

**Summary of the  
MEEKER COUNTY PLANNING COMMISSION  
May 14, 2019 – MEETING MINUTES**  
*Audio Available*

The Meeker County Planning Commission met at the Courthouse in Litchfield, MN at 5:00pm on May 14, 2019 to consider the following Conditional Use & Interim Use permits, a Rezoning application and other business before the Board. Present was Hempel, Piepenburg, Beach, Euerle, Johnson, Jans and Zoning Administrator Cote.

5:01pm

Jans calls the meeting to order. There is a quorum.

The Board states their names for voice recognition.

Jans asks the Board if they have any corrections or additions to the April 16, 2019 meeting minutes. None are noted.

Hempel makes a motion to approve the minutes.

Beach seconds the motion.

Motion carried 6-0.

5:02pm

**Jans opens the public hearing for Craig & Dedra Reiner (owners), 67472 CSAH 33, Darwin, MN 55324 and Reiner Contracting (applicant), 21541 Hwy 7 W, Hutchinson, MN 55350. That Part of the Northeast Quarter, more fully described in the application. Section One (1), Township One Hundred Eighteen (118), Range Thirty One (31), Greenleaf Township. A renewal of an existing Interim Use Permit application for the recycling of concrete and bituminous material in an A-1 Agricultural Preservation District.**

Craig Reiner is present for this hearing.

Cote: This property is an A-1 Agricultural Preservation District zoned property located in Section 1 of Greenleaf Township. The pit was originally owned by Marlow Wigen and previously operated by Jim McCarthy. It first had an Interim Use Permit approved in 2008 to mine gravel. The last renewal application for aggregate mining was approved on April 4, 2017. This aggregate pit is 25.86 acres. The applicant/property has now submitted an Interim Use Permit Application to allow for mixed concrete and bituminous recycling. It has been indicated in the application packet that a maximum of 25,000 tons of material is proposed to be stored on this site during the duration of the permit. There is an observed groundwater elevation of 1132. These stockpiles are proposed to be placed at an 1136 elevation. There are three (3) ponds on-site which assist in retaining surface water within the pit. All of the traffic enters and exits this pit onto MN Hwy 22. Stockpiling of material must meet all required setbacks as per the Zoning Ordinance which includes a 100' mining setback to the property line of adjoining property and 500' from a non-owner operator residence.

Johnson states that this is set nicely off the road and should be quiet. It was a clean pit.

Cote reads proposed conditions:

1. The hours of operation on this site are 6 a.m. to 9 p.m., Monday through Friday and 6 a.m. to 6 p.m. on Saturdays, and no operation on Sunday and holidays.
2. This permit shall expire in six (6) years from the date of the County Commissioners final approval of this Interim Use Permit with an inspection occurring at approximately three (3) years or mid-point of the duration of the permit, whichever is least.

3. The applicant shall enter and exit this site via the access on to Minnesota Highway 22.
4. Dust control measures must be implemented on haul roads on-site.
5. Noise levels must not exceed state decibel requirements.
6. All concrete/bituminous recycling equipment and stockpiles shall meet all setbacks as required in Article 22.29 of the Meeker County Zoning Ordinance.

Hempel makes a motion to close the public hearing.

Piepenburg seconds the motion.

Motion carried 6-0.

Johnson makes a motion to approve with the conditions.

Hempel seconds the motion.

Motion carried 6-0.

**Jans opens the public hearing for Ronald Hansen (owner), 1325 S Grade Rd SW, Hutchinson, MN 55350 and Reiner Contracting (applicant), 21541 Hwy 7 W, Hutchinson, MN 55350. That Part of the Northeast Quarter, more fully described in the application. Section Seven (7), Township One Hundred Eighteen (118), Range Thirty (30), Ellsworth Township. An Interim Use Permit application for the recycling of concrete and bituminous material in an A-1 Agricultural Preservation District.**

Craig Reiner, David Jutz (Ellsworth Township) and Roger Wagner are present for this hearing.

Cote: This property is an A-1 Agricultural Preservation zoned property located in Section 7 of Ellsworth Township. This pit is directly west of an existing permitted aggregate pit. This aggregate pit is proposed to be 27.58 acres. The applicant has applied for the appropriate state permits. This property was previously in CRP. There is an area of wetland on the north side of this proposed pit. The existing groundwater elevation is 1106. The applicant will scrape off the existing topsoil and utilize that material for berms. The proposed haul route is 205th Street west to MN Hwy 22. The applicant is proposing 300,000 cubic yards of material to be mined during the duration of this permit. The plant is to start mining on the easterly side of the pit moving west. The applicant will reuse pit water in regards to the washing of material. All surface water will be directed back into the pit. An appropriate reclamation plan has been submitted as part of this application.

Jutz: States that he has had a couple calls from people in his township. Since this is a washing pit, has there been an environmental study done?

Cote: No, that is not a requirement.

Jutz: What are the conditions that make sure that the wetland isn't affected?

Cote: I don't believe there is dewatering proposed. Dewatering is when you pump the water out rapidly to mine the gravel below the water table. The washing is just washing the materials to prep them for the sale.

utz: Is this going to be for commercial sale or private?

Reiner: We will be doing Hwy 22 in Litchfield, we will use all the aggregate from one of these pits for that project.

Jutz: There were concerns from the neighbors about being a commercial pit instead of private. Another concern is if the same hours will apply to this pit as others.

Cote: Those are standard conditions.

Jutz: What assures the township that this pit will be used properly?

Cote: They have to adhere to their conditional use permit as well as their state permit. If there is any indication that it is being utilized improperly it needs to be reported to the county.

Reiner: Water is contained within the pit.

Jutz: Two other concerns were: 1. Will there be excessive traffic? 2. Will this have the same running times as the other pits?

Jans: We will read the conditions that may help with your questions.

Cote:

1. This Interim Use Permit shall expire six (6) years from the date of approval by the Meeker County Board of Commissioners with a mid-term inspection completed by the Zoning Administrator or her designee and one member of the Planning Commission three (3) years from the date of final approval of this application.
2. The hours of operation on this site are 6 a.m. to 9 p.m., Monday through Friday and 6 a.m. to 6 p.m. on Saturdays, and no operation on Sunday and holidays.
3. Dust control measures must be implemented on all gravel haul roads and shall be implemented on haul roads inside of the pit
4. The preferred haul route for this pit shall be 205th Street west to Minnesota Highway 22.
5. The applicant shall work with the township in regards to road maintenance.
6. Noise levels must not exceed state decibel requirements.
7. The applicant must complete their mining and reclamation according to the maps submitted with the application and follow the regulations set forth in Article 22.15.E. of the Meeker County Zoning Ordinance for reclamation of this site. The site shall be reclaimed one (1) year after the mining operation ceases as stated in the Meeker County Zoning Ordinance.
8. The applicant must comply with all other local, state, or federal requirements or regulations and receive all required local, state and federal permits for the operation of an aggregate pit.

Piepenburg: What's found in the dirty water after the aggregate is washed?

Reiner: It just gets recirculated. What's washed out is a really fine dust. So basically, the dust is washed off and goes into the next product.

Piepenburg: Are you expecting any more or less traffic than the other pits?

Reiner: There will be traffic. At times it will be quite busy and other times we won't be in there for weeks.

Hempel makes a motion to close the public hearing.

Euerle seconds the motion.

Motion carried 6-0.

Euerle makes a motion to approve with the conditions.

Beach seconds the motion.

Motion carried 6-0.

5:23pm

**Jans open the public hearing for Ronald Hansen (owner), 1325 S Grade Rd SW, Hutchinson, MN 55350 and Reiner Contracting (applicant), 21541 Hwy 7 W, Hutchinson, MN 55350. That Part of the Northeast Quarter, more fully described in the application. Section Seven (7), Township One**

**Hundred Eighteen (118), Range Thirty (30), Ellsworth Township. An Interim Use Permit application to operate an asphalt plant along with the related recycling and stockpiling of asphalt material in an A-1 Agricultural Preservation District.**

Craig Reiner, David Jutz (Ellsworth Township) and Roger Wagner are present for this hearing.

Cote: This property is an A-1 Agricultural Preservation zoned property located in Section 7 of Ellsworth Township. This pit is directly west of an existing permitted aggregate pit. This aggregate pit is proposed to be 27.58 acres. The applicant has applied for the appropriate state permits. This property was previously in CRP. There is an area of wetland on the north side of this proposed pit. The applicant/property owner has submitted an Interim Use Permit Application to allow for mixed concrete and bituminous recycling. The applicant has indicated a maximum of 25,000 tons of material is proposed to be stored on this site during the duration of the permit. There is an observed groundwater elevation of 1106. These stockpiles are proposed to be placed at an 1110 elevation. The proposed haul route is 205th Street west to MN Hwy 22. Stockpiling of material must meet all required setbacks as per the Zoning Ordinance which includes a 100' mining setback to the property line of adjoining property and 500' from a non-owner operator residence.

Jutz: Is there any concern about this pit getting too crowded with so many operations going on?

Johnson: This was a pretty expansive pit.

Cote: We've never seen that as an issue.

Reiner: We are asking for the same permit for two different pits. I can assure you that there will never be a pile in both pits. It will go to one or the other. The reason we are asking for a permit for both is because this project in Litchfield has a special product that needs to be made out of a recycle. We may have to have it where we can wash the material and add to crushed concrete to make the specification.

Johnson makes a motion to close the public hearing.

Euerle seconds the motion.

Motion carried 6-0.

Cote:

1. The hours of operation on this site are 6 a.m. to 9 p.m., Monday through Friday and 6 a.m. to 6 p.m. on Saturdays, and no operation on Sunday and holidays.
2. This permit shall expire in six (6) years from the date of the County Commissioners final approval of this Interim Use Permit with an inspection occurring at approximately three (3) years or mid-point of the duration of the permit, whichever is least.
3. Dust control measures must be implemented on haul roads.
4. The applicant must participate in road maintenance on the haul roads.
5. The preferred haul route for this pit shall be 205th Street west to Minnesota Highway 22.
6. Noise levels must not exceed state decibel requirements.
7. All concrete/bituminous recycling equipment and stockpiles shall meet all setbacks as required in Article 22.29 of the Meeker County Zoning Ordinance.

Johnson makes a motion to approve with the conditions.

Beach seconds the motion.

Motion carried 6-0.

5:29pm

**Jans opens the public hearing for Daniel & Shawn Duval Trust (owners), 114 Pauls Rd NE, Hutchinson, MN 55350 & Backyard Reflections (applicant), 940 Elm St E, Annandale, MN 55302.**

**Property located at 21310 654th Ave, Darwin, MN 55324. Lots Fifty Eight (58) and Fifty Nine (59), Manuella Beach 2nd Addition, Lake Manuella, Ellsworth Township. An application for a Conditional Use Permit to move more than ten (10) cubic yards of material in the Shore Impact Zone and more than fifty (50) cubic yards of material in the Shoreland District in the R-1 Suburban Residential District and within the Shoreland District.**

Daniel & Shawn Duval and Ken Fischbach are present for this hearing.

Cote: This property consists of four (4) riparian R-1 Suburban Residential zoned lots within the plat of Manuella Beach on the west side of Lake Manuella in Ellsworth Township. Currently on this property there is a single wide manufactured home, two small utility sheds constructed in 1980, an SSTS system installed in 2000 which passed a compliance inspection in 2005, and a domestic water well. This property was granted a variance in 1993 to allow for the mobile home to be placed on site in variance to the OHWL setback, a variance in 1997 for placement of a holding tank to a well and a conditional use permit in 1993 to allow a single wide manufactured home more than five years old to be placed on this site. The existing property owner is currently requesting to be allowed to move 139 cubic yards of material to clean up the shoreland and create a more level yard with better lake access. The plan is to install boulder walls less than 4' in height to replace some deteriorating wood walls, to replace the existing deteriorating wood steps with granite steps, to install a 14' diameter fire paver area/fire pit and to clean up and add rip rap to the shoreline. The property owner is proposing planting beds with mulch. No plant list was provided to the county with this application.

Duval states that he has failing walls with steep banks to mow. He'd like to eliminate the grass that sits at a 45° angle. It is terraced down and there's a lot of growth covering up failing walls. He'd like to re-riprap, level some land and fix the walls.

Jans states that he viewed the property and sees the need for repair.

Jutz states that he doesn't have anything against reworking shorelines, but wondered if the DNR was contacted.

Cote explains that the DNR is contacted for all hearings that are within the shoreland district.

Hempel asks if the walls are higher than 4'. *No*

The Board looks over the survey and plans.

Cote reads the conditions:

1. The total cubic yardage moved and/or brought onto this site shall be a maximum of 200 cubic yards of material.
2. The project shall be completed as per the plans submitted with this application.
3. Construction must meet all setback requirements.
4. A passing septic compliance or a design for a new compliant SSTS system must be submitted prior to commencing this project.
5. Erosion control shall be implemented and maintained on-site until permanent vegetative cover is established to prevent erosion of material into sensitive areas.

Beach makes a motion to close the public hearing.

Johnson seconds the motion.

Motion carried 6-0.

Piepenburg makes a motion for approval with the conditions.

Hempel seconds the motion.

Motion carried 6-0.

5:40pm

**Jans opens the public hearing for Brett & Siri Damerow, 725 W 8th St, Litchfield, MN 55355. Property located at 58001 226th St, Litchfield, MN 55355. Lot One (1), Block Three (3), Hidden View Woods 3rd Addition, Star Lake and Mud Lake, Litchfield Township. An application for a Conditional Use Permit to move more than ten (10) cubic yards of material in the Shore Impact Zone and more than fifty (50) cubic yards of material in the Shoreland District in the R-2 Rural Residential District and within the Shoreland District.**

Siri Damerow is present for this hearing.

Cote: This property is a .61 acre riparian lot that is within the R-2 Rural Residential zoned plat of Hidden View Woods 3rd Addition. This lot is a peninsula that is bordered by Mud Lake to the northwest and Star Lake to the southeast of the property. Mud Lake is a Natural Sensitive Lake with a 200' lake setback and Star Lake is a Natural Environment Lake with a 150' lake setback. Currently on this site there is a mobile home with an attached deck and tuck under garage with no record of the year constructed, a holding tank septic system with no record of the year installed which passed compliance in 2016, and a domestic water well. The current property owner was granted a variance March 5, 2019 to allow for the construction of a new dwelling with a walk out basement in the same location as the existing mobile home. The existing township road, 226th Street, is going to be reconstructed this summer. In an effort to lessen the slope of the existing hillside to combat erosion the property owner is now requesting to be permitted to bring in 95 cubic yards of material to be placed west of the driveway to accomplish that goal. They are proposing to seed and put down erosion control mat and a silt fence adjacent to the water to prevent the erosion of material into sensitive areas. The applicant has also expressed a willingness to work with the SWCD Office to establish an appropriate planting plan. This lot is extremely limited in regards to buildable area due to the overlapping lake setbacks.

Jans states that it is very easy to see their need for this application.

Cote reads the conditions:

1. The total cubic yardage moved and/or brought onto this site shall be a maximum of 150 cubic yards of material.
2. The project shall be completed as per the plans submitted with this application.
3. Erosion control shall be implemented and maintained on-site until permanent vegetative cover is established to prevent erosion of material into sensitive areas.

Piepenburg makes a motion to close the public hearing.

Euerle seconds the motion.

Motion carried 6-0.

Johnson makes a motion for approval with the conditions.

Beach seconds the motion.

Motion carried 6-0.

5:45pm

**Jans opens the public hearing for Geoffrey Canoyer, 24926 660<sup>th</sup> Ave, Darwin, MN 55324. That Part of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼), more fully described in the application. Section Twenty Two (22), Township One Hundred Nineteen (119), Range Thirty (30), Darwin Township. An application for an Interim Use Permit to move in a temporary second dwelling for a blood relative on a property in the A-1 Agricultural Preservation District.**

Kimberly Canoyer is present for this hearing.

Cote: This property is a 4.64 acre A-1 zoned metes and bounds parcel of land located in section 22 of Darwin Township at the intersection of US Hwy 12 and 660th Avenue. This site is located approximately 3,800 feet east of the Sparboe feedlot. The existing property owner purchased this property in June of 2018. Currently on this site there is a 1994 doublewide manufactured home with an attached deck and porch, a detached garage, several small agricultural outbuildings, an SSTS system installed new in 2015 and a domestic water well. This application is a request to be allowed the placement of a temporary second dwelling on this lot for a blood relative. Pictures of a dwelling have been submitted with this application. No indication was given in regards to plans for the SSTS system to serve this house.

Canoyer states that A&T will be doing the septic system for the new home.

Jans asks if the new septic system will be for both homes.

Canoyer says that each house will have their own septic system. Her son and his girlfriend will live in the current home and Kim & Geoffrey will move into the new home. They hope to have the current home removed from the property within five years. The current home is considered the “temporary” home.

Cote reads the conditions:

Approve an Interim Use Permit Application to move in a temporary second dwelling on a site for a blood relative in the A-1 Agricultural Preservation District with the conditions that this dwelling be served by a conforming SSTS system; the property owners must cease using the existing RV for dwelling purposes and the septic, water and electrical connections must be removed from said RV; that the applicant obtain all required building permits and SSTS permits; the property owners must follow the building code; an annual certification must be submitted yearly to the Meeker County Planning and Zoning Department as per Section 11.04.A.4 of the Meeker County Zoning Ordinance to ensure compliance with these conditions; and this interim use permit shall expire seven (7) years from the date of final approval of this application by the Meeker County Commissioners and at that time one of the existing homes on this site must be removed. If another blood relative intends to occupy said dwelling, a new interim use permit must be obtained.

Hempel asks if they will be sharing a driveway. *Yes, right now. There is a plan to put in a second driveway.*

Hempel asks if there should be a time frame to remove the temporary dwelling.

Jans states that the Board generally leaves it open. As an example: If this were a second dwelling for an elderly relative that may need to go into a nursing home in the future, we don't give them a time line.

Canoyer says that they will be getting the home placed at the end of August. She is okay with having a time frame of seven years.

Johnson states that the site for the second dwelling looks like a good location.

Hempel makes a motion to close the public hearing.

Johnson seconds the motion.

Motion carried 6-0.

Hempel makes a motion to approve with the conditions.

Euerle seconds the motion.

Motion carried 6-0.

5:58pm

**Jans opens the public hearing for Jay Asplin, 24164 726th Ave, Dassel, MN 55325. That Part of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼), more fully described in the application. Section Twenty Two (22), Township One Hundred Nineteen (119), Range Twenty Nine (29), Dassel Township. A Rezoning Application to rezone a parcel of land from A-1 Agricultural Preservation District to the R-1 Suburban Residential District.**

Jay Asplin, Ryan Kral, Robert Henke and David Broll are present for this hearing.

Cote: This property is a 43.37 acre A-1 zoned parcel of land located in Section 22 of Dassel Township. This property is north of Dassel and abuts CSAH 4. Long Lake is directly across county road 4 from this property. Currently this is a bare parcel of land with some wetlands, woodland and tillable land. The property owner has submitted a rezoning application to rezone this parcel R-1 to allow for the development of a ten (10) lot residential zoned plat for the construction of single family dwellings. Said plat application was submitted but upon review was found to be incomplete. An appropriate wetland delineation has been completed on this property. This property is directly west of and R-1 zoned plat and approximately 3,800' north of the city of Dassel.

Kral states that his concern is the watershed once this property gets developed. His property is low where his house is and all the water from that higher land drains down to his house. There is a big drainage ditch where the road is supposed to go. If that road ditch is disturbed, his property will flood. There is also another low spot that goes all the way down into another neighbor's property and if there isn't a culvert put in, it will flood the middle of his property.

Kral shows the Board his concerns on the survey.

Jans says this is a good place to rezone.

Euerle makes a motion to close the public hearing.

Beach seconds the motion.

Motion carried 6-0.

Euerle makes a motion for approval.

Beach seconds the motion.

Motion carried 6-0.

6:09pm

**Jans opens the public hearing for Stanley VonBank, 27266 734th Ave, Dassel, MN 55325. Lot Nine (9) and that Part of Lot Eight (8), Block One (1), more fully described in the application, Hidden Valley Shores, Big Swan Lake, Dassel Township. An application for a Conditional Use Permit to move more than ten (10) cubic yards of material in the Shore Impact Zone and more than fifty (50) cubic yards of material in the Shoreland District in the R-1 Suburban Residential District and within the Shoreland District.**

Stanley VonBank and Ken & Jeannie Fischback are present for this hearing.

Cote: This property is an R-1 zoned riparian lot located on the west side of Big Swan Lake in Dassel Township. Currently on this property there is a house with attached garage and deck constructed in 1980, a detached garage, a domestic water well and an SSTS system installed in 1996 which passed a compliance inspection in 2016. The existing property owner is proposing to move 200 cubic yards of material within the Shoreland District to repair a damaged drainage ditch with rock lined channel into Big Swan Lake. The project scope includes clearing some trees and brush adjacent to the channel prior to shaping and grading the slopes, seeding and mulching the channel side slopes and all areas disturbed by construction according to NRCS standards and installing an erosion control blanket on disturbed areas

adjacent to the channel. This project has been designed by the NRCS. This project is proposed to help minimize pollutants running into Big Swan Lake. As per Article 19A.04.C.2.d movement of more than 10 cubic yards of material in the shore impact zone and/or 50 cubic yards of material in the shore land district requires an approved conditional use permit from the County.

VonBank states that he bought the house in 2016 and in spring of 2017 he watched all the runoff from the field go through his property and saw the chemicals go into the lake. He called SWCD and Joe Norman gave him some designs. It was decided that the best option was to clean it up, line the channel and fill it with rock to stop some of the sediment and chemicals from going into the lake.

Piepenburg asks if he needs to dredge it once in a while, if it keeps catching sediment.

VonBank hopes it is something he can do by hand.

Jans states that the biggest issue is the volume of water. There are quite a few acres of hill coming down on his property.

Ken Fischbach states that he has the property across the road and they are supposed to have a 10' walking easement by the drainage ditch. It is now more of a ravine in that area since he put up a garage. He is wondering how this project will affect their lake access.

Jans states that if we don't do these rocks, that area will probably be totally gone.

Cote states that one is not allowed construction within an easement area. Easements are agreements and they need to be adhered to. Typically easements of this nature are not a county issue, but the Board could put in the condition that the existing easement must be maintained.

VonBank states that the easement is not on his deed, it is only on the Fischbach deed.

Jans suggests they get legal advice since the easement doesn't show on both deeds.

There is discussion about the walkway.

Cote suggests the Board continue this hearing to 6/11/19 and she will bring the information to the County Attorney for her opinion.

Beach makes a motion to continue the public hearing to June 11, 2019 at 5:00pm.

Piepenburg seconds the motion.

Motion carried 6-0.

6:32pm

Other Business: Ken Swanson Possible Plat.

Cote states that Ken Swanson has acreage on Lake Jennie. He would like to take 8.1 acres and rezone it to R-1 so he can do a one lot plat. The Board looks over the survey.

Jans and Hempel feel this is an appropriate request.

6:38pm

Beach makes a motion to adjourn.

Johnson seconds the motion.

Motion carried 6-0.