



STEELE COUNTY PLANNING COMMISSION MINUTES

Steele County Administration Center – 630 Florence - Owatonna, MN 55060

Steele County's Mission:

Driven to deliver quality services in a respectful and fiscally responsible way.

Monday, April 1st, 2024, at 7:00 p.m. – Steele County Boardroom

Call to Order:

The meeting was called to order by chair Esplan at 7 pm. Present were Esplan, Lammers, Spatenka, Ingvaldson, Queen, Pool, Commissioner Brady, and staff member Oolman.

Agenda:

Motion by Queen, second by Lammers to approve the agenda as submitted. Motion passed unanimously.

Minutes:

Motion by Ingvaldson second by Spatenka to approve the March 4th, 2024, minutes as submitted. Motion passed unanimously.

CUP #250 (Monterey Ballroom- Outdoor Venue)

This request is from Mike Remick to renew Conditional Use Permit #250 allowing outdoor receptions at the Monterey Ballroom located in the E1/2, SE1/4, SE1/4, Section 33, Owatonna Township. The property address is 4712 South County Road 45.

Questions and comments of the commission.

Ingvaldson- Does the CUP transfer if there were new owners?

Oolman- Yes

The public hearing was opened.

Jerry Katzung Owatonna Township- We have no issues.

As there were no further questions or comments, the public hearing was closed.

Motion by Lammers, second by Spatenka to recommend approving the renewal of CUP #250 with the following conditions:

1. This permit allows the hosting of outdoor private receptions and events including weddings, luaus, groom's suppers, staff parties, family parties, corporate events, reunions, or other similar events.
2. No amplified sound outside before 10:00 am or after 11:00 pm on Sunday thru Thursday and before 10:00 am or after 1:00 am on weekends.
3. The maximum capacity of all indoor and outdoor activities combined shall not exceed the maximum capacity of the building.
4. Outdoor lighting shall not be directed at or illuminate adjacent properties.
5. If alcohol is to be served outdoors its sales must adhere to the Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division requirements.

Motion passed unanimously.

CUP #436 (Prime 45 LLC-Storage Buildings)

This request is from Prime 45 LLC to construct three self-storage buildings on property located in the NE1/4 of the NE1/4, Section 29, Clinton Falls Township. The property address is 4500 County Road 45 North.

Questions and comments of the commission.

No comments were made by the commission.

The public hearing was opened.

Gavin with Prime 45 LLC- Commented on the use of the property, and that it's use will not change from what is being done now.

As there were no further questions or comments, the public hearing was closed.

Motion by Ingvaldson, second by Lammers to recommend approval of CUP #436 with the following conditions:

1. The buildings are to be used for storage only. Any change in use of the buildings such as retail, general business, manufacturing, etc. shall not be allowed unless first approved by the Steele County Zoning and Building Departments.
2. Lighting shall not be directed at or directly illuminate neighboring residential properties or the road. Lighting fixtures shall be fully shielded so that light is not emitted above the bottom of the fixture.
3. Dust from all graveled surfaces shall be controlled.
4. Vehicle and truck traffic shall not track material onto the road.

Motion passed unanimously.

IUP 2021-05 (JJD Companies LLC- Bauer Pit)

This request is from JJD Companies LLC to renew IUP 2021-05 allowing the mining of sand and gravel on property located in the NE 1/4, NW 1/4, SE 1/4, Section 29, Somerset Township. The property address is 2483 93rd Street SW and is owned by Jeremy Bauer.

Questions and comments of the commission.

No comments were made by the commission.

The public hearing was opened.

Dan Niles with JJD- explained the process of restoring the property. He would like to continue to mine as he restores the setback so that he can better utilize his trucks to haul material in.

Spatenka- You plan on doing restoring the property this year?

Niles - Yes

As there were no further questions or comments, the public hearing was closed.

Motion by Spatenka second by Lammers to recommend approving the Renewal of IUP 2021-05 with the following conditions:

1. Mining and processing is limited to the areas identified in the application.
2. Mining is limited to a bottom elevation of 1156 feet. (approximately 20 feet deep)
3. Before excavation can begin, the permittee or operator shall furnish bond or other financial surety as approved by the county, for potential haul road repair and for site restoration. The bond or other financial surety shall be in an amount of \$5,000 per permitted acre for a total amount of \$15,000 and remain in place for the length of the permit or until reclamation has been approved by Steele County.
4. Before excavation can begin the permittee shall obtain an access permit from the Steele County Highway Department and comply with all conditions of that permit. This access shall be removed when mining is complete or at the expiration of this permit.
5. The excavation of material shall be setback a minimum of 30 feet from all property lines and road right of way. Any erosion within this setback shall be immediately corrected by the permittee. Overburden may be stored within the setback area but cannot be done in a manner that causes water runoff or siltation onto neighboring property, impedes the natural overland flow of water, or backs water up onto neighboring properties.
6. Equipment shall only be operated between the hours of 6:00 AM and 7:00 PM. Monday thru Saturday.
7. The access shall be gated to deter unauthorized access.
8. Signage warning of truck traffic shall be located along County Road #4 if required by the County Highway Department. The size and placement of these signs shall be at the direction of Steele County Highway Department.
9. Trucks shall not track material from the pit onto the public road.
10. Trucks hauling material to and from this site shall not use "jake brakes"
11. Operator is responsible to maintain dust control in the pit and on the access road so it does not negatively affect neighboring properties or highway traffic.
12. No hazardous material may be stored on the site.
13. Stockpiles of aggregate material shall not be placed in a manner that will impede water flow during a flood event.
14. Any pumping of water shall comply with DNR requirements. Water cannot be discharged directly or indirectly into Judicial Ditch #2 (Straight River)
15. The applicant shall follow their submitted reclamation plan. Final reclamation shall include grading slopes to a 4:1 slope or flatter and replacing topsoil on areas not developed into a pond.
16. This permit remains valid during times when the owner/operator is current on all tax obligations including but not limited to aggregate taxes. In addition, if notified by the Auditor of a delinquency, the owner/operator is required to either pay the tax or file an appropriate challenge within 30 days or else the permit is null and void.
17. Applicant is responsible to obtain and follow all other federal, state, and local permits and regulations including but not limited to NPDES permits, DNR Water Appropriation Permits, and Minnesota Wetland Conservation Act regulations.
18. This permit expires on June 1st, 2026. All reclamation shall be completed unless the permittee has initiated the renewal of this permit before this date.
19. The 30 feet of setback shall be restored along the south and west property line.

Motion passed unanimously.

IUP 2018-04 (JJD Companies LLC Motl Pit)

This request is from JJD Companies LLC to renew IUP 2018-04 allowing the mining and processing of sand and gravel on property located in the SW1/4, SW1/4, Section 5, Blooming Prairie Township. The property address is 4640 SE 118th Street.

Questions and comments of the commission.

Pool- What was the purpose of the phases?

Oolman- This permit was issued before we instituted bonding for reclamation. The thought was that by doing the mining in phases, only a limited amount of area would be open at a time. In reality, it didn't occur that way as different types of materials are located in different areas of the property.

Spatenka- Do they have to close one area before moving on to the next phase.

Oolman- The plan was to begin closing one area before a new phase could be opened.

Spatenka- How many acres is there all together than?

Oolman- The whole property is 40 acers, there are about 20 open right now.

Pool- Wouldn't you bond all the area that is available to be mined?

Oolman- We typically require a bond to cover all of the areas that are to be mined.

The public hearing was opened.

Dan Niles from JJD- Explains how they are restoring areas of the property that have already been mined. Areas to the west were all clay and will not be mined.

Ingvaldson- Do you have more material to haul out of the mined area?

Niles- Yes

Niles also requested the permit be for 4 years instead of 5 years with the bond to remain in place for 5 years instead of six years as six year bonds are a lot more expensive.

As there were no further questions or comments, the public hearing was closed.

Motion by Queen second by Ingvaldson to recommend approving the Renewal of IUP 2018-04 with the following conditions:

1. Mining is limited to the remaining areas identified in the resubmitted site map.
2. Mining is limited to a bottom elevation of 1290 feet.
3. The location and construction of the access shall be approved by the Steele County Highway Department.
4. Signage warning of truck traffic shall be located along the County Road 26. The size and placement of these signs shall be at the direction of the Steele County Highway Department.
5. Equipment shall only be operated between the hours of 6:00 AM and 7:00 PM. Monday thru Saturday.
6. Trucks shall not track material from the pit onto the public road.
7. Trucks hauling material to and from this site shall not use "jake brakes"
8. Operator is responsible to maintain dust control in the pit and on the access road so it does not negatively affect neighboring properties or highway traffic.
9. A 30 foot unexcavated buffer shall remain adjacent to all property lines and road right of ways. Any erosion to neighboring properties as a result of this mine shall be corrected immediately by the applicant.
10. Operator shall maintain the viability of any existing private drainage system at all times during the operation of the pit.

11. Storage piles of recyclable aggregate materials shall not exceed 30,000 cubic yards. These piles shall not remain onsite more than 5 years unless crushed. The State of Minnesota has additional requirements concerning recyclable aggregate stockpiles.
12. Before any excavation can begin, the applicant shall comply with all requirements of the Minnesota Wetland Conservation Act. This may include completing a wetland delineation and submitting a Joint Application form for Activities Affecting Water Resources in Minnesota.
13. The applicant shall follow their submitted reclamation plan. Final reclamation shall include grading slopes to a 4:1 slope or flatter and replacing topsoil.
14. This permit remains valid during times when the owner/operator is current on all tax obligations including but not limited to aggregate taxes. In addition, if notified by the Auditor of a delinquency, the owner/operator is required to either pay the tax or file an appropriate challenge within 30 days or else the permit is null and void.
15. Applicant is responsible to obtain and follow all other federal, state, and local permits and regulations including but not limited to NPDES permits, DNR Water Appropriation Permits, and Minnesota Wetland Conservation Act regulations.
16. Applicant is responsible to initiate renewal proceeding on or before December 31st, 2027 ~~2023~~ or this permit becomes invalid.
17. The operator must get approval from Blooming Prairie Township before using SE 44th Ave.
18. The permittee or operator shall furnish bond or other financial surety as approved by the county for site restoration. The bond or other financial surety shall be in an amount of \$5,000 per permitted acre for 20 acres for a total amount of \$100,000 and remain in place for 5 years from the from date of issuance of the permit or until the site is reclaimed and the reclamation is approved by Steele County.

Motion passed unanimously.

Adjournment:

Motion by Pool, second by Spatenka to adjourn at 7:50pm.