



MOWER COUNTY

AUSTIN, MINNESOTA

55912

Minutes Mower County Planning Commission

Members Present: Gary Braaten, Duane Hanson, Oliver Hillier, Greta Kraushaar, Don Olson, Keith Voorhees.

Members Absent: Meri Jo Lonergan.

Others Present: Bill Buckley, Ray & Sally Willette, Pat Oman, Art & Marie Peck, Duane & Nancy McGonigle, Mr. & Mrs. Richard Kanne, Robert Leighton, Mr. & Mrs. Earl Swenson, Daryl Franklin.

Chair Duane Hanson called the special meeting to order at 2:00 p.m. on Wednesday, March 30, 1994, in the Conference Room of the Mower County Courthouse, Austin, Minnesota. Minutes of the February 22, 1994, meeting were approved as mailed on a motion by Gary Braaten, seconded by Keith Voorhees. The motion passed unanimously.

Proposed Amendment dealing with Subdivision of Agricultural Land Amend Comprehensive Plan and Section 14-51(v) of the Mower County Code and adopt an ordinance on Agricultural Land Preservation. The Planning Commission felt that these amendments addressed the area of subdivision of agricultural land. After some discussion, a motion was made by Keith Voorhees, seconded by Gary Braaten, to recommend that the Mower County Board of Commissioners proceed with holding a hearing on the two amendments and ordinance and send notices to the townships and cities of the County. The motion passed unanimously.

Proposed Surface Water Management Ordinance - The Surface Water Management Ordinance which Fred Hoisington prepared was presented. Background was explained. After some discussion, a motion was made by Keith Voorhees, seconded by Gary Braaten to recommend that the County Board proceed with holding hearings on the ordinance after sending copies to the cities for their comments. The motion passed unanimously.

Zoning Permit Approval - The current Zoning Permit approval process was discussed and the concerns of Harold Boverhuis from Lansing. The Planning Commission felt that it was appropriate to leave the current procedure as it is. A motion was made by Don

Olson, seconded by Gary Braaten, to leave the current zoning permit approval process as is. The motion passed unanimously.

Sewage Discharge to Agricultural Tile (Richard Kanne & Earl Swenson) - Bill Buckley provided background information. Stardust Apartments owner Ray Willette was present to provide additional background. Robert Leighton, attorney for the Swensons, explained the legal obligations. Pat Oman, Mower County Attorney, explained the County's legal obligations. Mr. Swenson stated that he will put in a new septic tank and connect to the mound on the Willette property. The Kanne's stated that they would put in a holding tank and would not construct on the Willette property. However, they wanted to reserve the right to build a new mound in the future on the Willette property. It was explained that the County would not be a party to this agreement and that it would have to be worked out between the Kanne's and Ray Willette. However, it was agreed that Ray Willette would grant Swensons and Kannes an easement for basement drainage. After some discussion, a motion was made by Gary Braaten, seconded by Don Olson, to give the Kanne's and Swenson's a deadline of June 1, 1994, for compliance with the Mower County Sewage Ordinance. The motion passed unanimously.

Conditional Use Permit #473 - Ulland Bros, Inc./Brian Bergene - CUP #473 for a gravel pit to be located in the S1/2 NE1/4, Section 12, Windom Township, Mower County, Minnesota. Staff report was presented. Dale Beckel and Greg Peterson of Ulland Bros, were present and discussed the site plan. A reference was made to the on-site visit by Greta Kraushaar and Don Olson. Greta Kraushaar questioned the access to the site. It was stated that they would come in at the present drive and have the access road run parallel to the County road. Kim Richardson, a neighbor, was concerned on the hauling trucks and how it would impact the road and traffic. After some discussion, a motion was made by Don Olson, seconded by Gary Braaten, that the Planning Commission has found that CUP #473 is in accordance with Section 14-31 of the Mower County Code and recommend approval with the following conditions:

1. Extraction and stockpile of material shall remain outside of the delineated Floodplain and Shoreland District.
2. A "No Trespassing" sign shall be posted at the entrance.

3. The gravel pit sides, when completed will have a slope no greater than 3:1 (horizontal:vertical).
4. Extraction of materials shall be limited to areas as delineated on the site plan.
5. Extraction of gravel shall remain at least forty (40) feet from all adjoining property lines and forty (40) feet from the road right-of-way.
6. Comply with Article IV Excavation of Earth Products of the Mower County Code.
7. This permit shall expire on December 31, 1998.
8. A \$8,750 Restoration Bond (\$2,000 Restoration Bond for the first acre, plus \$750 for each additional acre or part of an acre) must be posted with the County Auditor valid through June 30, 1999.
9. In accordance with Section 14-97(e) of the Mower County Ordinance, the applicant should develop a site development and restoration plan prior to approval.
10. Appropriate erosion control measures must be employed. If drainage of the excavated area is to be toward the river, it must be controlled such that the runoff is not sediment laden and is not an erosion concern.
11. If dewatering or washing is required, water use in excess of 10,000 gallons per day or 1 million gallons per year may require a water appropriations permit from the Department of Natural Resources, 2300 Silver Creek Road NE, Rochester, MN 55906.
12. Any alteration of the streambank, to include drainage outlets, will require a permit for work in the beds of protected waters from the Department of Natural Resources, 2300 Silver Creek Road NE, Rochester, MN 55906.
13. The access road must be shown on the site plan running parallel to County Road 3.

The motion passed unanimously.

Conditional Use Permit #474 - Nancy Bakke McGonigle/Duane McGonigle- CUP #474 for dog care training classes and a kennel in the S1/2 SE1/4 NW1/4 NE1/4, section 15, Austin Township, Mower County, Minnesota. Staff report was presented. A reference was made to the on-site visit by Greta Kraushaar and Don Olson, investigating committee for March. Ms. McGonigle explained her proposed plan. Concerns were raised about dog noise and parking.

Greta Kraushaar asked to be excused at 3:30 p.m.

After some discussion, a motion was made by Keith Voorhees, seconded by Don Olson, that the Planning Commission has found that CUP #474 was in accordance with Section 14-31 of the Mower County Code and recommend approval with the following conditions:

1. Kennel is limited to 6 adult dogs.
2. This permit expires March 31, 1999.
3. No parking allowed on the road or in the road right-of-way.

The motion passed unanimously.

There being no further business, the meeting adjourned at 3:55 p.m. on motion by Oliver Hillier, seconded by Gary Braaten. The motion passed unanimously.

Respectfully Submitted,



Daryl W. Franklin
Planning Director

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