



MOWER COUNTY

AUSTIN, MINNESOTA

55912

Minutes Mower County Planning Commission

Members Present: Gary Braaten, Duane Hanson, Oliver Hillier, Meri Jo Lonergan, Don Olson, Keith Voorhees.

Members Absent: Greta Kraushaar.

Others Present: Bruce Braaten (MPCA), William Buckley, Dick Cummings, Herb Hanson, Mel Haldorson, Daryl Franklin.

Chair Duane Hanson called the regular meeting to order at 7:00 p.m. on Tuesday, September 27, 1994, in the Conference Room of the Mower County Courthouse, Austin, Minnesota. Minutes of the August 30, 1994; meeting were approved as mailed on a motion by Keith Voorhees, seconded by Oliver Hillier. The motion passed unanimously.

Discussion of Amendment to Zoning Ordinance to Allow Planning Commission to have Final Approval of CUP's was moved to the end of the meeting.

Conditional Use Permit #484 - Northern Natural Gas - Conditional use permit to allow the installation of a 12" natural gas pipeline parallel and adjacent to an existing 16" pipeline within easements held by Northern Natural Gas in Sections 1, 2, 3 & 4 of Waltham Township and Section 6 of Sargeant Township. Staff report was presented. Reference was made to the on-site visit by the investigating committee consisting of Don Olson and Keith Voorhees on September 21, 1994. Dennis Werkmeister (Northern Natural) discussed the proposal and the time frame for the installation of the pipeline. After some discussion, a motion was made by Don Olson, seconded by Gary Braaten, to recommend approval of CUP #484 for the installation of a 12" natural gas pipeline because it was in accordance with Section 14-31 of the Mower County Code with the following conditions:

1. Comply with Utility Placement Ordinance.
2. Contact SWCD/SCS to comply with

Swampbuster and other applicable regulations.

3. Be a permanent permit.

Motion passed unanimously.

Conditional Use Permit #485 - John Grass - Conditional use permit for a feed and agronomic sales business at the farm site in section 22 of LeRoy Township. Staff report was presented. Reference was made to the on-site visit by the investigating committee. Mr. Grass explained the proposed operation. After some discussion, a motion was made by Keith Voorhees, seconded by Don Olson, to recommend approval of CUP #485 for a feed and agronomic sales business because it was in accordance with Section 14-31 of the Mower County Code with the following conditions:

1. Receive all County, State and Federal licenses that are required.
2. Permit will expire September 30, 2000.

Motion passed unanimously.

Change of One Non-Conforming Use to Another Non-Conforming Use - Dan Rouse - Change of one non-conforming use to another non-conforming use so that Mr. Rouse can add an addition to his building to store other personal items including a semi-truck. The building is currently used for personal storage. Staff report was presented. Reference was made to the on-site visit by the investigating committee. Mrs. Rouse explained the proposal. After some discussion, a motion was made by Gary Braaten, seconded by Oliver Hillier, to recommend approval of the change of one non-conforming use to another non-conforming use since it was in accordance with Section 14-16(e) of the Mower County Code with the following conditions:

1. Property be used for storage only.
2. Secure a waiver of side lot line to the south for the storage building.
3. Only one semi-truck and trailer would be allowed to be stored at this site.

Motion passed unanimously.

Conditional Use Permit #486 - Wallace Bustad - Conditional use permit for a demolition landfill to be located in Section 23 of Austin Township. Staff report was presented. Reference was made to the on-site visit by the investigating committee. Tom Higgins (neighbor of the site) was concerned about property values and water quality since the area already has a gravel pit and quarry. He felt that since most of the solid waste was coming from the city of Austin they should find more appropriate sites such as the Cook farm or the Knob

Hill area. Darrel Sauer was opposed because of the water flow into shallow wells and the gravel pit. Lois Lingbeck and Pat Higgins were opposed to the demolition landfill. Mr. Bustad explained that he has had soil borings completed by Twin Cities Testing and the report would be forwarded to the Planning Commission. He stated that he would like the petition tabled until Planning Commission members could revisit the site since he was not present at the investigation committee's visit of September 21, 1994. Gary Braaten stated that the entire Planning Commission should visit the site as the investigation committee due to the controversy surrounding landfills. After some discussion, a motion was made by Don Olson, seconded by Gary Braaten, to table conditional use permit #486 until the October 25, 1994, Planning Commission meeting. Motion passed unanimously. It was explained that additional notices would not be sent out regarding this tabling. Citizens expressed concern about this and Chair Hanson stated that he would check with the County on the regulations regarding notification of neighboring landowners a second time.

Conditional Use Permit #487 - Richard Wehner/Carl Poteet - Conditional use permit for a demolition landfill in Section 20 of Lansing Township. Staff report was presented. Reference was made to the on-site visit by the investigating committee. Del Wilke was concerned about property values and about dust and debris. He was also concerned about tile lines and soil erosion. Joe and Pat Becker shared a letter from Lonnie Skalicky (local real estate appraiser) relating to the reductions in property values if a landfill is located in the area. They were also concerned about children playing in the area. A letter was read from a Rev. Chris Houck. A petition was presented to the Planning Commission from individuals opposed to the landfill. Dwight Ault was concerned about the notification procedure and the contamination of wells in the area. Bob Gerhard was concerned about the landfill's effect on wetlands. He felt that there should be complete engineering work done on this project, controls on dust, noise and a 6' fence erected. Steve Torgerson expressed concern about traffic and livestock disease from the site. Lowell Meyer was concerned about well contamination. Harold Boverhuis (Lansing Township Chair) stated that Lansing Township feels there was a need for better policing of existing landfills and that the County should own a demolition landfill for the County. Bruce Braaten (MPCA) explained that the Planning Commission needs to look at a land use decision and to evaluate the land use. He stated that the other concerns would be addressed in the State Permit. Gary Braaten and Oliver Hillier stated that they felt the County should own and operate a landfill. After some discussion, a motion was made by Gary

Braaten, seconded by Meri Jo Lonergan, to deny conditional use permit #487 because it was not in accordance with Section 14-31 (a & b) of the Mower County Code. Don Olson expressed concern about the denial due to the closure of Bustad landfill on August 31, 1995. In less than one year there will not be a demolition landfill available in the County. A roll call was taken on the motion.

Aye: Braaten, Hillier, Voorhees, Hanson, Lonergan.

Nay: Olson.

Motion passed 5 to 1.

Discussion of Amendment to Zoning Ordinance to Allow Planning Commission to have Final Approval of CUP's - It was felt that the Township Officials should have an opportunity to review the change. This item will be discussed further at the October Planning Commission meeting.

There being no further business, the meeting adjourned at 9:10 p.m. on motion by Keith Voorhees, seconded by Meri Jo Lonergan. The motion passed unanimously.

Respectfully Submitted,



Daryl W. Franklin
Planning Director