

Mower County Planning Commission

Minutes Mower County Planning Commission

Members Present: Diane Benson, Harold Boverhuis, Meri Jo Lonergan, Sheldon Lukes, Brian McAlister, Gary Nemitz, Don Olson, Keith Voorhees.

Members Absent: none

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

Chair Gary Nemitz called the regular meeting to order at 7:00 p.m. on Tuesday, June 24, 1997, at the Austin Public Library, 323 4th Ave, NE, Austin, Minnesota. Minutes of the May 27, 1997; meeting were approved as mailed on a motion by Harold Boverhuis, seconded by Meri Jo Lonergan. The motion passed unanimously. It was reported that the Mower County Board of Commissioners will hear the conditional use permits at their July 1, 1997, meeting at 1:30 p.m. at Austin City Hall, 500 NE 4th Avenue, Austin, Minnesota.

First item of business:

Conditional Use Permit #444 - Ulland Bros. Renewal of CUP applicable to Section 14-51(s) of the Mower County Zoning Ordinance for storage and crushing of concrete and bituminous in Section 27, Austin Township. *Presentation by Staff:* Reference was made to the site investigation performed by Don Olson on June 18, 1997. Staff report was presented. It was explained that Mark Hughback from the MPCA didn't have any concerns with the proposal. *Questions of the Staff from the Planning Commission:* None. *Questions of the Staff from the Applicants and their Representatives:* Mr. David Beckel stated that he was concerned about the limit placed on the number of days crushing could be done. *Questions from the Public for the Staff:* Mr. Tom Higgins expressed concern that there should be a limit on the number of days that crushing could be done and that it should not be unlimited. He felt that 20 days a year would be adequate and that if they needed more days they could request it from the Planning Commission. *Presentation by the Applicant:* Mr. Beckel explained the crushing operation. *Questions for the Applicant from the Planning Commission:* The Planning Commission asked Mr. Dave Beckel if 20 days would be satisfactory. *Questions for the Applicant from the Public:* None. *Statements from the Public in Support of the Application:* None. *Statements from the Public in Opposition to the Application:* None. Chair Nemitz closed the hearing to the public. After some discussion, a motion was made by Don Olson, seconded by Brian McAlister, to approve Conditional Use Permit #444 for storage and crushing of concrete and bituminous because it was in accordance with Section 14-31 of the Mower County Code and recommend approval to the Board of Commissioners with the following conditions:

1. Ulland Brothers must maintain a low water mist during crushing operation.
2. Any runoff that would be present from this low water mist during the crushing operation must be contained and disposed by Ulland's.
3. Hours of operation would be from 7:00 a.m. to 7:00 p.m.
4. The permit will expire on July 30, 2007.
5. When crushing begins, Ulland Bros, Inc. shall notify the Planning & Zoning Office in writing.
6. Crushing is limited to twenty (20) working days per year. However, additional days can be granted if the Mower County Board of Commissioners approves after notification of neighbors.
7. Failure to comply with any and all the listed conditions shall result in revocation of this conditional use permit

Motion passed unanimously.

Conditional Use Permit #500 - Ulland Bros./Ray & Bernice Kraft Modification of CUP applicable to Section 14-51(i) of the Mower County Zoning Ordinance to allow extraction of sand and gravel to the right of way instead of forty (40) feet from the right of way as originally required by the CUP in Section 7, Marshall Township. *Presentation by Staff:* Reference was made to the site investigation performed by Don Olson on June 18, 1997. Staff report was presented. A survey completed by Jones, Haugh, & Smith, (engineers) was presented to the Planning Commission. Also a letter describing the benefit of the modification from Ulland Brothers was presented. *Questions of the Staff from the Planning Commission:* What impact would this extraction have on the ditch drainage. It was explained that County Engineer Ali M. Misleh viewed the site and survey and that he did not have any problem with the change. *Questions of the Staff from the Applicants and their Representatives:* None. *Questions from the Public for the Staff:* None. *Presentation by the Applicant:* Mr. Beckel and Mr. Kraft presented their proposal. *Questions for the Applicant from the Planning Commission:* None. *Questions for the Applicant from the Public:* None. *Statements from the Public in Support of the Application:* None. *Statements from the Public in Opposition to the Application:* None. Chair Nemitz closed the hearing to the public. After some discussion, a motion was made by Don Olson, seconded by Brian McAlister, to approve modification to Conditional Use Permit #500 for extraction of sand and gravel to the right-of-way because it was in accordance with Section 14-31 of the Mower County Code and recommend approval to the Board of Commissioners with the following conditions:

Modification to the original condition #6 as follows:

6. Allow extraction of sand and gravel to the right-of-way instead of forty (40) feet from the ROW.

Motion passed unanimously.

Conditional Use Permit #530 - Roger Bastyr CUP applicable to Section 14-85(h) of the Mower County Zoning Ordinance for storage and crushing of

concrete and bituminous in Section 27 of Lansing Township. *Presentation by Staff:* Reference was made to the site investigation performed by Don Olson on June 18, 1997. Staff report was presented. Mark Hughback, MPCA, had no problems with the proposal. *Questions of the Staff from the Planning Commission:* Mr. Boverhuis wanted to know if the facility will be open to the public. Mr. Bastyr stated that the primary use would be his own business but that the public could use it on a fee basis. *Questions of the Staff from the Applicants and their Representatives:* None. *Questions from the Public for the Staff:* Mr. Dan Morem, a neighboring property owner, wanted to know where the concrete and bituminous would be stored. It was explained that storage would be in the far NW corner of the property. *Presentation by the Applicant:* Mr. Bastyr stated that he recently purchased the parcel and that he is relocating his business from the city of Austin to this property. He felt that there was a need for recycling of concrete and bituminous. *Questions for the Applicant from the Planning Commission:* None. *Questions for the Applicant from the Public:* None. *Statements from the Public in Support of the Application:* Lansing Township stated they had no objection to the proposal. Mr. Morem stated that he was impressed with the way Mr. Bastyr cleaned the property. *Statements from the Public in Opposition to the Application:* None. Chair Nemitz closed the hearing to the public. After some discussion, a motion was made by Keith Voorhees, seconded by Harold Boverhuis to approve Conditional Use Permit #530 for storage and crushing of concrete and bituminous because it was in accordance with Section 14-31 of the Mower County Code and recommend approval to the Board of Commissioners with the following conditions:

1. Roger's Industries must maintain a low water mist during crushing operation.
2. Any runoff that would be present from this low water mist during the crushing operation must be contained and disposed by Roger's Industries.
3. Hours of operation would be from 7:00 a.m. to 7:00 p.m.
4. The permit will expire on July 30, 2002.
5. When crushing begins, Roger's Industries shall notify the Planning & Zoning Office in writing.
6. Failure to comply with any and all the listed conditions shall result in revocation of this conditional use permit

Motion passed unanimously.

Zoning Ordinance Amendment regarding Two-Family Twin Homes in the A, R, and UR Districts. The Planning Commission discussed a zoning amendment to allow two-family twin homes in the A, R and UR Districts. It was explained that this amendment was discussed last year and that no action had been taken. Mr. Harold Boverhuis stated concern about this conflicting with the one non-farm per 160 acres requirement in the A District. Mr. Tom Higgins, a citizen, felt that the zoning ordinance should stay the way it is and not be amended. After an extensive discussion, it was the consensus of the Planning Commission to not make any changes to the Zoning Ordinance at this time.

OTHER BUSINESS:

There being no further business, the meeting adjourned at 8:25 p.m. on a motion by Meri Jo Lonergan, seconded by Harold Boverhuis. The motion passed unanimously.

Respectfully Submitted,



Daryl W. Franklin
Planning Director