

Mower County Planning Commission

Minutes of the Mower County Planning Commission

Members Present: Diane Benson, Harold Boverhuis, David Hillier, Vance Larson, Meri Jo Lonergan, Sheldon Lukes, Brian McAlister
Don Olson.

Members Absent: none

Others Present: Citizens, Glen Jacobsen (Mower Co. Asst. Attorney), Lee Bonorden (Austin Daily Herald), Daryl W. Franklin.

Chair David Hillier called the regular meeting to order at 7:00 p.m. on Tuesday, June 30, 1998, at the Mower County Courthouse, 201 1st Street NE, Austin, Minnesota. Minutes of the May 26, 1998, meeting approved as mailed on a motion by Brian McAlister, seconded by Sheldon Lukes. The motion passed unanimously. It was reported that the Mower County Board of Commissioners will hear the petition at their July 7, 1998, meeting at 1:30 p.m. at the Mower County Courthouse, 201 1st Street NE, Austin, Minnesota.

Conditional Use Permit #543 - Quality Dairy of LeRoy/Richard & Bonnie Grass. CUP applicable to Section 14-51(z) of the Mower County Zoning Ordinance to construct an earthen basin for manure storage in Section 17, LeRoy Township. *Staff Presentation:* Reference was made to the site investigation performed by the Don Olson, David Hillier, Meri Jo Lonergan, Diane Benson, and Sheldon Lukes on June 25, 1998. Staff report was presented. Jeff Green, DNR Regional Groundwater Specialist, presented information on the site of the proposed basin site: it is estimated to be 70 to 100 feet to bedrock, sinkhole probability increases when there is 10 to 50 feet of depth to bedrock; therefore groundwater contamination is not likely be impacted by the basin. *Applicant's Presentation.* Mr. Grass explained his proposal. Solids will be collected and stored away from the basin between the basin and the barn. The basin will 198' x 438' x 13' and have a 6,000,000 gallon capacity. The basin will be used for the Grass's dairy operation. Ted Thorson, engineer for the project, stated that this will be a earthen basin that will be pumped yearly and the waste then land applied. It is not a lagoon. Lowell Franzen, Feedlot Officer, reported that this was a three-year project with barns to be constructed in addition to the basin. There will be a fence around the basin and the solids area will be approximately 70 feet x 80 feet constructed of reinforced concrete with a four foot wall. *Statements from the*

Public: Nancy Adams, Route 1, LeRoy, requested information on what type of gases will be produced, impact on water supply, impact on groundwater, and felt that alternatives to the basin should be investigated such as "Bio Digester". Paul Hindt, neighboring property owner, expressed concern at the size of the basin. Mr. Hindt stated that he felt his home was impacted already by the current facility and that the basin would lower property values. Bill McCloud, representing LeRoy Township, stated that the township did not have any comments. *Conclude the Public Hearing:* Chair Hillier closed the hearing to the public. Meri Jo Lonergan requested information on the lining in the basin. Ted Thorson explained that the lining will be 30 inches of existing soil and would not have a benton liner because MPCA did not require it. Mr. Thorson stated that he has worked with basins in the past and they had little odor. Brian McAlister stated that the Planning Commission must decide on the facts. After consideration of all oral and written testimony, a motion was made by Brian McAlister, seconded by Don Olson, to approve Conditional Use Permit #553 for an earthen basin for manure storage because it was in accordance with Section 14-31 of the Mower County Code with the following conditions:

1. Install vegetative screening according to NRCS standards on North and east sides of lagoon.
2. Construct facility according to engineering plans submitted to the Mower County Feedlot Office.
3. Comply with MPCA regulations.
4. Construct a five (5) foot fence around the basin.
5. If construction is not started by December 31, 2000, the CUP is void.

The motion passed unanimously.

David Hillier voiced his concern about the vegetative barrier. Harold Boverhuis and Don Olson felt that the vegetative barrier was needed. Lowell Franzen discussed the value of the vegetative barrier and how it would be located around the facility. Mr. Franzen stated that the Grass's have an interim permit from the MPCA for construction but not a permit to use the facility until they have installed the basin according to MPCA regulations.

Petition to Plat - Dan Hodgman. Petition to plat a subdivision to be known as "Red Rock Estates" in section 32 of Red Rock Township. *Staff Presentation:* Reference was made to the conditional use permit that was approved in February of 1998. Staff report was presented. *Applicant's Presentation.* Mr. Hodgman explained his preliminary plat. Perc tests for the ISTS should be completed by August 1, 1998, and submitted to the Environmental Health Department. *Statements from the Public:* None. *Conclude the Public Hearing:* Chair Hillier closed the hearing to the public. After consideration of all oral and written testimony, a motion was made by

Vance Larson, seconded by Brian McAlister, to recommend to the Board of Commissioners authorize completion of the final plat of "Red Rock Estates" provided they comply with the following conditions:

1. Comply with Mower County Subdivision Ordinance.
2. The platting must be completed by December 31, 2000, if not the owner/developer must re-apply for platting.
3. All end drives, driveways, and access road are the responsibility of the petitioner/owner.
4. There will be not driveways directly to CSAH 24.

The motion passed unanimously.

Amend Conditional Use Permit #521 - Mower County Demolition Disposal Facility, Inc. & Roger T. Jennings.

Amend CUP applicable to Section 14-51(j & k) of the Mower County Zoning Ordinance to address issues regarding change of access to the site in section 21 of Lansing Township. *Staff Presentation:* Reference was made to the site investigation performed by the Don Olson, David Hillier, Meri Jo Lonergan, and Sheldon Lukes on June 25, 1998. Staff report was presented. Chair Hillier explained that the issue tonight was just about the access to the property and that the permit has already been approved by the County. *Applicant's Presentation.* Don Rachel of Veit Enterprise stated that they wanted to change the access because they did not want to use the township road. He stated that they could avoid the problem of two landfills using the same road. Mr. Rachel said that they will have a wetland delineation completed and that any subsurface tile lines located beneath the access road will be protected. *Statements from the Public:* Catherine Hayes, neighboring property owner, stated she was concerned that they would be using her end drive. It was explained that this was in fact a MN DOT end drive. Catherine Hayes stated that she did not feel that the access was compatible with the area. Perry Byam was concerned about the size of the vehicles using the access road. It was explained that it would be pick-ups, dump trucks, and semi-trucks. A question was raised on where the material would be coming from and it was stated that it was not an issue to be discussed. Joanne Hayden had questions on the MN DOT permit. Roger Levy, representing Lansing Township, stated that there would be the benefit of less traffic on the township road by using the new access road. Ralph Noble was concerned about the tile in the area. Doug Thompson stated concern about the wetlands. It was stated that the petitioner would have to comply with the Wetland Conservation Act. Dick Wehner was opposed to change of access. Mr. Engen wanted to know how high the landfill would be when finished. Chair Hillier stated that this was not an issue. Larry Hanson, Hill Heating, wanted to know why there are no demolition landfills in the east half of the County. *Conclude the Public Hearing:* Chair Hillier closed the hearing to the public. Sheldon Lukes wanted to know what will happen to the access road when the landfill is

finished. Mr. Rachel stated that it may be removed. Brian McAlister stated that he was concerned about removing conditions #6, 7, 8, & 9, until the wetland determination is completed. After consideration of all oral and written testimony, a motion was made by Don Olson, seconded by Brian McAlister, to approve amending Conditional Use Permit #521 regarding the change of access to a demolition landfill because it was in accordance with Section 14-31 of the Mower County Code with the following conditions:

1. Calcium chloride treatment for dust control as needed on the internal access road to TH. 218 and the necessary watering to activate the calcium chloride treatment;
2. Construct an engineered structure over the subsurface tile lines to prevent damage;
3. Water management of the runoff from the facility so that it is no greater than the current runoff.
4. Owner/developer must comply with the Wetland Conservation Act and submit to the Mower County Planning Department a wetland delineation. This delineation will be forwarded to the LGU for review and approval. The wetland delineation must be approved by the LGU before any work can be started on the access road.

The motion passed unanimously.

OTHER BUSINESS:

Feedlots: It was explained that the Board of Commissioners was reconvening the Feedlot Committee. Harold Boverhuis was asked if he was interested in serving on the Feedlot Committee. Mr. Boverhuis stated that he was.

Brian McAlister requested that aerial photos be included with staff reports for future petitions.

There being no further business, the meeting adjourned at 9:02 p.m. on a motion by Vance Larson, seconded by Harold Boverhuis. The motion passed unanimously.

Respectfully Submitted,



Daryl W. Franklin
Planning Director