

MOWER COUNTY

AUSTIN, MINNESOTA

55912



July 31, 1990

Minutes of the Mower County Planning Commission Regular Meeting

Members Present: Herb Hanson, Don Olson, Keith Vorhees, Bob Werner, Bob Finbraaten, MeriJo Lonergan, Oliver Hillier, Steve Wieland

Members Absent: Gary Braaten

Others Present: Daryl Franklin, Katie Losness

Chair Hanson called the meeting to order at 8:00 p.m. on Tuesday, July 31, 1990, in the Commissioner's Conference Room of the Mower County Courthouse in Austin, Minnesota. The minutes of the June 26, 1990, meeting were approved as mailed on a motion made by Mr. Olson, seconded by Mr. Wieland and passed unanimously.

Renewal of CUP #338 for Gravel Extraction and a Demolition Landfill - Ulland Brothers/Gerald Seavey: Ms. Losness read the staff report. Ulland Brothers are requesting renewal of CUP #338 as they intend to remove more gravel from the east portion of the site and place demolition materials in the excavated areas on Seavey's property (S 1/2 NE 1/4 of Section 26 in Lansing Township). The permit was initially granted in 1985 and renewed in 1987 and 1989.

Ken Johnson of Ulland Brothers told the Commission he estimated approximately five more years at the site. They are saving the topsoil to replace on the site after demolition materials are covered. Commissioner Finbraaten put Mr. Johnson on notice that the County Board is looking at all bonds and may increase them in the future.

After further discussion, Mr. Wieland made a motion to recommend renewal of CUP #338 with the following conditions:

Gravel Pit:

1. The extraction of materials shall remain 300 feet from the creek.
2. There shall be no temporary stockpiling of materials in the floodway.
3. A gate will be located at the entrance and closed and locked when the pit is not in operation.
4. An approved, authorized, reflectorized "No Trespassing" sign will be posted at the entrance.

5. Soil erosion and runoff will be controlled in an acceptable fashion, approved by the Mower County Soil and Water Conservation District.
6. A \$10,000 performance bond must be posted with the County Auditor.
7. This site shall no longer be used as a gravel pit by August, 1992.

Demolition Landfill:

1. A gate will be located at the entrance and closed and locked when the landfill is not in operation.
2. An approved, authorized, reflectorized "No Trespassing" sign will be posted at the entrance.
3. There shall be no temporary stockpiling of demolition material in the floodway.
4. After the demolition material has been deposited, a minimum two feet of topsoil placed on top and seeded over so that the area is stabilized.
5. The site shall no longer be used as a demolition landfill and shall be covered and seeded down and stabilized by August, 1992.
6. In case of possible damage to County Road #16, a \$25,000 performance bond must be posted with the County Auditor if the State does not designate County Road #16 a haul road.
7. This permit is contingent upon a valid MPCA demolition landfill permit.

The motion was seconded by Mr. Olson and passed unanimously. Ms. Losness announced that the County Board would hold a hearing on this matter on August 7, 1990, at 1:30 p.m.

CUP #409 - Conditional Use Permit for a Cellular Phone Tower - Hiawathaland Cellular Partnership: Ms. Losness read the staff report. The Partnership is requesting a conditional use permit for a cellular phone tower on property owned by Earl Hamilton (SE 1/4 NE 1/4 of Section 33, Dexter Township). The existing and surrounding land use is agricultural and zoning is Agricultural District.

Ken Knuth, Finley Engineering, told the Commission that they would like to construct a 390 foot tower supported by a three point guying system and a permanent 14'x17' building adjacent to the tower to house electrical equipment. He explained the corporate structure of the Partnership and provided background on cellular technology. He assured the Commission that they are heavily regulated by the FAA and FCC. Mrs. Lonergan questioned its effect on tv and radio reception. Mr. Knuth assured her that this is a totally different frequency which is one of the prerequisites of FCC approval.

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After further discussion, a motion was made by Mr. Werner to recommend approval of the conditional use permit. The motion was seconded by Mr. Vorhees and passed unanimously. Ms. Losness announced that the hearing before the County Board would be held August 7, 1990, at 1:30 p.m. in the County Board Room.

CUP #410 - Conditional Use Permit for Sand and Gravel Extraction - Lee Hansen Hauling: Ms. Losness read the staff report. Mr. Hansen is requesting the conditional use permit on property owned by Daniel Cotter in the NE 1/4 of Section 18, Austin Township. Existing and surrounding land use and zoning is all Agricultural.

Lee Hansen told the Commission that they would be leveling off some hills in three different places that have gravel in them and are not producing good crops for Mr. Cotter. They would place the topsoil back on excavated area in order to return to farming. He estimated the cubic yards of material to be approximately 15-20,000 cubic yards. There would be no holes remaining; the removal would be limited to that necessary to meet the surrounding topography. Mr. Hansen said they would extract one hill at a time and cover with the topsoil all at once.

Mr. Cotter stated that the main purpose in the excavation is to improve his land for agricultural uses. Each hill is approximately one half acre. Egress would be onto County 28 which is a black top road. The hauling would be sporadic depending upon the jobs; not a day to day operation. They would probably haul a lot in a short period of time. Rod Cockrum, adjoining property owner, wanted to know who he could come to if this permit was not properly handled. Chair Hanson told him to come back to the Planning Commission if he had any concerns.

After further discussion, Mr. Olson made a motion to recommend approval of the conditional use permit for a gravel extraction with the following conditions:

1. Existing and proposed contours and a final grade plan must be submitted before extraction is to begin.
2. A \$10,000 performance bond must be submitted to the County Auditor.
3. The permit shall expire August 31, 1992.

The motion was seconded by Mr. Wieland and passed unanimously. Ms. Losness announced that the County Board hearing would be held August 7, 1990, at 1:30 p.m.

There being no further business to discuss, the meeting adjourned at 9:00 p.m. on a motion by Mr. Werner.

Respectfully submitted,


Katie Losness