

MOWER COUNTY

AUSTIN, MINNESOTA

55912



May 27, 1992

Minutes of the Mower County Planning Commission Meeting

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

Members Absent: Meri Jo Lonergan

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

Chair Hanson called the meeting to order at 8:00 p.m. on Tuesday, May 26, 1992, in the Commissioner's Room of the Mower County Courthouse in Austin, Minnesota. Minutes of the April 28, 1992, meeting were approved as mailed on a motion made by Ms. Kraushaar, seconded by Mr. Werner and passed unanimously.

Conditional Use Permit Renewal #407 for a Solid Waste Handling of Disposal Facility - Austin Township: Staff report was read. Dean and Diane Anderson, Austin Sanitation, requested a conditional use permit to renew the operation of their solid waste handling and disposal facility which will allow storage of garbage bins and continued operation of a yard waste composting site. The property is in NE 1/4 SW 1/4 Section 21 of Lansing Township. The existing land use is Agricultural District and yard waste composting site and the surrounding land use and zoning is all agricultural and zoned Agricultural District. Diane Anderson explained what their proposal was and how they proposed to continue operating the facility. Perry Byam stated that from his perspective Austin Sanitation currently is in violation of their permit and state law by not turning the compost sites; having garbage bags on the site, not filling out on their annual report and allowing other people to dump at the site. William Rhyter is upset about the plastic bags blowing onto his property. Bob Werner and Herb Hanson spoke that when they were on the investigating committee, the site looked good. Don Olson directed a question to Mr. Buckley if there had been any complaints. Mr. Buckley said there had been complaints and they had worked with Austin Sanitation. He had also had been concern about plastic bags on the site. Mr. Perry Byam spoke that he wants compliance with MPCA regulations. Nancy Byam spoke that it was an "eye sore". Ron Skjeveland asked about the procedure used for composting.

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In reviewing the CUP the Planning Commission found that Renewal CUP #407 complied with all of the requirements of Section 14-31 of the Mower County Code.

After additional discussion, a motion was made by Bob Werner, seconded by Gary Braaten to recommend approval of the conditional use permit with the following conditions:

- 1) The operation must comply with all applicable rules of the Minnesota Pollution Control Agency and Mower County Ordinances.
- 2) The compost operation shall not be located in any soils classified in hydrologic group D of the 1989 Mower County Soil Survey.
- 3) Surface water drainage must be controlled to prevent run-off and must be diverted from the compost and storage areas.
- 4) Any residual materials received must be properly stored and removed at least weekly.
- 5) Access to the site is restricted to employees of Austin Sanitation.
- 6) Storage of no more than ten empty garbage bins is allowed outside of the buildings.
- 7) The site will be subject to inspection every month from April through November.
- 8) Site limited to yardwaste, as defined by MPCA.
- 9) There shall be no storage of any plastic bags on site after July 1, 1992.
- 10) This permit will expire on June 30, 1994, and may be renewed at that time.

Motion passed unanimously with Mr. Nemitz abstaining.

Conditional Use Permit #443: Petitioner wishes to operate a finished lubricant distribution business on site serving agricultural and commercial uses. Staff report was presented. Dave Henderson, Sr. explained how they proposed to operate the facility. It will be finished products, there will be no manufacturing on the site and everything will be inside the large building.

In reviewing the CUP the Planning Commission found that CUP #443 complied with all of the requirements of Section 14-31 of the Mower County Code.

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After some discussion, the motion was made by Mr. Voorhees, seconded Mr. Hillier to recommend approval of the conditional use permit with the following conditions:

- 1) The operation meets all E.P.A. Standards.
- 2) All storage must be inside the building.
- 3) No storage of used products will be allowed on the site.

The motion passed unanimously. Mr. Nemitz abstained from voting.

Discussion of Landspreading of Petroleum Contaminated Soil:
Information was presented to the Planning Commission on the survey. Robert Baarsch, Harold Boverhuis, Mr. Thompson, Mr. Skjeveland and others were present to discuss the proposal. Some felt that the townships should be given notification and the township should have the option to either approve or deny the site. M.P.C.A. shouldn't be able to over rule. Herb Hanson stated that from his perspective there should be standards in all townships. Mr. Buckley stated that there could possibly be an ordinance developed where all applications would have to be approved by a county office. Harold Boverhuis spoke of the need for local control. Robert Baarsch said that he liked the procedure in High Forest where the town board had certain concerns and these were included such as soil borings, on site inspections, etc. After some discussion, a motion was made by Ms. Kraushaar and seconded by Mr. Braaten to table this discussion until a later date. The motion passed unanimously.

There being no further business, the meeting adjourned at 9:43 p.m. on a motion by Mr. Hillier, seconded by Mr. Voorhees and passed unanimously.

Respectfully submitted,



Daryl W. Franklin
Planning Director

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