

# MOWER COUNTY

AUSTIN, MINNESOTA

55912



July 25, 1989

Minutes of the Mower County Planning Commission Regular Meeting

Members Present: Herb Hanson, Bob Werner, Don Olson, Gary Braaten, Steve Wieland, Oliver Hillier

Members Absent: Dick Cummings, Keith Voorhees

Others Present: Katie Losness

Chair Hanson called the meeting to order at 8:00 p.m. on Tuesday, July 25, 1989, in the Commissioner's Conference Room of the Mower County Courthouse in Austin, Minnesota. The minutes of the June 27, 1989, meeting were approved as mailed on a motion by Mr. Hillier, seconded by Mr. Braaten and passed unanimously.

CUP 400 - Conditional Use Permit for a Gravel Pit in the Rural Zone: Ms. Losness read the staff report. David Hjelman, 606 9th Avenue S.W., is requesting a conditional use permit for a gravel pit in the rural zone on property he owns in Lansing Township (40 acres N 1/2 SE 1/2 exc 10.55 acres in Section 15). Surrounding land use is as follows: north is agricultural, south is drainage ditch/agricultural, east is residential and west is agricultural and creek. Zoning is all rural.

David Hjelman told the Planning Commission that he would like a permit to sell gravel to small contractors for fill. It would probably start off with 5-7 acres and would be leveled off when finished. The deepest it would go is 8-10 feet. The trucks would come out on the south side of the building site onto the blacktop road. He would have sufficient black dirt to cover when finished. The gravel would be removed from the west side of the building site. If there are dust problems he plans to water it down. He didn't know if it would be a few days each month or if someone would haul for a month and be done.

Harry Hayden, Route 1 Box 160, spoke in opposition to the petition. He presented a letter from Reuven Doron, Route 1 Box 161, also objecting to the petition as the area is "too populated for such a dusty operation". Mr. Hayden felt that one gravel pit in the area is enough and the no passing zone on the blacktop road would be a problem. He is also concerned it would become a swimming pit. The operation would depreciate the value of his property he said and would be a danger to the preschool children in the area. Nordeen Wilson, Route 1 Box 162, was concerned about dust problems.

Page two  
Mower County Planning Commission Minutes  
July 25, 1989

Charlie Johnson, Route 1 Box 127, asked for an explanation of what a conditional use permit is and wondered what conditions would be attached.

Jill Anderson, Rural Route 1 Box 158, spoke in favor of the petition as she didn't feel it was a threat to children. The dust problem would be no worse than the gravel road already causes.

Mrs. Darlene Hayden said the pit would be in their back yard which would depreciate their land.

Ms. Losness read a letter from Mr. & Mrs. Dennis Seberson, Route 1 Box 201, saying they had no objection only if they were guaranteed the dust would be controlled and no trucks would travel past their home.

Mr. Olson told the rest of the Commission that he'd been out to the site with Mr. Hanson and was not impressed. The proposed site is in close proximity to neighbors and as there are no plans for removal it would be a pit of convenience.

Mr. Hanson also discussed the closeness to several homes in the area and his concern about there being no clear plan for extraction.

Mr. Olson made a motion to recommend denial of the petition for the above stated reasons. The motion was seconded by Mr. Wieland and passed unanimously. Ms. Losness stated that the County Board would hold a hearing on August 1st at 2:00 p.m. on this matter.

Letters of Credit: Nancy Evans, County Attorney, presented the Commission with a memo relating to the possible use of letters of credit as an alternative to performance bonds. It was her recommendation that we continue to use performance bonds as our preferred means but if a petitioner cannot obtain a bond we would bring this option to their attention. She pointed out that the Minnesota Legislature recently passed a law making this a legal alternative to performance bonds.

There being no further business to discuss, the meeting adjourned at 8:35 p.m. on a motion made by Mr. Braaten.

Respectfully submitted,

*Katie Losness*  
Katie Losness