

Mower County Planning Commission

Minutes of the Mower County Planning Commission – November 25, 2008

Members Present: Richard Cummings, Jim Risius, Harlen Peck, Barb Hovde, Margaret Kirchner & Jane Thome

Members Absent: None

Others Present: Angela M. Knish, Tim Gabrielson

Richard Cummings called the regular meeting to order at 7:00 p.m. on Tuesday, November 25, 2008, in the Board of Commissioners Room at the Mower County Courthouse, 201 1st Street NE, Austin, Minnesota. Minutes of the October 28, 2008, regular meeting were approved as mailed on a motion made by M. Kirchner and seconded by Jim Risus. The motion passed unanimously.

CUP #743 – David Lewison: Conditional Use Permit #743 to repair small motorized vehicles, including but not limited to ATV's, motorcycles and snowmobiles on the property in an accessory structure as an extended home occupation pursuant to Section 14-51(p) of the Mower County Zoning Ordinance on property located at: W 310 ft. E 697 ft. S 398 ft. NW ¼, Section 34, Marshall Township, Mower County, Minnesota.

Staff Presentation: It was explained that the Mower County Board of Commissioners extended the 60-day law at their November 4th meeting for another 60 days and sent the matter back to the Planning Commission in order to complete a Findings of Fact in support of the Planning Commission's earlier decision of October 28, 2008.

Applicant's Presentation: David Lewison, upon inquiry, was told it wasn't necessary to be present at the meeting regarding the CUP request.

Statements from the Public: None

Conclude the Public Hearing: Richard Cummings closed the public hearing. After some discussion, a motion was made by H. Peck to amend his original motion to grant the CUP as requested with 6 conditions and seconded by J. Risus to adopt the attached following Findings of Fact because it is in accordance with Section 14-51 of the Mower County Zoning Regulations. Motion carried unanimously.

After the motion to amend was made and adopted, a second motion was made by B. Hovde to pass the motion, as amended, second by H. Peck.

The following are conditions of Conditional Use Permit #743:

1. Comply with MPCA Rules and Regulations for this type of facility.
2. Any floor drain must:
 - a) Be discharged to a holding tank and not connected to an Individual Sewage Treatment System.
3. Batteries, used oil, antifreeze, etc. All business waste must be stored, recycled or disposed of in accordance with applicable MPCA solid and hazardous waste rules.
4. If construction of new buildings and gravel lots or driveways disturbs more than one acre of land, then the business must apply for a construction stormwater permit.
5. Comply with E.P.A. Pamphlet 816-R-00-018 "Class IV Auto Disposal System" dated November, 2000.
6. This permit is based upon representation given by the applicant during the hearing process and any misrepresentation presented in this process may be grounds for revoking the permit.

The motion passed unanimously. Chair Cummings does not vote.

It was stated that the County Board would be acting on this petition at their Thursday, December 4, 2008 meeting at 1:15 p.m. at the Mower County Courthouse.

There being no further business, the meeting adjourned at 7:48 p.m. on a motion by H. Peck and seconded by J. Risus The motion passed unanimously.

Respectfully submitted,

Angela M. Knish, Director
Mower County Environmental Services