

# Mower County Planning Commission

## Minutes of the Mower County Planning Commission – December 30, 2003

Members Present: Dave Hillier, Myles Bendtsen, Brian McAlister, Sheldon Lukes, Barb Hovde, Margaret Kirchner, Diane Benson

Members Absent: Harold Boverhuis

Others Present: Garry Ellingson, Lee Bonorden, Daryl W. Franklin, Citizens

Dave Hillier called the regular meeting to order at 7:00 p.m. on Tuesday, December 30, 2003, in the Board of Commissioners Room at the Mower County Courthouse, 201 1st Street NE, Austin, Minnesota. Minutes of the November 25, 2003, meeting were approved as mailed on a motion made by Diane Benson and seconded by Sheldon Lukes. The motion passed unanimously.

Chair Dave Hillier explained the hearing procedure.

### **Renewal of CUP #591 – EnXco (Petitioner) and Gehl Mittelsted (Owner):**

Renewal of Conditional Use Permit to retain a meteorological tower pursuant to Section 14-51(d) of the Mower County Zoning Ordinance on property located at SW ¼ , Section 4, Clayton Township.

The Mower County Planning Commission acted on a request for a Conditional Use Permit to install a meteorological tower on the above site in 2001. The Mower County Board of Commissioners approved the CUP and the tower was to be removed by 11/01/03. EnXco is requesting that the CUP now be renewed to be able to retain the tower at the site.

**Staff Presentation:** The Staff Report was presented with conditions and background information noted. A power point presentation was shown, including pictures of the surrounding site. The Minnesota Dept. of Transportation sent an e-mail stating they didn't have a problem with the request.

**Applicant's Presentation:** No one from EnXco was in attendance at the meeting.

**Statement from the Public:** None

**Conclude the Public Hearing:** Dave Hillier closed the public hearing. After some discussion, a motion was made by Diane Benson and seconded by Myles Bendtsen to recommend approval of the CUP renewal with the following

conditions because it is in accordance with Section 14-31 of the Mower County Zoning Regulations and adopting the following Findings of Fact.

## **EnXco (Petitioner) and Gehl Mittelsted (Owner) – Renewal of CUP #591**

### **SECTION 14-31. FINDINGS**

No conditional use shall be recommended by the Planning Commission unless said Commission shall find:

- (a) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.

**The installation of the meteorological tower in Section 4 of Clayton Township will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted nor diminish and impair property values. It will simply be a tower installed to gather data. It may actually enhance the property values because if there are sufficient results, property may be acquired for wind turbines.**

- (b) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant properties for uses predominant in the area.

***The installation of the meteorological tower will not adversely influence orderly development of the township. The township can still be used for agricultural pursuits or residential pursuits. It will not diminish or impair vacant property values nor impede the normal and orderly development for vacant property in the area which will primarily be used for agricultural activities. The vacant property can still be used for farm land or other uses and this will not adversely impact it.***

- (c) That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.

***The tower location is on a township road which provides adequate access to the site. The tower installation will not cause a need for drainage or other necessary facilities to the location.***

- (d) That adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed use.

***Considering the location of the area and the sites, there is adequate off-street parking and loading space to serve the proposed tower during the construction phases and afterwards.***

- (e) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

***The installation of the tower will not create excessive noise. There will be no odor, fumes, dust, or vibration and therefore will not constitute a nuisance to adjoining properties. There also will not be any lighted signs on the tower except those lights which may be required by the FAA.***

**The following are conditions of the renewal of Conditional Use Permit #591:**

1. Secure the necessary State, Federal or Local Permits.
2. Follow all applicable Federal and State safety and health regulations during construction process.

The motion passed unanimously. Chair Dave Hillier does not vote.

It was stated that the County Board would be acting on this petition at their Tuesday, January 6, 2004 meeting at 1:15 p.m. at the Mower County Courthouse.

**CUP #656 – Delos Frank:** Conditional Use Permit #656 to allow an additional dwelling in a wooded area with healthy and mature trees and not currently used for agricultural purposes or suitable for economical agricultural use on property pursuant to Section 14-18.4 of the Mower County Zoning Ordinance on property located at: E 75.5 ft. NW ¼ NE ¼ No. of Hwy. & NE ¼ NE ¼ No. of Hwy., Section 32, Nevada Township, Mower County, Minnesota.

**Staff Presentation:** Reference was made to the site investigation performed by Myles Bendtsen and Margaret Kirchner on December 23, 2003. The Staff Report was presented with conditions and background information noted. A power point presentation was shown, including pictures of the surrounding site. The Minnesota Dept. of Transportation sent an e-mail stating they didn't have a problem with the request.

**Applicant's Presentation:** Delos Frank spoke and talked about the proposal.

**Statement from the Public:** None

**Conclude the Public Hearing:** Dave Hillier closed the public hearing. After some discussion, a motion was made by Barb Hovde and seconded by Sheldon Lukes to recommend approval of CUP #656 with the following conditions because it is in accordance with Section 14-31 of the Mower County Zoning Regulations and adopting the following Findings of Fact.

## **DELOS FRANK – CUP #656**

### **SECTION 14-31. FINDINGS**

No conditional use shall be recommended by the Planning Commission unless said Commission shall find:

- (a) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.

<p><b>The development of this single parcel will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted nor will it substantially diminish or impair the property values in the immediate area. The area is already an existing farmstead.</b></p>
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- (b) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant properties for uses predominant in the area.

***The development of this single residential parcel will not impede the normal and orderly development. The property in the area is a mixed usage of residential and agricultural and by going through the CUP process and by following the floodplain and shoreland regulations, there will be adequate safeguards for the area.***

- (c) That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.

***By complying with the Mower County conditions of the CUP, there will be adequate utilities, access roads, and drainage to serve the area.***

- (d) That adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed use.

***Considering the location, there is sufficient area for off-street parking and loading spaces.***

- (e) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

**By following the requirements of the County there will be adequate measures taken to not contribute any excessive odor, fumes, dust, noise or vibration and this will not constitute a nuisance to adjoining properties.**

**The following are conditions of Conditional Use Permit #656:**

1. A Zoning Permit and ISTS Permit must be obtained prior to construction.
2. The CUP shall become void two years from the date of approval by the County Board if no construction has begun or the use has not been established.
3. Petitioner shall be responsible for obtaining a 9-1-1 rural address from the Mower County Engineer and for obtaining proper signage for the property. Any and all costs associated with 9-1-1 addressing and signage are the responsibility of the Petitioner.

The motion passed unanimously. Chair Hillier does not vote.

It was stated that the County Board would be acting on this petition at their Tuesday, January 6, 2004 meeting at 1:15 p.m. at the Mower County Courthouse.

**CUP #658 – Delos Frank:** Conditional Use Permit #658 to allow an additional dwelling in a wooded area with healthy and mature trees and not currently used for agricultural purposes or suitable for economical agricultural use pursuant to Section 14-18.4 of the Mower County Zoning Ordinance on property located at: W ½ SW ¼ , Section 26, Nevada Township, Mower County, Minnesota.

**Staff Presentation:** Reference was made to the site investigation performed by Myles Bendtsen and Margaret Kirchner on December 23, 2003. The Staff Report was presented with conditions and background information noted. A power point presentation was shown, including pictures of the surrounding site. The Minnesota Dept. of Transportation sent an e-mail stating they didn't have a problem with the request. Myles Bendtsen and Margaret Kirchner both feel this is an ideal location for a home.

**Applicant's Presentation:** Delos Frank spoke and talked about the proposal.

**Statement from the Public:** None

**Conclude the Public Hearing:** Dave Hillier closed the public hearing. After some discussion, a motion was made by Margaret Kirchner and seconded by

Sheldon Lukes to recommend approval of CUP #658 with the following conditions because it is in accordance with Section 14-31 of the Mower County Zoning Regulations and adopting the following Findings of Fact.

## **DELOS FRANK – CUP #658**

### **SECTION 14-31. FINDINGS**

No conditional use shall be recommended by the Planning Commission unless said Commission shall find:

- (a) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.

**The development of this single parcel will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted nor will it substantially diminish or impair the property values in the immediate area. The area is already an existing farmstead.**

- (b) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant properties for uses predominant in the area.

***The development of this single residential parcel will not impede the normal and orderly development. The property in the area is a mixed usage of residential and agricultural and by going through the CUP process and by following the floodplain and shoreland regulations, there will be adequate safeguards for the area.***

- (c) That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.

***By complying with the Mower County conditions of the CUP, there will be adequate utilities, access roads, and drainage to serve the area.***

- (d) That adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed use.

***Considering the location, there is sufficient area for off-street parking and loading spaces.***

- (e) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

**By following the requirements of the County there will be adequate measures taken to not contribute any excessive odor, fumes, dust, noise or vibration and this will not constitute a nuisance to adjoining properties.**

**The following are conditions of Conditional Use Permit #658:**

1. A Zoning Permit and ISTS Permit must be obtained prior to construction.
2. The CUP shall become void two years from the date of approval by the County Board if no construction has begun or the use has not been established.
3. Petitioner shall be responsible for obtaining a 9-1-1 rural address from the Mower County Engineer and for obtaining proper signage for the property. Any and all costs associated with 9-1-1 addressing and signage are the responsibility of the Petitioner.



The motion passed unanimously. Chair Dave Hillier does not vote.

It was stated that the County Board would be acting on this petition at their Tuesday, January 6, 2004 meeting at 1:15 p.m. at the Mower County Courthouse.

**CUP #657 – Darrell Kroneman (Petitioner) and Duane McFarland (Owner):**

Conditional Use Permit #657 to display up to ten vehicles on property pursuant to Section 14-51(y) of the Mower County Zoning Ordinance on property located at: N 265 ft. W 627.34 ft. S ½ N ½ NW ¼ Exc. Approx. W 162 ft. , Section 13, Austin Township, Mower County, Minnesota.

**Staff Presentation:** Reference was made to the site investigation performed by Myles Bendtsen and Margaret Kirchner on December 23, 2003. The Staff Report was presented with conditions and background information noted. A power point presentation was shown, including pictures of the surrounding site. The Minnesota Dept. of Transportation sent an e-mail stating they didn't have a problem with the request. Myles Bendtsen and Margaret Kirchner both feel this is a good location.

**Applicant's Presentation:** Darrell Kroneman spoke and talked about the proposal.

**Statement from the Public:** None

**Conclude the Public Hearing:** Dave Hillier closed the public hearing. After some discussion, a motion was made by Brian McAlister and seconded by Myles Bendtsen to recommend approval of CUP #657 with the following conditions because it is in accordance with Section 14-31 of the Mower County Zoning Regulations and adopting the following Findings of Fact.

**DARRELL KRONEMAN (PETITONER) AND DUANE  
MCFARLAND (OWNER)– CUP #657**

**SECTION 14-31. FINDINGS**

No conditional use shall be recommended by the Planning Commission unless said Commission shall find:

- (a) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.

**The issuing of the Conditional Use Permit for vehicle display will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted considering the area has been an auto sales area in the past and currently has a mini-storage facility on the property.**

- (b) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant properties for uses predominant in the area.

***The normal and orderly development of property in the area is mixed residential, agricultural and commercial. Therefore, it will not impede the normal and orderly development and improvement of vacant property for uses predominant in the area.***

- (c) That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.

***The proposed use will not require any additional or modification of the facilities currently in place.***

- (d) That adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed use.

***Considering the size of the current site, there is ample room for off-street parking and loading space.***

- (e) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a

manner that no disturbance to neighboring properties will result.

**The establishment of the vehicle display will not contribute any excessive odor, fumes, dust, noise or vibration and therefore will not constitute a nuisance to adjoining properties.**

**The following are conditions of Conditional Use Permit #657:**

1. The CUP shall become void two years from the date of approval by the County Board if no construction has begun or the use has not been established.
2. The site shall be only for display. No vehicle sales are allowed.

The motion passed unanimously. Chair Dave Hillier does not vote. It was stated that the County Board would be acting on this petition at their Tuesday, January 6, 2004 meeting at 1:15 p.m. at the Mower County Courthouse.

**Renewal and Expansion of CUP #528 – Timothy Koch:** Renewal and Expansion of Conditional Use Permit to expand the current quarry operation to include bituminous and concrete storage and crushing on property pursuant to Section 14-51(r) of the Mower County Zoning Ordinance on property located at: S ½ SW ¼ Exc. W 758 ft. S 1159 ft., Section 22, LeRoy Township, Mower County, Minnesota.

**Staff Presentation:** Reference was made to the site investigation performed by Myles Bendtsen and Margaret Kirchner on December 23, 2003. The Staff Report was presented with conditions and background information noted. A power point presentation was shown, including pictures of the surrounding site. The Minnesota Dept. of Transportation sent an e-mail stating they didn't have a problem with the request. Myles Bendtsen and Margaret Kirchner both feel this is a good location.

**Applicant's Presentation:** Timothy & Lynda Koch spoke and talked about the proposal.

**Statement from the Public:** None

**Conclude the Public Hearing:** Dave Hillier closed the public hearing. After some discussion, a motion was made by Brian McAlister and seconded by

Diane Benson to recommend approval of CUP #528 with the following conditions because it is in accordance with Section 14-31 of the Mower County Zoning Regulations and adopting the following Findings of Fact.

## **TIM KOCH - RENEWAL AND EXPANSION OF CUP #528**

### **SECTION 14-31. FINDINGS**

No conditional use shall be recommended by the Planning Commission unless said Commission shall find:

- (a) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.

**The continued operation of Conditional Use Permit #528 will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor diminish and impair property values. The quarry operation has had limited usage for the past several years and its operation has not impacted on property owners. The storage and crushing of bituminous material will not be injurious to the use and enjoyment of other property owners.**

- (b) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant properties for uses predominant in the area.

***The operation of the quarry and concrete and bituminous storage and crushing will not impede the normal and orderly development of vacant property in the area. Most of the property to the southeast and north is agricultural and the quarry will not impact on the operation.***

(c) That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.

**The access road that has been installed to the facility is adequate for the facility. Drainage should also be handled by the appropriate DNR appropriations permit and MPCA-NPDES permit.**

(d) That adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed use.

***There is adequate parking, maneuvering and storage area for the proposed excavated material.***

(e) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

**The operation as proposed by Mr. Koch should not be a nuisance to adjoining property owners. Noise and dust should not be a problem with the hours of operation placed as condition on the permit. There will be no lighted signs on the property to disturb adjoining property owners.**

**The following are conditions for renewal and expansion of Conditional Use Permit #528:**

1. The quarry operation must remain at least 200 yards from the residential property.
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 based on 3 acres) must be

- posted with the county Auditor valid until six months after the quarry ceases to operate.
3. A "No Trespassing" sign shall be posted at the entrance.
  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. Prior to opening as a quarry, petitioner must submit a detailed site plan that accurately shows limits of quarry operation. The quarry operation shall be limited to this site plan. Modifications shall require an amendment to this CUP.
  7. Extraction of gravel/sand/limestone 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.
  8. Before hauling, the Petitioner must contact the County Engineer (507-437-7718) for posted limits on bridges and comply with the postings.
  9. Blasting will be performed by a licensed and bonded operator.
  10. Secure DNR Appropriations permit if required.
  11. Secure MPCA NPDES permit if required.
  12. Plan for water discharge submitted to Mower Co. Environmental Services Department for approval by County Board.
  13. Mower County staff shall inspect the site as necessary to guarantee compliance with conditions.
  14. The area adjacent to the pit and the pit area will be turned into a wildlife habitat when gravel and mining extraction is completed. (Consists of approximately three to five acres).
  15. Any required signage shall be the cost of the petitioner.
  17. Access/Driveway to be cost of petitioner.
  18. No burying of concrete or bituminous material will be allowed on the property.
  19. Crushing must be started when there is approximately 5,000 cubic yards of material at the site.
  20. Prior to crushing , the Environmental Services Office shall be notified in writing.
  21. Hours of crushing shall be from 7:00 a.m. to 7:00 p.m. daily Monday – Saturday. Hauling of material is allowed on Sunday during regular hours.

22. 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.

The motion passed unanimously. Chair Dave Hillier does not vote. It was stated that the County Board would be acting on this petition at their Tuesday, January 6, 2004 meeting at 1:15 p.m. at the Mower County Courthouse

**CUP #659 – Kent Harrington:** Conditional Use Permit #659 to operate a cement and aggregate storage facility on property pursuant to Section 14-83(d) of the Mower County Zoning Ordinance on property located at: S 250 ft. N 1374 ft. W 174.23 ft. E 1078.44 ft. E ½ SW ¼ , Section 27, Lansing Township, Mower County, Minnesota.

**Staff Presentation:** Reference was made to the site investigation performed by Myles Bendtsen and Margaret Kirchner on December 23, 2003. The Staff Report was presented with conditions and background information noted. A power point presentation was shown, including pictures of the surrounding site. The Minnesota Dept. of Transportation sent an e-mail stating they didn't have a problem with the request.

**Applicant's Presentation:** Kent Harrington spoke and talked about the proposal. He presented a site plan and explained that it will be a seasonal operation approximately seven months of the year. He talked about the need for this operation by the community and that he would obtain water from his father's property next to his.

**Statements from the Public:** Dawn Taylor, Manager of the Murphy Creek Development, spoke and stated that the proposed operation is not compatible with the existing and proposed residential development.

Craig Hoium, City of Austin, presented a letter and discussed details of the City's proposal and concerns they have regarding Mr. Harrington's request. He walked through the items, explaining from the City's perspective, the CUP was not in accordance with County regulations. Mr. Hoium also stated that the access is an outlot to the east which is owned by the City of Austin.

Margaret Kirchner spoke and felt this was a reasonable facility and asked Mr. Hoium why the City of Austin, being they are so concerned, didn't annex the property after the Mini-Storage Facility was constructed.

Myles Bendtsen stated that he feels the request is reasonable and follows the Ordinance.

A question was raised by Barb Hovde who wanted to know what happens if the County approves the request and later the City of Austin annexes it.

Mr. Hoium wanted to know if it was a new or amended CUP.

During the discussion stage, Brian McAlister stated that he was very concerned about the operation and feels that the residential areas on the north, south, east and west make it inappropriate to go forward with this. However, he still respects that Mr. Harrington should have a right to use his property. Mr. McAlister stated he feels the area is very dynamic and is changing to a residential area.

**Conclude the Public Hearing:** Dave Hillier closed the public hearing. After some discussion, a motion was made by Margaret Kirchner and seconded by Diane Benson to recommend approval of CUP #659 with the following conditions because it is in accordance with Section 14-31 of the Mower County Zoning Regulations and adopting the following Findings of Fact.

## **KENT HARRINGTON – CUP #659**

### **SECTION 14-31. FINDINGS**

No conditional use shall be recommended by the Planning Commission unless said Commission shall find:

- (a) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.

**The establishment of this operation will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted nor substantially diminish and impair property values since the neighboring business and repair business were present when the development of Murphy Creek was established. Considering the requirement that all vehicles use access from the east there should be no problems to adjoining property owners.**



- (b) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant properties for uses predominant in the area.

***The establishment will not diminish or impair vacant property values nor impede the normal and orderly development for vacant property in the area. The adjoining property developed when the neighboring trucking business and repair businesses were present.***

- (c) That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.

***There is currently adequate access to the east, therefore avoiding access from a residential street.***

- (d) That adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed use.

***There are adequate measures for sufficient off-street parking and loading space for aggregate storage of cement.***

- (e) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

***Considering the location of the other uses, any noise that the operation makes should not be a disturbance to neighboring property owners. There will not be odor, fumes, dust, noise or vibration and therefore will not constitute a nuisance to adjoining properties.***

**The following are the conditions of CUP #659:**

1. The CUP shall become void two years from the date of approval by the County Board if no construction has begun or the use has not been established.
2. Access to the building shall be from the East as the road on the West is a residential street.
3. Provide a vegetative barrier or screen.

The following was the role call:

Myles Bendtsen – Yes  
Sheldon Lukes – No  
Diane Benson – Yes

Margaret Kirchner – Yes  
Barb Hovde – Yes  
Brian McAlister - No

The motion passed on a 4 - 2 vote. Chair Dave Hillier does not vote. It was stated that the County Board would be acting on this petition at their Tuesday, January 6, 2004 meeting at 1:15 p.m. at the Mower County Courthouse

**Discussion of Draft Wind Ordinance:**

Steve & Mary Maiers spoke and showed pictures of their property. Even though it is ½ to ¾ of a mile away, they can still see the wind turbines. Ms. Maiers feels that when wind turbines are near a residential area or City, a notification should go out to those property owners living a mile surrounding the site.

Dan Noterman stated we should do something to protect wind rights and have a certain separation from property lines. Fred Noterman also discussed the setbacks.

A question was raised that for non-participating residents means that they could have a greater set-back.

Chair Hillier stated that more work needs to be done on the Ordinance. We should get another draft to the people and get more information on wind rights, etc. It was the consensus that the Wind Ordinances be carried over to future 2004 meetings.

There being no further business, the meeting adjourned at 9:25 p.m. on a motion by Myles Bendtsen, seconded by Sheldon Lukes. The motion passed unanimously.

The Planning Commission members then honored Diane Benson and Harold Boverhuis for their service on the Mower County Planning Commission.

Respectfully submitted,

Daryl W. Franklin  
Mower County Planning Director