

## Mower County Planning Commission

### Minutes of the Mower County Planning Commission

Members Present: Meri Jo Lonergan, Dave Hillier, Harold Boverhuis, Brian McAlister, Myles Bendtsen and Sheldon Lukes

Members Absent: Vance Larson, Diane Benson

Others Present: Citizens, Lee Bonorden (Austin Daily Herald), Amy Olson (Austin-Post Bulletin) Glen Jacobsen (Mower Co. Asst. Attorney), Denise Mudra, William Lonergan Jr. and Daryl W. Franklin

Chair David Hillier called the regular meeting to order at 7:00 p.m. on Tuesday, December 26, 1999, at the Mower County Courthouse, 201 1st Street NE, Austin, Minnesota. Minutes of the September 26, 1999, minutes and "Special" meeting December 12, 1999 were approved as mailed on a motion by Brian McAlister seconded by Harold Boverhuis. The motion passed unanimously.

**CUP #453 (Renewal & Expansion) – David Hjelman.** Renewal & Expansion of CUP#453 to use up to 27.20 acres for a gravel pit applicable to Section 14-51(i) of the Mower County Zoning Ordinance. Lansing Township Section 15

**Staff Presentation:** Reference was made to the site investigation performed by the Planning Commission on September 20, 1999. Staff report, maps and narrative as required under County Code were presented. Staff walked through the detailed maps with the Planning Commission & Citizens. **Applicant's Presentation:** Mr. Hjelman stated that from his perspective, everything was presented in a reasonable fashion. He stated that the areas that they had previously excavated had been restored and was under cultivation in 1999. **Statement from the Public:** There where no citizens present at the time. Dave Hillier called upon Roger Levy, Lansing Township, who stated they had no problems with it and they felt it was reasonable to approve the CUP with conditions. **Conclude the Public Hearing:** Dave Hillier closed the public hearing. A motion was made by Brian McAlister, seconded by Harold Boverhuis to approve CUP #453 because it is in accordance with Section 14-31 of the County Code with the following conditions:

1. Extraction of materials shall be limited to areas as delineated on the site plans and according to Map B.
2. Extraction and stock pile of material shall remain outside of the delineated Floodplain District.

3. Hours of operations shall be limited to 7:00 a.m. to 8:00 p.m. Monday through Saturday.
4. Access shall be limited to southeast corner of the property directly onto CSAH #25.
5. Periodic inspections may be performed by County Staff as deemed necessary and appropriate to determine compliance with the site plan as to size and depth of pit and compliance with the conditions of the conditional use permit.
6. Permit shall comply with Article IV Excavation of Earth Products of the Mower County Code.
7. A \$5,000.00 Restoration Bond (\$2,000 Restoration Bond for the first acre, plus \$750 for each additional acre or part of an acre. Total acreage=5 acres) must be posted with the county Auditor valid through June 30, 2010. No more than five (5) acres shall be operated at one time.
8. Extraction of gravel/sand shall remain at least twenty (20) feet from all adjoining property lines and forty (40) feet from the road right-of-way.
9. Permit will expire on December 31, 2009
10. Petitioner/Owner shall be required to cure the violations under procedures of the Mower County Zoning Ordinance as it exists or may hereafter be amended. Mower County shall have all rights to abate any violations by such remedies as may be available to it under any applicable statute.

It was stated that the County Board will be acting on the petition at the January 4, 2000 meeting at 2 p.m.

Motion passed unanimously.

**CUP #507 (Renewal & Expansion) – Wallace Bustad.** Renewal & Expansion of CUP#507 to use up to 11.2 acres for a sand & gravel pit applicable to Section 14-51(i) of the Mower County Zoning Ordinance. Lansing Township Section 15

**Staff Presentation:** Reference was made to the site investigation performed by the Planning Commission on September 20, 1999. Staff report, maps and narrative as required under County Code were presented. **Applicant's Presentation:** Mr. Bustad stated that the maps were there and he wanted this to be a gravel pit that would be available during the time when load restrictions were in place. It would give them direct access to 218 without impacting the township or county road. The map shows that they would be operating in phases. **Statement from the Public:** There were no citizens there to comment. Dave Hillier called upon Roger Levy, Lansing Township, who stated he saw no problem with the proposal from the township perspective. He stated they preferred hauling directly to 218 and not on the county or township road. **Conclude the Public Hearing:** Dave Hillier closed the public hearing. A motion

was made by Harold Boverhuis, seconded by Sheldon Lukes to approve CUP #507 because it is in accordance with Section 14-31 of the County Code with the following conditions:

1. The gravel pit shall be completed in phase according to Map B, No more than 3.0 acres shall be operated at one time.
2. A \$3,500 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, 2010.
3. Comply with Article IV Excavation of Earth Products of the Mower County Code
4. Extraction of materials shall be limited to areas as delineated on the site plan.
5. Extraction of gravel/sand shall remain at least twenty (20) 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.
6. Access shall be limited to north and west of the property onto Hwy 218. No access will be allowed onto the South Township road or CSAH 25.
7. Periodic inspections may be performed by County Staff as deemed necessary and appropriate to determine compliance with the site plan as to size and depth of pit and compliance with the conditions of the conditional use permit.
8. Permit will expire on December 31, 2009
9. Petitioner/Owner shall be required to cure the violations under procedures of the Mower County Zoning Ordinance as it exists or may hereafter be amended. Mower County shall have all rights to abate any violations by such remedies as may be available to it under any applicable statute.

It was stated that the County Board will be acting on the petition at their January 4, 2000 meeting at 2 p.m.

Motion passed unanimously.

**Map Scale Amendment to Section 14-140 of the County Code** was discussed by the Planning Commission. The Commission discussed the letter. Glen Jacobsen stated that it would appropriate to have the maps at the 1' to 100 or another scale plus the petitioner should also provide a 8-1/2 X 11 drawing that could be used by the Planning Commission or the material should be presented on the MS PowerPoint program. After some discussion a motion was made by Brian McAlister, seconded by Sheldon Lukes that Section 14-51 be amended from the scale of 50' to 1' to a scale of 100' to 1' as presented in the letter of December 15, 1999.

Motion passed unanimously.

**Presentation of Certificate of Recognition:** Commissioner Hillier presented Meri Jo Lonergan with a Certificate of Recognition on behalf of the County Board of Commissioners and County Planning Commission for her years of service on the Planning Commission. Hillier expressed his appreciation for her service to the Planning Commission. He invited everyone for cake and coffee.

There being no further business, the meeting adjourned at 8:00 p.m. on a motion by Harold Boverhuis, seconded by Sheldon Lukes. The motion passed unanimously.

Respectfully Submitted,



Daryl W. Franklin  
Mower Co. Planning Director

drz