

**Summary of the
MEEKER COUNTY PLANNING COMMISSION
May 16, 2023 – MEETING MINUTES**
Audio Available

The Meeker County Planning Commission held a meeting on **May 16, 2023 at 5:00pm** to consider the following Interim Use and Conditional Use permit applications and other business before the Board. Present was Smith, Turck, Schreiber, Hempel, Jans, Euerle and Zoning Administrator Schultz.

5:00pm

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 11, 2023 meeting minutes. None are noted.

Hempel makes a motion for approval.

Turck seconds the motion.

Motion carried 6-0.

5:01pm

Jans opens the public hearing for Connie Burrill (owner), 439 Williams Ave E, Dassel, MN 55325 and Joyce Carlson (applicant/POA), 67755 205th St, Darwin, MN 55324. Property located at 68975 233rd St, Dassel, MN 55325. Lots Thirty and Thirty-One (30 & 31), Jepson's 2nd Sub-Division, Lake Washington, Darwin Township. A Conditional Use permit application 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.

Adam Kaping and Joyce Carlson are present for this hearing.

Schultz: This property is an approximate 22,316 square foot riparian R-1 zoned lot 30 of Jepson's 2nd Sub-division plat formed September 1930. The address for the property is 68975 233rd Street, Dassel, Minnesota located in Section 36, Township 119, Range 30 in Darwin Township. Lake Washington is considered a General Development lake.

Currently there is a house with garage on the property built in 1956. An addition was put on the house in approximately 1986 and a utility shed built in 1985. A septic compliance has not been found for the property at the time of this meeting. The property owners are requesting to rework the existing rip rap, install approximately 70 feet of boulder retaining walls, install 22' of steps and bring in 12 cubic yards of soil. Total materials brought on site for the project will be approximately 70 cubic yards. No record of septic compliance for the property, so it will need a compliance check.

Jans asks if the old steps are coming out?

Kaping says he doesn't know their plan for that side.

Carlson states that they won't be using those steps because they are not safe. They will be taken away or replaced. The big concrete slab isn't usable anymore as it is broken up.

Carlson said that Tim Kinney was out today and confirmed the soil testing with Radtke and they made a plan.

Jans says that this is a good project. It is steeper than you think.

Carlson states that the main reason for this project is to get access to the lake.

Schultz reads possible conditions:

1. The total cubic yardage moved and/or brought onto this site shall be a maximum of 80 cubic yards of material.
2. Engineering completed by a licensed structural engineer licensed in the State of Minnesota for any walls that are four feet or taller.
3. The project shall be completed as per the plans submitted with this application.
4. All required additional permits shall be obtained if needed prior to commencing the project or project extends beyond scope submitted.
5. A compliant septic certification will need to be completed before work starts on the project.
6. Erosion control shall be implemented and maintained on-site until permanent vegetative cover is established to prevent erosion of material into sensitive areas.
7. The applicant and/or property owner shall notify Meeker County Planning & Zoning within seven days of completion of this project.

Smith makes a motion to close the public hearing.

Schreiber seconds the motion.

Motion carried 6-0.

Turck makes a motion for approval with the conditions.

Schreiber seconds the motion.

Motion carried 6-0.

5:12pm

Jans opens the public hearing for Reiner Contracting, Inc. (applicant), 21541 MN Hwy 7 W, Hutchinson MN 55350 and Craig and Dedra Reiner (owners), 67472 CSAH 33, Darwin, MN 55324. Property located at That part of the West Half (W ½) of the Northwest Quarter (NW ¼), more fully described in the application. Section Eight (8), Township One Hundred Eighteen (118), Range Thirty (30), Ellsworth Township. An Interim Use Permit Application to mine and process aggregate material in the A-1 Agricultural Preservation District.

Craig Reiner, Tine & Jared Erickson and Dave Jutz (Ellsworth Township) are all present for this hearing.

Schultz: This is a reopening of a Conditional Use Permit that expired in August of 2003. This property is contiguous to parcel 08-0107000 which has an open Interim Use Permit to mine aggregate by Reiner Contracting until May of 2025.

The pit was originally owned by the Smith family and previously operated by Ernest Smith. The property sold to Craig Reiner on 4/25/2023. The 1995 CUP had a proposed mining area of 15.4 acres. This application is to mine in an area occupying 30 acres. The applicant/property has indicated approximately 200,000 cubic yards of material will be mined during the duration of this permit.

Equipment on-site will be a portable crushing plant, wash plant and conveyers. The groundwater elevation is estimated to be at 1108'. No dewatering is proposed as part of this application. Water for

washing will come from an area where gravel has been taken out. Mining and stockpiles must meet all required setbacks. All traffic will enter and exit this pit using 205th street. An appropriate reclamation plan has been submitted which includes utilizing the existing berms to slope the land to a grade not to exceed 23%. As per Section 22.15.A.1 an Interim Use Permit is required to mine more than 1,000 cubic yards of material per calendar year in Meeker County.

Jans says when he went out there he could see that they were doing a lot of clean up of his newly acquired pit. It looked pretty decent.

Jutz states that he came to the hearing to see what setbacks are required to the township road and to see if there is a berm. Also, will they be doing any striping?

Reiner says he is only permitted 300' along the road and the rest is set back. The striping is done to shelter the pit and when you come back to reclaim it, you take an excavator and a dozer to put the slope back down.

Jutz says that he wants to make sure that if they do strip it, they put a berm up along the road and plant grass.

Schultz says that the setback to a township road is 100' from the center line.

Jared Erickson says he lives to the north and there is a lot of wildlife everywhere. Wants to know what the environmental impact will be.

Schultz states that per state statute, an Environmental Assessment isn't needed until the area is greater than 40 acres. Currently it is only 30 acres.

Tina Erickson has questions on the location, so she looks at the maps with the Board.

Schultz reads the possible conditions:

1. This Interim Use Permit shall expire six (6) years from the date of approval by the Meeker County Board of Commissioners with an inspection occurring at approximately three (3) years or mid-point of the duration of the permit, whichever is least.
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 operations on Sunday and holidays.
3. The applicant must comply with all MPCA noise standards, which are 65 decibels during daytime use and 55 decibels during nighttime use.
4. Dust control must be maintained on the pit roads and within the pit. Dust control must be maintained along 205th street and 640th avenue.
5. The applicant must work with the townships and shall assist in road maintenance on haul roads.
6. The applicant must obtain any additional Federal, State or County agency permits if required.
7. Within one (1) year after the mining operation ceases and the permit expires the applicant must have the site completely rehabilitated. i.e. rap piles (concrete/asphalt) and equipment except as permitted unless the applicant has made application for renewal of the permit before the existing permit has expired.

8. The applicant shall follow the regulations set forth in Article 22.15.E. of the Meeker County Zoning Ordinance for reclamation of this site.

Jutz questions if the time of operations is standard. *Yes*

Hempel makes a motion to close the public hearing.

Smith seconds the motion.

Motion carried 6-0.

Smith makes a motion to approve with the conditions.

Turck seconds the motion.

Motion carried 6-0.

5:26pm

Jans opens the public hearing for Meeker Washed Sand & Gravel, Inc (applicant), 20090 640th Ave, Darwin, MN 55324 and Steven Smith (owner), 19793 640th Ave, Darwin, MN 55324. Property located at that part of the East Half (E ½) of the Southeast Quarter (SE ¼), 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 mine and process aggregate material in the A-1 Agricultural Preservation District.

David Jutz (Ellsworth Township), Steve Smith, Justin Sing and Jason Sing are present for this hearing.

Schultz: This is a reopening of Conditional Use Permits for mining aggregate in a 3.5-acre pit that expired in September of 2001. This site also had a Variance granted in July of 1994 to allow mining to be within 500 feet of a residence located SE of the parcel. This mining expansion area is located in Section 7 of Ellsworth Township and is contiguous north of the existing Meeker Washed mining property located on parcel 08-0235000 which has an open Interim Use Permit to mine aggregate until March of 2028. The property runs along 205th Street and 640th Avenue. This Interim Use Permit application is to mine gravel for 6 years.

The application is asking for approximately 39.21 acres to be operated as an aggregate pit. All of the wash water on site is recycled with no water leaving the site. The water table is at approximately 1109'. There is no dewatering proposed as part of this operation. The applicant has estimated approximately 300,000 cubic yards of material will be mined during the duration of this permit. Any stockpiles on-site will have a maximum height of 42 feet. The expansion will add approximately 10 additional years to the existing mining operations. An appropriate reclamation plan has been submitted.

Jans feels this is a fairly straight forward application.

Schultz reads the possible conditions:

1. This Interim Use Permit shall expire six (6) years from the date of approval by the Meeker County Board of Commissioners with an inspection occurring at approximately three (3) years or mid-point of the duration of the permit, whichever is least.
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 operations on Sunday and holidays.
3. The applicant must comply with all MPCA noise standards, which are 65 decibels during daytime use and 55 decibels during nighttime use.
4. Dust control must be maintained on the pit roads and within the pit. Dust control must be maintained along 205th street and 640th avenue.

5. The applicant must work with the townships and shall assist in road maintenance on haul roads.
6. The applicant must obtain any additional Federal, State or County agency permits if required.
7. Within one (1) year after the mining operation ceases and the permit expires the applicant must have the site completely rehabilitated. i.e. rap piles (concrete/asphalt) and equipment except as permitted unless the applicant has made application for renewal of the permit before the existing permit has expired.
8. The applicant shall follow the regulations set forth in Article 22.15.E. of the Meeker County Zoning Ordinance for reclamation of this site.

Hempel makes a motion to close the public hearing.

Smith seconds the motion.

Motion carried 6-0.

Turck makes a motion for approval with the conditions.

Schreiber seconds the motion.

Motion carried 6-0.

Jutz asks if there have ever been any complaints on the hours. *No*

Hempel thinks it is on a case by case basis. Usually the pits are located in the ag land.

5:40pm

General Discussion:

The Board was given material to look at for possible hearings in the future.

Smith asks if we have any control about buildings that are falling down and should be taken down.

Schultz says we don't really have any teeth. We may, if there is a rodent problem for neighboring properties.

5:46pm

Smith makes a motion to adjourn.

Hempel seconds the motion.

Motion carried 6-0.