

# Mower County Planning Commission

## Minutes Mower County Planning Commission

Members Present: Diane Benson, Harold Boverhuis, Oliver Hillier, Brian McAlister, Len Miller, Don Olson, Keith Voorhees.

Members Absent: Meri Jo Lonergan.

Others Present: Lee Bonorden (Austin Daily Herald), Citizens, Daryl W. Franklin.

Chair Len Miller called the regular meeting to order at 7:00 p.m. on Tuesday, November 28, 1995, in the Conference Room of the Mower County Courthouse, Austin, Minnesota. Minutes of the October 31, 1995; meeting were approved as mailed on a motion by Oliver Hillier, seconded by Keith Voorhees. The motion passed unanimously.

**Conditional Use Permit #436 - Wallace Bustad** - Renewal of CUP applicable to Section 14-51(i) of the Mower County Zoning Ordinance for gravel and sand extraction. Reference was made to the site investigation performed by Don Olson and Diane Benson on November 22, 1995. Staff report was presented. The existing land use and zoning was discussed. The permit was first approved in 1992. The current proposal includes an expansion of the existing gravel pit by approximately 396 feet north. Darrell Sauer, a neighbor, was concerned that the permit shouldn't be for such a long length of time and that the bond requirements should be higher. The Planning Commission explained that the standard length of renewals of permits is ten years and that bond requirements are based on County policy. Rich Gabrielson, a neighbor, was concerned that the hours of operations were longer than before. It was shown that the hours were the same as on the previous CUP. Bob Bezek's, MN DNR, letter was presented to the Planning Commission and that his concerns were being addressed. After some discussion, a motion was made by Don Olson, seconded by Brian McAlister, to approve CUP #426 for sand and gravel extraction because it was in accordance with section 14-31 of the Mower County Code and recommend approval with the following conditions:

1. A \$7,250.00 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, 2006. (Bond based upon a pit size of approximately 7.46 acres or 1116x280)
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. Comply with Article IV Excavation of Earth Products of the Mower County Code
5. Extraction of materials shall be limited to areas as delineated on the site plan.

6. Extraction of gravel/sand shall remain at least ten (10) feet from all adjoining property lines and forty (40) feet from the road right-of-way and out of areas that would have lateral draining effects on wetlands.
7. There shall be no extraction of materials nor temporary stockpiling of materials in the Floodway District.
8. Hours of operation shall be limited to 8:00 a.m. to 7:00 p.m. Monday through Saturday.
9. Mower County staff shall inspect the site at least once a year to guarantee compliance with conditions.
10. Permit will expire on December 31, 2005, or earlier if area is exhausted of gravel.
11. Failure to comply with any and all the listed conditions shall result in revocation of this conditional use permit

The motion passed unanimously.

Roger Jennings, representing Mr. Bustad, wanted to know if other conditional use permits had yearly inspections. It was explained that all new permits should have inspections. A motion was made by Diane Benson, seconded by Keith Voorhees, to require yearly inspections on all new conditional use permits for gravel & sand pits. Motion passed 5 to 1.

Aye: Benson, Boverhuis, Hillier, Olson, Voorhees.

Nay: McAlister.

**Other Business:** Harold Boverhuis wanted to discuss feedlots. Chair Miller explained that the County Board would like everything regarding feedlots to go to the feedlot committee. The feedlot committee will then report to the County Board. If there are any zoning matters to be discussed it would be brought to the Planning Commission.

There being no further business, the meeting adjourned at 7:30 p.m. on motion by Oliver Hillier, seconded by Keith Voorhees. The motion passed unanimously.

Respectfully Submitted,

Daryl W. Franklin  
Planning Director