

WRIGHT COUNTY PLANNING COMMISSION

Meeting of: August 12, 2021
MINUTES – (Informational)

The Wright County Planning Commission met on August 12, 2021 in the County Commissioners Board Room at the Wright County Government Center, Buffalo, Minnesota. Vice-Chair, Ken Felger, called the meeting to order at 7:30 p.m. with the following Board members present: Felger, Mahlberg, Thompson, Kaczmarek & Bravinder. Absent was Dan Mol. Sean Riley, Planning & Zoning Administrator, represented the Planning & Zoning office; Greg Kryzer, Assistant County Attorney, was legal counsel present.

ACTION ON JULY 22, 2021 MINUTES

On a motion by Kaczmarek, seconded by Bravinder, all voted to approve the minutes for the July 22, 2021 meeting as printed.

1. **MAURICE E. CARLIN** – Cont. from 7/22/21

LOCATION: xxxx Duffield Ave. NW & 110th St. NW – Approx. 3 acres described as part of SW ¼ of SW ¼ Section 4, Township 121, Range 26, Wright County, MN. (Little Mary - Silver Creek Twp.) Tax #216-000-043300 & 216-000-043203 Property owners: Carlin & Prevost

Petitions to rezone approximately 3 acres from A/R Agriculture-Residential & S-2 Residential-Recreational Shorelands to AG General Agriculture and S-2 and combine it into the parcel lying to the north owned by Prevost as regulated in Section 155.028, 155.048 & 155.057, Chapter 155, of Title XV Land Usage of the Wright County Code of Ordinances.

Present: Applicant not present

A. Riley expected the applicant or representative to be in attendance.

Felger held the matter over until the end of the agenda to see if anyone would show.

2. **CHENEY PROPERTIES LLC, represented by Joe Cheney** – Cont. from 7/22/21

LOCATION: XXXX Dague Avenue SE - Part of Gov't Lots 1 & 2, Section 9; N ½ of SE ¼, except tract.; also S ½ of SW ¼ west of road, except..., Section 10, all in Township 119, Range 25, Wright County, MN. (Dean Lake- Rockford Twp.) Tax #215-100-094100 & -103300

Petitions to rezone approximately 63 acres from AG General Agriculture and S-2 Residential-Recreational Shorelands to A/R Agricultural-Residential and S-2 and also for a Conditional Use Permit for a two-lot unplatted subdivision (1-10 acre and remainder 53-acre lot) as regulated in Section 155.028, 155.029, 55.047 & 155.057, Chapter 154 & 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances & Subdivision Regulations.

Present: Applicant not present

- A. Kryzer – explained the public hearing was closed and Staff directed to draft Findings consistent with the record for a denial of the request to rezone. There are documents provided the Commission for action on the recommendation to the County Board. The Commission has had time to read those, and everything was articulated in the Exhibit. If there are any questions he would address those.
- B. Felger hearing no comment or questions indicated action is in order.
- C. Thompson moved to adopt the Findings and Recommendation to the County Board of Commissioners for denial of the request to rezone. Kaczmarek seconded the motion.

VOTE: CARRIED, Thompson, Kaczmarek & Mahlberg
NAY: Felger & Bravinder

Kryzer asked if the applicant or his representative were in the audience, hearing no response he indicated the applicant would be mailed the Findings.

3. **BART A. ANDERSON** – Cont. from 7/22/21

LOCATION: 371 90TH St NE – Part of E ½ of NW ¼, Section 19, Township 121, Range 25, Wright County, MN. (Monticello Twp.) Tax #213-100-192100

Petitions to rezone approximately 40 acres from AG General Agriculture to A/R Agricultural-Residential and also a Conditional Use Permit for a three-lot unplatted subdivision (lots proposed are approx. 19 acres with the existing dwelling & two lots, minimum 10 acres each) as regulated in Section 155.028, 155.029 & 155.050 Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances and Chapter 154, Subdivision Regulations.

Present: Bart Anderson

- A. Riley summarized the request to rezone and noted the petition was continued for a site inspection and for Town Board review. The zoning and land use maps were displayed to show the property is designated for “Rural-Residential”. Request is to rezone to A/R (minimum 10-acre lots). If the rezoning is approved, the concept is a subdivision with an existing dwelling and two new residential lots.
- B. Anderson stated the concept plan has been updated since the first hearing and the access is up the middle to access 90th Street with Parcel B at the bottom of the hill. Third parcel would have access off Acacia Avenue.
- C. Mahlberg moved to recommend approval of the rezoning to the County Board of Commissioners from AG General Agriculture to A/R Agricultural-Residential because the Board feels it meets the criteria laid out in the Land Use plan and the Town Board approved.
Kaczmarek seconded the motion.

DISCUSSION: Bravinder asked about Parcel “A” he noted there is a significant draw on that lot. He would want to make sure the holding pond will handle the water and there would be no increased watershed to the property to the south. Riley – subdivision information would be provided. Asked if Anderson knows where the building site would be on “A”? Anderson indicated it would likely be in the northwest corner and not as far back as Bravinder mentioned. They have not had any water issues.

VOTE: CARRIED UNANIMOUSLY

- D. Kaczmarek moved to continue the conditional use permit to the hearing of September 2, 2021 to allow for County Board action on the rezoning and for the applicant to provide the necessary information for the subdivision.
Mahlberg seconded the motion.

VOTE: CARRIED UNANIMOUSLY

4. **DENNIS G. HAVEL** - Cont. from 7/22/21

LOCATION: xxxx Davern Avenue NE – NW ¼ of NE ¼, & part of Gov't Lot 1, Section 3, Township 120, Range 25, Wright County, MN. (Gilchrist Lake - Buffalo Twp.) Tax #202-000-031200

Petitions to rezone approximately 85 acres from AG General Agriculture and S-2 Residential-Recreational Shorelands to A/R Agricultural-Residential and S-2 and a Conditional Use Permit for an unplatted eight-lot subdivision as regulated 155.028, 155.047 & 155.057, Chapter 155, of Title XV Land Usage of the Wright County Code of Ordinances.

Present: Dennis Havel & Jolene Pierce, owner's agent

- A. Riley displayed the location map along with the current zoning and Land Use Plan that has the area designated for "Rural-Residential". The hearing was continued for a site inspection. The decision before the Commission is the rezoning. If approved, the Conditional Use Permit for an eight-lot subdivision is proposed. The concept plan before them from the last meeting shows four riparian lots and four lying east of the existing town road.
- B. Felger opened the hearing for comments, hearing none returned to the Commission for questions or comments.
- C. Kaczmarek asked Riley whether a wetland delineation should be completed and what is the status? Riley explained that work is done for consideration of the subdivision. There has been some initial review by Wright County Soil & Water Conservation District, their comments were provided. The applicant will need to follow up with a professional before action is taken on the subdivision. Thompson asked if the applicant has been informed of the process and that it could be costly? Havel & Pierce stated they are familiar with the process. Riley added, the applicant has talked with representatives of SWCD.
- E. Bravinder moved to recommend approval of the rezoning to the County Board of Commissioners from AG General Agriculture & S-2 Residential-Recreational Shorelands to A/R Agricultural-Residential & S-2 because it is in the Land Use Plan for A/R and the Town Board approves. Kaczmarek seconded the motion.

VOTE: CARRIED UNANIMOUSLY

- D. Bravinder moved to continue the Conditional Use Permit to September 2, 2021 for action on the rezoning by the County Board and information needed for subdivision approval. Kaczmarek seconded the motion.

DISCUSSION: Applicant was asked if that was adequate time for the survey, wetland delineation and other information? Havel prefers the next meeting and will inform Staff if a continuation for more time is needed.

VOTE: CARRIED UNANIMOUSLY

5. **MN CSG 10, LLC** – Continued from 7.22.21

LOCATION: XXX 85th St NE – Part of E ½ of SE ¼ & W ½ of W ½ of SW ¼, in Section 21, Township 121, Range 25, AND Part of W ½ of W ½ of SW ¼ in Section 22, Township 121, Range 25, AND N ½ of NW ¼ in Section 27, Township 121, Range 25, Wright County, (Monticello Twp.) Tax #'s 213-100-214100 & 213-100-223200 & 213-100-272201
Owner: Sustainable Holdings LLC & Holthaus Properties

Petitions for a Conditional Use Permit for a 1 MW Solar Farm on approximately 9.8 acres in the southeast corner of the property as regulated in Section 155.048 & 155.108, Chapter 155, of Title XV Land Usage of the Wright County Code of Ordinances & Wright County Subdivision Regulations.

Present: Applicant not present

- A. Riley stated the applicant has signed the waiver of the 60/120-day time for a decision. Riley noted the hearing has been delayed for some time, the Town Board had asked for another site inspection. Riley has talked with a couple of the Town Board members and since the Commission has been out a couple times, including looking at the gravel pit did not know that the Commission would go out. He did assure them that the matter would be continued. A change in ownership in the meantime and they have that owner's signature. Thompson asked if this is the property that had access across another property? Riley stated there is a recorded easement on a haul road that would be used.
- B. Kaczmarek moved to continue the hearing at the applicant's request to the September 2, 2021 meeting. Mahlberg seconded the motion.

VOTE: CARRIED UNANIMOUSLY

6. **DUININCK, INC.** – Cont. from 7.22.21

LOCATION: Part of SE ¼ of SE ¼, Section 14, Township 121, Range 28, Wright County, Minnesota. (Southside Twp.) Tax #217-000-144401

Petitions to renew a mining permit issued in 2016 as a Conditional Use Permit as regulated in Section 155.029, 155.048(D) & 155.100 Chapter 155, of Title XV Land Usage of the Wright County Code of Ordinances to continue to mine, process and stockpile gravel and granular materials, including recycled materials and operate a hot-mix plant and wash plant in the pit.

Present: Chris Block

- A. Riley noted after taking testimony from the Township and neighbors, the hearing was continued for a site inspection. The location, zoning and land use maps were displayed. Previous permits had been discussed and the fact there has not been any activity to date, no berms have been constructed or trees have been planted.
- B. Felger opened the hearing for public comment, hearing no response returned to the Commission.
- C. Kaczmarek noted the information submitted appears complete. Hours of operation are 7-7, Monday through Saturday and asked if any additional time is requested to warm up the asphalt plant before 7 a.m.? Block responded yes; they would like to start the generator at 6 a.m. to heat the oil. Kaczmarek asked if that is normal practice? Riley responded that they have discussed it for other operations and some allowance given. The Commission has given approval on the condition there are no other operations, trucks hauling, etc. until 7 a.m.
- D. Mahlberg asked if there are any plans to operate here in 2021-2022? Block stated they have nothing under contract at this time, but when they get a job they would install the turn lanes and build the berms. Does not pay to start doing that now, it is best to leave the farmland undisturbed until they need the material. Looking for the availability if they are awarded a project. Mahlberg – asked how important it is to have the hot-mix plant with the mining extension as that causes consternation. Block the issue is the timing of the bidding process and the time needed to get through the meeting process. To utilize the site, they need the ability to have the asphalt plant as an option. Mahlberg – what is the typical bidding season? Block – year around.
- E. Bravinder – moved to renew the original Conditional Use Permit that was issued on February 11, 2016, according to the updated plans dated June 30, 2021 for 5 years. All conditions of the original permit must be met. Hot-mix plant to be for the 2022 season only. Kaczmarek seconded the motion.

DISCUSSION: Thompson asked about the screening that the Commission had discussed for some trees to be planted around the border. Block – the trees would go on the berm. Until they take the topsoil off to make the berms they would not be planted. Thompson – has seen other operations where the trees are outside of the berm. She felt getting the trees planted would get the screening established. Block – typically they get the berm built with trees on top, otherwise a couple acres of material underneath would be lost. The berm will also act as a barrier. Thompson disagreed and felt as a CUP it is a condition the Board could put on this. Noting it could be ten years before they use the site. During this time the berm and trees would be better established. Another matter, VerSteeg, had stated was the water table is high with water encountered at 9-10' in some holes. She asked if they plan to mine below the water table? Block that is the average and the majority is above the water, some areas are 2' in the water and they would like to take the resource there. Would have plenty of material to put back in. Thompson – asked for clarification on whether reclamation would be progressive. Block – the drawing shows they would reclaim as they go. Estimates there are 22,000 ton in an acre going 10' in depth. Mahlberg this parcel has had a CUP for ten years; would not agree the berm and trees should be established when they have a productive field. He felt a berm may provide a better barrier than trees. Thompson – would disagree, could be 30 years before it is mined. Mahlberg although that might be the case, they will only have a permit for five years. Kaczmarek – there were comments at the last hearing about conditions at another nearby pit where this Company had operated. He pointed out that is a civil matter, and they have no evidence that Duininck violated their CUP at that site.

VOTE: CARRIED NAY: Thompson and Mahlberg

7. **JOHN F. DERICHS** – New Item

LOCATION: 3210 County Road 3 NW – Part of SW ¼ of SE ¼ Section 15, Township 120, Range 28, Wright County, MN. (French Lake Twp.) Tax #209-000-154302 Owner: Derichs Properties LLC

Petitions for a Conditional Use Permit to locate a 30,000-gallon propane storage tank on the property as regulated in Section 155.029, 155.053(B), Chapter 155, of Title XV Land Usage of the Wright County Code of Ordinances.

Present: Nathan Derichs

- A. Riley reviewed the property location that is zoned Commercial. The property is known as the Lantto Store where there is a gas station. The proposal is to add a LP storage tank as part of the business. There is room on the property, the State Fire Marshall inspects. Town Board approves.
- B. Felger opened the hearing for public comment. No one came forward.
- C. Felger asked if this is similar to a tank approved in Victor Township? Riley stated the tank is similar, but this property here is zoned Commercial. Felger asked about the safety guidelines. Derichs explained they contract for emergency shut-off service and noted the valve would be outside the gate. This new location would avoid delivery trucks going back to their Eden Valley site to fill. This will provide service in the Annandale area. Felger asked if there would be sales of LP onsite? Derichs stated this is separate 1,000 ga. tank near the filling station and on a different part of the property. They currently offer small tank fills for customers for their gas grills etc. He indicated they could combine the two for shutoff valves and a locked filling cabinet. Felger asked about lighting? Derichs stated there is lighting for the filling station, he has not been to the site at night to see if it is adequate, but it is likely they would have another light if it is within the electrical codes.
- D. Bravinder moved to grant a Conditional Use Permit to locate one 30,000-gallon propane storage tank in accord with the site plan on file. Mahlberg seconded the motion

DISCUSSION: Mahlberg asked if referencing the site plan is acceptable, the discussion was they are shifting north? Riley felt in this case the basics are covered and not complex in this case. Thompson questioned the ownership of the property? Derichs stated they purchased the property eight months ago.

VOTE: CARRIED UNANIMOUSLY

8. **CURT WEIERS** – New Item

LOCATION: 3353 Baker Avenue NW – NE ¼ of the SE ¼ of Section 14, Township 120, Range 26, Wright County, Minnesota. (Maple Lake Twp.) Tax 210-000-144100 Property owner: Bjorklund

Petitions to rezone from AG General Agriculture to A/R Agricultural-Residential and for a Conditional Use Permit for a three-lot unplatted residential subdivision (one lot to include existing dwelling) as regulated in 155.028, 155.029, 155.048, Chapter 155, of Title XV Land Usage of the Wright County Code of Ordinances & Subdivision Regulations.

Present: Ross Danielson, representing Weiers

- A. Riley – summarized the request is to rezone and concept plan for a three-lot subdivision. Maps to show the location in Maple Lake Township were viewed. Land Use Plan designates this for Rural-Residential. The current “entitlement” is used by the existing home.
- B. Danielson – the property is just shy of 40 acres and the lots will be larger than 10 acres and utilizes the roads on two sides. Existing house on a lot.
- C. Felger opened the hearing for public comment:
 - Ralph Varner owns property to the west and north since 1967. They are still actively farming and felt they are eating up a lot of good farmland. He felt history shows ten-acre lots are too much for people to maintain. Most of the lots end up with weeds. Farmers are struggling to keep farming and feed the Country. The more farmland that is developed, the worse it will get.
- D. Danielson – they are trying to follow the current Land Use Plan. The Plan has the area designated for A/R. Felger followed up by asking Riley to review the Plan. Riley – displayed the maps, pointed to the Transition Area next to the City of Buffalo. In this case, the Township and City don’t have an annexation agreement. The map show dozens of city lots nearby.
- E. Kaczmarek asked Riley to confirm whether there were any written comments submitted. Riley confirmed there were none.
- F. Mahlberg asked what type of soils are found here. Danielson – could not address that. Riley -speculated the soils are decent for farming, the land has a rolling topography. He did not have a soils map to display. Mahlberg asked when annexation took place on neighboring properties and what is the timing for that? Riley – his estimate was the most recent development was around 2006-2007. He is not informed on what might be under consideration or

planned for the adjacent property to the City. Further discussion on what development lies in the City boundaries.

- G. Thompson – asked if Weiers owns the land? Danielson – he is the broker representing the estate.
- H. Mahlberg asked how long it has been in estate and assumes the family are not in the farming business. Danielson it has been in estate for a short time, family is not farming the small parcel. House has been rented out for 19 years.
- I. Thompson – not familiar with the property and asked if other members are. Bravinder noted the location just off State Highway 55 west of Buffalo.
- J. Thompson moved to continue the hearing for a site inspection and continue the hearing to September 2, 2021. Kaczmarek seconded the motion.

VOTE: CARRIED UNANIMOUSLY

Felger recessed the meeting for five minutes and reconvened at 8:35 p.m.

9. **MBE, INC.**- New Item

LOCATION: xxxx State Hwy. 25 N & 50th Street NE– Part of SW ¼ of SW ¼, Section 4, Township 120, Range 25, Wright County, MN. (Buffalo Twp.) Tax #202-000-043206 Owner: Ventures West LLC

Petitions for a Conditional Use Permit to mine sand and gravel from approximately 32 acres to include screening, washing, crushing of materials and include stockpile and processing of recycled materials as regulated in Section 155.029, 155.048(D) & 155.100, Chapter 155, of Title XV Land Usage of the Wright County Code of Ordinances.

Present: Bob Perry, MBE; Steve Stadler, MBE; Paul Otto, Otto Associates

- A. Riley reviewed the location of the property currently a farm field in Buffalo Township. The current zoning is AG General Agriculture and in the Land Use Plan for Commercial. Mining and reclamation plans provided show existing conditions and final reclamation. Town Board response was received.
- B. Otto – reviewed the property location, access off CR 113 which is just east of the Church’s access south of the county road. Access to the county highway will have to be worked out with turn and by-pass lanes. County had received some feedback and they will require a turn and acceleration lane, either now or part of the 2026 upgrade plan. Have to meet their requirements. Plans are to mine down 35’, no water was hit in the borings so not mining in the water table. The mine will be surrounded by a berm. The applicant specializes in swapping dirt. This sand material is good for road bases and they will replace it with materials that often come from road projects. This makes them different from other mines and allows them to bring it back to existing conditions. Because there is not much topsoil here, they plan to build the berms with import material. The property is in the Plan for commercial and applicant will make sure the soils brought back would be suitable for a commercial use. Until that happens it would be put back into a farm field.
- C. Perry – his Company moves dirt and material taken from a site is useable and compatible to bring back. The material removed goes to a project site that needs the sand. He explained the types of projects, such as highways where they need clean coarse sand. The tests done at this site show the resource is a course clean sand and makes good material for road building. Will start by importing materials to build the berms for projects they get in the future. Start with a small footprint in a corner, possibly five acres, and work down to get to a lower elevation. He noted doing this the dust would settle back on themselves and noise contained. Stadler stated this is a trucking company started in 1984. He explained the projects also include apartments buildings where there are a lot of excess material to bring back. The transfer of materials cuts down on the number of trucks coming and going out of the pit. The Buffalo area is growing and want the pit in place so they can give

competitive bids for projects in the area. Perry – stated he owns the property. There is a mine across the street. As the owner of the property, they are committed to completing this as shown. Stadler – pointed out an example was a large project in Blaine where property was restored with many soccer fields developed. They have had four owners that signed up with them to restore fields back and the crops are doing better. This is a similar site where the sandy soils are not the best and improving the soils will provide a better farm field until it is time for a commercial development.

- D. Mahlberg questioned the estimate on how long it would take to mine it out and would it be done in stages. Stadler – right now the Buffalo area is slow, however, it is being depleted in the Maple Grove area. He expects the demand and timing would be easily ten years. Perry – they would like to be positioned to pick up the slack as other pits run out. Mahlberg asked if they have an estimate on the life of other pits, five years before they are depleted? Perry – he can only speak to what other pits look like. There is not an inventory he can see. Mahlberg – understands there is no definite time frame, but once they are fully underway how long? Perry does not expect to be fully underway until others are depleted. One pit to the north will be out of material in a year or two. Stadler – some near CR 39 might be getting depleted. They would want to be in a position for when State Highway 25 project comes up. Otto noted the Duininck site is about done, just stockpiles. Davis pit is expanding west, getting close to the tree line, and is almost done. An expansion of the Holthaus was before the Commission and without knowing who they sell to, may be halfway into that pit. Perry stated this resource is used in their business and not sold to other companies. This reduces the truck traffic, and they have more control of it. Mahlberg – asked Otto about the letter from MN Department of Transportation. Otto – was copied on an email submitted to Deckert, Environmental Health Officer, and was forwarded to the applicant. They are asking for a north acceleration lane and a left turn lane. Perry understood that would be incorporated into the 25 Corridor Plan. Riley – the County response addresses the county road. There is already a State study and coming components with that project. He assumes they would judge traffic not mining.
- E. Thompson – the recycling material was questioned? Perry – in a road project, the concrete is crushed and reused as gravel. Often put back into the roadway where it came from. A place is needed to process it and bring it back out. Thompson – questioned how long these recycled materials are stockpiled on the site. Perry – felt it would constantly be turned over. Stadler – it constantly rotates in and out. There will also be piles of sand. Perry it is not cost effective to process it if they do not have a market. Likely goes back on a job.
- F. Felger – plans are to mine down 35' and restore to the existing condition, does that mean elevation? Berm material is what? Perry that is correct. There

is material from a road widening projects they get. Want to build the berms as they get started from material that is compactible so in the end, it will be used to grade the site.

G. Bravinder asked Riley if this is an Aggregate Resource area in the Land Use Plan. Riley – it is not, it is in the Plan as Commercial.

H. Felger announced comments will be timed to three minutes because of the number of people in attendance.

- Mark Mann – pointed out where he lives at 2108 55th Street and existing pits around him, the one to the west is very large. It was stated the dust goes down; he can report that he cannot open his windows because of the dust. Only time he can is when the wind is out of the east. He moved out here 4 years ago and the other two pits were there and understood the truck traffic, back-up beepers, large trucks braking. On 50th and State Hwy. 25 there have been many accidents, at least five this past year. He asked about core samples taken on additional land to the north, is that where the mining will extend in the future. That will only be 25-30' from his home. Felger asked if that 40 to the north was not rezoned A/R? Riley that was a part of the original parcel, that was rezoned and split up. Felger –felt a gravel pit going in is not likely. Riley explained they would have to put it back together. Kryzer noted two lots are owned by Ventures West; another is MBE and middle lot with a shed is Levine. Riley – if that were to happen they would be giving up two residential building sites and is not a part of tonight's request.

- Justin Laven – owns the adjoining 10-acre lot with the shed that was just referred to. Perry owns two ten-acre lots next to his. Knife River owns a parcel that just received approval for an expansion. He noted how likely would it be for the applicant to come back in ten years and expand next to him. The fact they did not encounter water is a concern, how will they create a pond to control the dust. Questioned the offsets from property lines, his property is the closest. There is much gravel in the area, Knife River have 100 acres yet to mine. The concern is traffic control and safety of a very busy area. There are many neighbors that will hear the noise.

- Christine Mann –2108 55th St. NE - was concerned when the soil tests were done and that there would be mining here. Relayed her attempts to safely turn off State Highway 25. This is already a dangerous situation. Noted 50th Street is the next road to the north. They are seeing helicopters responding to accidents along here. Hearing there will be grinding to recycle in the pit will create additional noise, increase the dust that is a health issue. They will end up with three gravel pits around them for decades. Moved out from Maple Grove to get out into the country and away from the building going on. The Commission should consider the

number of residents, about 100 homes with one exit out to the highway is a safety concern.

- Richard Brown – 2542 50th St. NE – this is a rerun of a gravel pit proposed next door about 10 years ago. The issues are the same, but traffic has increased and 50th Street is much busier after the new school and more homes were built. As pointed out at the corner, even without gravel trucks it is very dangerous. Questioned the type of development along the corridor between Buffalo and Monticello? He does not expect to see heavy industrial or manufacturing along here and asked what the Plan for the highway is. Riley – there is a Land Use Plan, but not a corridor plan in that plan. Most of the land is designated residential, this is designated commercial. Brown asked if Riley would expect industrial or manufacturing? Riley – would not speculate uses. Brown noted the Town Board recommended unanimously to deny this. Asked if there is a County inventory of the resource available? Mahlberg – they do not but have an Aggregate inventory. Riley – stated the County knows the location of resources, but don't track how much is left. The market conditions drive demand. Bravinder – the Township looks at it. His Township gets their material from a site that will be depleted in 5-6 years. Riley – noted that is a specific need defined. The County does not take on that scope.

- Tracie Bebeau – 2313 50th St. NE – asked for clarification on zoning and the future plan. Riley – it is zoned AG and in the Plan for Commercial and not part of the Aggregate Resource designation. At the time of the Land Use Plan update they did not reach an agreement to include more areas in the Aggregate Resource. Bebeau pointed out her property location and noted the dangerous intersection of CR 113 and 25 and also road that serves residents living in Gilchrist Acres. She has a teenage driver and worried about her trying to get on the highway now. She explained she sees this several times a day. The other concern is dust, they are saying it goes down. She can report it does not, especially this year when it is so dry. She bought the property three years ago, has performance animals and has to take extra precautions that increases the costs. The noise decreases the value of their properties, there is constant backup beeping and noise already. She asked what the proposed hours of operation are. Mahlberg noted the proposal is 7-7, Monday-Saturday. Bebeau – that is 12 hours a day and 6 days a week, others coming in for sales of these products. The crushing of concrete is very loud and she will have to listen to it 12 hours every day. She noted the residents along here are nearing retirement and their investment of property will go down. Bebeau the activity at the Church is about two hours a week, but now this.

Kaczmarek – did not see the typical handwritten gravel pit form. Noted he sees 8 a.m. – 6 p.m. however, does not see the days. Page 7 states a ten-hour haul time. Questioned if the submission replaces the standard one-page form. Riley – their narrative is larger in scope than the form, but the information is in there. Mahlberg – pointed out on the applicant's

document hauling is 8 a.m. - 6 p.m. pages 5 & 7 under description of operations and processing.

- Steve Garmin - 2628 50th St. which is Brown's apple orchard where there are 11,000 apple trees. They bring in a couple hundred thousand bees in the spring, if there is dust on the trees there are no apples in the orchard. This is a Natural Environment lake, with much wildlife in the area. Asked if there are any environmental studies to show what this dust could do to these properties. Riley - no Environmental Assessment Worksheet has been done for this property. Garmin was shocked that no environmental questions been asked. Does the Company carry any insurance to compensate others? Woods's Edge apple orchard claims he must clean his apples before they are sold. This will be the same situation with his orchard and if they must be cleaned it will be a mess. Shares the same concerns already raised, the intersection is dangerous would suggest a traffic light. A passing lane does not help.
- Jim Grosskreutz - 4349 47th ST. SE, Delano reported that MDE hauled sand off his property and they reclaimed the property as he wanted and on schedule.
- Dale Hutchcraft -703 Buffalo Hill Street - a Board member representing the Buffalo Free Church - matter was discussed at the last Board meeting. They have many of the same concerns, traffic, dust, and the health issues. Have not done a lot of research, but shares the concerns expressed.
- John Prigge -5191 Christen Ave. NE - agrees with the statements about the noise and dust. Although he lives further away, they have a lot of dust. Dr. Milligan had provided very passionate discussion in the past about the silica dust. The applicants could be more forthright about the additional acreage to the north. He had not heard that aggregate and concrete were being crushed here. Noting that activity could be done into perpetuity. They start out by saying they will start out small, but it can go on. The neighbors don't want a gravel pit out here. Traffic is unbelievable and dangerous. Combine these trucks with school buses and regular traffic is a concern. Urged the Commission to vote no.
- Scott Gilland 2518 59th St. NE - his major concern is that this mine will go on forever. He has lived out here 25 years and the pit to the north is still not closed. There are now seven gravel pits between 50th & 106th. They are all saying they are waiting for the market to get better. He is concerned about how long this could go on.

- Troy Danielson 2393 50th St. NE –his concerns have been stated, he is opposed. They are dealing with the traffic and noise problems, been out here 25 years and been dealing with the issues, don't want more.
- I. Felger asked if the applicant wanted to respond to the issues raised. Perry – when operating they keep sweepers on site to clean the road; they would have to put in a well for water to use for dust control. Hours of operation are according to Wright County Ordinance and had included those in the application. If they must modify those, he indicated they don't normally work on Saturdays. Most projects, the trucks are done hauling at 5 p.m. and they would not operate here every day. The material is for their own jobs that they would get in the area and that would make an economical haul. Otto – added although the land is not in the Aggregate Resource Lands, mining is allowed in the AG district with an "entitlement" . The size of the mine does not automatically require an EAW. Stadler – indicated they are very aware of the issues with dust and neighbors. Would drill a well and have water trucks on site and would do everything they can to keep the dust down. Perry responded to the question about insurance. He stated they carry liability insurance. Asked if there is a minimum the County requires. Riley – there is for reclamation, but not liability unless a County project. Perry felt he is well insured. Riley this is not on the scale that requires a mandatory EAW, but there are other routes for an EAW. The Ordinance largely controls nuisance activity from mining and they try to minimize impacts of dust, construction entrances, watering. No study at this time for an EAW based on the size.
- J. Bravinder noted they have described an asphalt road into the pit, how far in? Perry – about 100', it would get extended as they move into the pit. The drawing shows it brought into the floor. Bravinder – that would extend further in? Perry – yes or it would wash out. As they fill and restore they would have to take it out.
- K. Thompson continued the hearing for a site inspection to the September 2, 2021 meeting. Kaczmarek seconded the motion.

VOTE: CARRIED UNANIMOUSLY

Audience was informed they could attend the site inspection but no public comment.

SITE INSPECTION

Commission scheduled the site inspection for August 25. The Commission to meet at the Government Center at 9:00 a.m.

1. **MAURICE E. CARLIN** held over from the beginning of the meeting

Present: Applicant or representative not present

On a motion by Mahlberg, seconded by Thompson, all voted to continue the item to September 2, 2021 because the applicant did not show.

Meeting adjourned at 9:50 p.m.

Respectfully,

Sean Riley
Planning & Zoning Administrator

SR: tp

cc: Planning Commission
Applicants/owners
Kryzer
Twp. Clerks