 2:30 p.m.

Cup 374 - Gravel Pit in the Rural Zone - Hansen Hauling: Ms. Losness read the staff report. Mr. Hansen is requesting a permit to extract gravel from a knoll on Carl Poteet's property in Lansing Township (Section 20 - Twp 103N - R 18W, SE 1/4 N & E of the Creek). Ms. Losness passed out copies of a letter from a nearby property owner, Bette J. Gerhard, concerned that this may affect the drainage ditch in the area. It was decided that this would not be detrimental to the ditch since the knoll is 200' from the ditch. Mr. Hanson told the Commission that there's only 5-10,000 cubic yards and that he only has a year to extract since it is going to become a permanent pasture the following season. Ralph Noble, Lansing Township Supervisor, was present to express concern that the roads be kept up. Mr. Shaw made a motion to approve the petition with the following conditions:

- 1) Soil erosion and runoff will be controlled in an acceptable fashion approved by the Mower County Soil and Water Conservation office;
- 2) A \$10,000 performance bond must be posted with the County Auditor;
- 3) When excavation and removal of operations or either of them are completed, the excavated area shall be graded so that no gradients in disturbed earth shall be steeper than a slope of 3:1 (horizontal:vertical). A layer of arable topsoil, of a quality approved by the Soil & Water Conservation District shall be spread over the excavated area, except exposed rock surfaces, to a minimum depth of 4 inches in accordance with the approved contour plan. The area shall be seeded with perennial grass and maintained until the area is stabilized and approved by the Soil & Water Conservation District;
- 4) The petitioner shall be responsible for maintaining and repairing any damage that is done to the Township road during the operation of the gravel pit to the satisfaction of the Lansing Town Board;
- 5) This permit shall expire in April, 1989.

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The motion was seconded by Mr. Braaten and passed unanimously. Ms. Losness announced that the matter would be taken up by the County Board on April 5, 1988, at 2:30 p.m.

The Commission discussed staff's suggestion on raising performance bond requirements on gravel pits to \$10,000 and \$20,000 on demolition landfills. The Commission agreed on the figures and will apply them to all future conditional use permits.

There being no further business to discuss, the meeting adjourned at 3:05 p.m. on a motion made by Mr. Hill, seconded by Mr. Shaw and passed unanimously.

Respectfully submitted,

Katie Losness

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