

MOWER COUNTY

AUSTIN, MINNESOTA

55912



February 25, 1992

Minutes of the Mower County Planning Commission Meeting

Members Present: Keith Voorhees, MeriJo Lonergan, Don Olson, Gary Nemitz, Oliver Hillier, Greta Kraushaar, Herb Hanson, Gary Braaten

Members Absent: Bob Werner

Others Present: William C. Buckley, Daryl W. Franklin

Chair Hanson called the meeting to order at 2:00 p.m. on February 25, 1992, in the Commissioner's Room of the Mower County Courthouse in Austin, Minnesota. Minutes of the January 28, 1992, meeting were approved as mailed on a motion made by Ms. Kraushaar, seconded by Mr. Voorhees and passed unanimously.

CUP #438 for a Solid Waste Handling Facility in the Agricultural District - Dean & Diane Anderson/Austin Sanitation and Darrell Armstrong: The staff report was read. Austin Sanitation is requesting a conditional use permit to use the existing building for their garbage business on property located at S 1/2 N 1/2 NW 1/4, Section 13, Austin Township. The existing land use is office and storage and the surrounding land use and zoning is as follows: North: Agricultural, zoned Agricultural District; South: Agricultural/Commercial, zoned Agricultural District; East: Agricultural, zoned Agricultural District; and West: Residential, zoned Agricultural District; and Northwest: Residential, zoned Rural Residence District.

Kurt Potach, property owner to the north, stated that he would like to offer his perspective in regard to the conditional use permit:

- 1) He felt the use was not compatible with the adjoining use property areas;
- 2) He felt it would impair property values in the area;
- 3) He felt it may impede agricultural practices in the area and uses permitted in the area;
- 4) He was concerned about adequacy of utilities as there may be run-off and how it would impact on wells;
- 5) He felt there would be an odor problem.

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It was explained to the Planning Commission and neighborhood what Mr. Anderson is proposing. It was explained that they have been at their current location in the City of Austin for seven years and there have been very few complaints about their operation.

Patrick Byron said that he is worried about increased traffic in the area and how it may impact on the children. He felt there may be an odor problem and the potential for garbage to blow around the area.

Mike Bibus, asked if solid waste would be present outside the building.

Steve Martell, property owner to the north wants to build a home there. He is worried it may impact on the area. Mr. Martell currently operates a woodworking shop in the area. Helen Majerus, property owner, is opposed to it.

Rose Mary Byron moved from Rochester to this area and didn't want this use spoiling their enjoyment.

Another neighbor wanted it to stay a residential area and questioned if hog hair and rendering products would be brought to this area. Mr. Anderson stated, "no, it would be brought directly to the landfill".

Kurt Potach stated that when Armstrong had their trucking business at this site, they could smell the diesel odor.

Mr. Olson commented that he and Ms. Lonergan had been to the site and had viewed it and talked with Mr. Anderson. He also stated that everyone agrees that this is a necessary facility, but not in my area. He called this the "NOT IN MY BACKYARD (NIMBY) SYNDROME." It was his position that this site was appropriate in the area and that he feels it is necessary for the orderly growth of the community and that it is in accordance with the Comprehensive Plan; that 218 is an adequate access road for the facility. Therefore, he recommended approval of conditional use permit #438 with the following conditions:

- 1) All garbage must be stored securely
- 2) Outside storage of solid waste containers is limited to the east side of the office building
- 3) All necessary MPCA and County solid waste permits must be obtained.

The motion was seconded by Mr. Voorhees and passed on a 6-1 vote with Mr. Hillier voting nay and Mr. Nemitz abstaining.

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After the vote, Kurt Potach expressed concern about what the Planning Commission had done and why they didn't take into consideration any of the statements of the property owners. Chair Hanson stated the Planning Commission did consider the opinions of the neighbors.

Patty Byron asked if they visited the site and the members said they had.

It was announced that the Mower County Board of Commissioners will hold their hearing on March 3, 1992, at 2:30 p.m.

CUP #439 for an Agriculturally-Oriented Business in the Agricultural District - Charles & William Sheely: The staff report was read. The Sheely's are requesting a conditional use permit to allow a machine shop for repair of agricultural and recreational equipment in the Agricultural District on property located at NE 1/4 exc. S 661 ft. & exc. 80 ac., Section 6, Marshall Township. The existing land use is recreational vehicle park, zoned Agricultural District and the surrounding land use and zoning is as follows: North: I-90, zoned Agricultural District; South, East and West: Agricultural, zoned Agricultural District.

Audrey Larson, abutting neighbor, was concerned about noise and what other uses could take place in the area. It was explained that the machine shop would be conducted inside the building and there would be no repairing of equipment outside, that they would simply make the parts for others to install.

Margaret Olson was concerned that the Sheelys' are getting the CUP for someone else and would sell it. Mr. Charles Sheely stated it is his intention to operate the machine shop himself. However, if the business is successful, he would hire additional help.

Mr. Voorhees stated that from his perspective, the campground owner would not do something that would be detrimental to his business.

After some discussion, a motion was made by Mr. Braaten and seconded by Mr. Voorhees to recommend approval of the conditional use permit. The motion passed unanimously, with Gary Nemitz abstaining. It was announced that the Mower County Board of Commissioners will hold their hearing on March 3, 1992, at 2:30 p.m.

Mr. Hanson raised a question on the disposal of contaminated soil in the rural area and what regulations were applicable.

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It was explained that currently the County allows the townships to make the decision on the soils and not the County Board. Mr. Buckley would be gathering information on this topic and bringing it to the next Planning Commission meeting.

There being no further business, the meeting adjourned at 3:15 p.m. on a motion by Ms. Lonergan and seconded by Ms. Kraushaar. The motion passed unanimously.

Respectfully submitted,



Daryl W. Franklin
Planning Director

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