

WRIGHT COUNTY PLANNING COMMISSION

Meeting of: January 21, 2010

MINUTES – (Informational)

The Wright County Planning Commission met January 21, 2010 in the County Commissioners Board Room at the Wright County Government Center, Buffalo, Minnesota. Tom Salkowski, Zoning Administrator, acting as Chairman pro-tem, called the meeting to order at 8:00 p.m. with the following Board members present: Franklin Denn, Jack Russek, Lawrence Bauman, Ralph Douglas, Dave Pederson, George Bakeberg and Gordon Weber. Assistant Attorney, Tom Zins, was present as legal counsel.

2010 Organizational Items:

Salkowski called for nominations for a Chairman.

Russek made a motion to elect Douglas, seconded by Pederson. No further nominations were heard, and a unanimous ballot was cast to elect Douglas, Chairman for 2010.

Douglas assumed the Chair and called for nominations for a Vice-Chair.

Bakeberg made a motion to nominate Russek as Vice-Chair, seconded by Bauman. Hearing no further nominations a unanimous ballot was cast to elect Russek, Vice-Chair.

Meeting dates and times were discussed. Denn noted it has worked well in Monticello Township to set the meeting times according to “daylight savings time” and meet an hour earlier during the winter months. Bakeberg indicated an 8:00 p.m. start time would make it easier for him. Commission decided to leave the time of the meeting at 8:00 p.m.

Bakeberg moved to set the 2010 regular meetings of the Planning Commission for the second and fourth Thursday of every month at 8:00 p.m. in the County Board Room of the Courthouse, except that January, November and December will have a single meeting each, on January 21st, November 18th and December 16th, and any meeting may be canceled by a majority vote of the Commission, or by the Chairman in the case of severe weather conditions or other emergency. Russek seconded the motion.

VOTE: CARRIED UNANIMOUSLY

Salkowski informed the Commission they are passed the deadline for new applications for the February 11, meeting. There was one application received and the applicant has indicated he has no objection to waiting until the second meeting in February. The Commission could cancel the February 11, meeting.

Bakeberg moved to cancel the February 11, 2010 meeting. Russek seconded the motion.

VOTE: CARRIED UNANIMOUSLY

MINUTES

Russek moved to approve the minutes for the December 17, 2009 meeting, Douglas seconded the motion with a change to the date 2009 to 2010 in the motion on the last page.

VOTE: CARRIED UNANIMOUSLY

1. **KNIFE RIVER CORP. – NORTH CENTRAL** – Cont. from 12/17/09

LOCATION: Part of the NW 1/4 of NW 1/4, lying east of the easterly right of way line of State Highway 25, Section 4, Township 120, Range 25, Wright County, Minnesota. (Buffalo Twp.) Tax #202-000-042206

Petitions to renew the Conditional Use Permit granted May 26, 2005 to allow the mining and processing of aggregate material along with recycling of concrete and bituminous and the stockpiling of said materials as regulated in Section 727 of the Wright County Zoning Ordinance. (The previous mining permit required that the site be reclaimed by the time the permit expires on January 1, 2010.)

Present: Brad Arntson, Vice-President of Operations; and
Mike Lockwood, Aggregate Manager

- A. Salkowski explained the hearing was continued from December to give the Town Board more time for review. A copy of the Town Board approval with suggested conditions was attached to the Commission's Staff Report. The Township would agree to allow operations to be extended to December of 2012 and then get the property cleaned up. The air photo and plans were displayed to show the location of the two parcels, one has the existing house. At one time there was a proposal to take down the house and mine underneath. Salkowski - it is recommended that the Company have soil tests done to look at where a potential sewer and secondary sewer sites might be. It would be in the best interest for the Company to protect an area for a future home site before mining is completed. Salkowski asked if the proposed recycling of bituminous and concrete would be related to jobs the Company has and not a drop off site for others.
- B. Arntson indicated that was right. They have other sites in the area but would like to get this completed and reclaimed. He estimated 300,000 cu. yds. of material is left to be mined and he hopes the economy picks up so the material can be depleted.
- C. Russek agreed with Staff that the Company should find a good site for a sewer and leave it undisturbed. Lockwood stated there is an area in the southeast corner that would be good for that. Arntson noted if the economy picks up a buyer might want to run sewer lines out to serve the property. This has been done numerous times in other areas. Russek stated that is a long time out. Salkowski noted this property is two miles out from where Buffalo City sewer is. Douglas asked if it would be feasible to move the material across the road. Arntson indicated that would be too expensive.
- D. Bakeberg asked why they could not take the recycling across the road where they can crush in their pit. Arntson – stated they do not have a permit to recycle at that location. A permit on the Holthaus pit is three miles up the road. They should have applied for the recycling in all their pits because it has now become standard for road projects. Salkowski indicated he would have to check the permit given for the Bill Holthaus pit. He noted if the new Aggregate Resource Areas and Ordinances are adopted it would take care of this in the permanent pits. Arntson stated this will not

be a dump site. The concrete coming off would be made into Class V. The bituminous coming off would go to where they have a plant and can recycle it back into bituminous.

- E. Denn asked what dates were suggested by the Town Board. Salkowski stated the Township is suggesting they mine what is left in a couple years, allow two years for the stockpiles and clean up by June 2015. Lockwood clarified that they said they could mine three years, two years for stock piling and then clean up in 2015. They plan to take the house and buildings out this coming summer. Douglas questioned whether the well has been sealed. Salkowski indicated the well would have to be abandoned properly. Arntson indicated they may have to keep the well for processing.
- F. Russek moved to grant the extension of the existing Conditional Use Permit to complete the mining and crushing on site in accord with the plans and description provided by the applicant on the record, and to include related recycling, crushing and stockpiling of concrete and bituminous, with the following conditions: 1) Mining and crushing shall be completed by December 31, 2012; 2) Stockpiling of materials may remain until December 31, 2014; 3) Reclamation shall be completed by July 1, 2015 as requested by the Town Board. Denn seconded the motion.

VOTE: CARRIED UNANIMOUSLY

2. **KNIFE RIVER – NORTH CENTRAL** – New Item

LOCATION: 4301 County Road 39 NW – S 1/2 of NW 1/4 of SE 1/4 & S 1/2 of NE 1/4 of SE 1/4 & S 1/2 of SE 1/4 of N 1/2 of NW 1/4 of SE 1/4, except tract described in Book 321 of Deeds, page 439; Section 8, Township 121, Range 26, Wright County, Minnesota. (Silver Creek Twp.) Tax #216-000-084300 Property owners: Naaktgeboren & Jaeger

Petitions to renew a Conditional Use Permit to allow placement of a hot-mix plant, continued processing and storage of material to include recycled concrete/bituminous/shingles and amend the permit to include placement of a portable wash plant for a washing operation as regulated in Section 727 of the Wright County Zoning Ordinance.

Present: Brad Arntson and Mike Lockwood

- A. Applicants were in attendance for first agenda item, but left because they had requested a continuation to give time to meet with the Town Board. Salkowski indicated the meeting in February would be the 25th.
- B. Bauman moved to continue the petition to February 25, 2010 to allow the applicant to meet with the Town Board. Russek seconded the motion.

VOTE: CARRIED UNANIMOUSLY

3. **ORDINANCE AMENDMENT – WIND GENERATORS** – Cont. from 12/17/09
- A. Salkowski verified the Commission had received a copy of the Wind Energy Conversion Systems (WECS) ordinance with the revisions. Changes were made after some letters were received and input was gathered at the Township Officers meeting. He described the three types of wind generators. He noted because of the landscape found in this County, very few commercial wind generators are expected. The Ordinance will accommodate the wind generators and also addresses the micro and non-commercial generators where more interest is likely. The Ordinance was written to coordinate with the cell phone tower heights and when a Conditional Use Permit will be required.
- B. Discussion at the first meeting was summarized. The micro generators had been described as up to 1 kW and that has been changed to allow up to 5 kW. Based on what they have learned from the industry, this will allow the non-commercial ones and Micro-WECS less than 130' in height. Two things were added to the application process for the Commercial WECS requiring a wider view of what is around the generator so they have information on what buildings are around it, as well as any other WECS within a quarter mile radius; and, a copy of the power purchase contract.
- C. Salkowski referred the Commission to Page 4 and noted changes made. The meteorological towers were taken out of the A/R District. He noted leaving them in the AG District would cover most of the County. They are also permitted in the Business and Industrial Districts. A tower 130 feet high or more will require a Conditional Use Permit. He noted this coincides with requirements for a Conditional Use Permit for cell phone towers. For those towers less than 130', only a building permit will be required.
- D. Changes to the proposed setbacks were reviewed by Salkowski. Wording was changed to "neighboring occupied structures" so the setback does not apply to the house on the property where the generator is located. Other structures would have to be a distance of 1.1 times the height of the tower rather than 2 times. Separations between "micro" towers were reduced to 300' to allow for them in areas where there might be five acre lots that are only 300' in width. The distance from the closest neighbor's home to a commercial tower is now 1,000' and was changed from 750'. This addresses some of the concerns raised in recent media coverage and discussions with Zoning Administrators from Counties located in the southwest corner of the State. One County has increased the distance to one-half mile from the nearest home. It was noted the large number of commercial wind generators found in this part of the State and in Iowa. At the suggestion of some Township Supervisors, the ground clearance was increased from 12' to 20' from the ground to the lowest spinning blade.
- E. Salkowski referred to the paragraph on abandonment and the requirement will be to remove any wind generator that is over 130' in height when abandoned or use is discontinued. The word "certified" should be removed from 761.74 (1) as it was felt the regular US mail service should be adequate.

- F. Salkowski summarized the time spent on the Ordinance. The Townships have had information to consider the past six months. Rhineberger attended the recent Township Officers' Association and answered questions.
- G. Russek noted the concerns brought up in recent newspaper articles. Salkowski noted the articles were addressing the commercial generators. He explained some of the issues, but noted this type will not have the pay back to make them desirable in Wright County. They are most efficient in Minnesota along the buffalo ridge area, but the problem is getting the power lines and substations in place to bring the power to where it can be used. Russek questioned the size of the wind generator on the Buffalo High School property. Salkowski did not know the height, but indicated it is not that tall. He understood this was installed as a generator and as an educational tool. Wind studies for Minnesota show the best areas in the State are in the southwest corner and middle of Mille Lacs Lake where it is wide open. Grant money and tax incentives are available to build these. In Wright County the small micro generators are what people would most likely be interested in.
- H. Russek moved to recommend to the County Board an amendment of the Wright County Zoning Ordinance to include 761. Wind Energy Conversion Systems as presented with the removal of the word "certified" under 761.74 (1) and add the definition to Section 302. Denn seconded the motion.

DISCUSSION: Bakeberg asked if the Commission could review the Ordinance in five years in the event there are changes to the technology. Weber agreed they would not want the Ordinance to become a hindrance to people. Salkowski agreed the Commission could revisit the Ordinance as needed. Russek indicated the Ordinance could be looked at any time.

VOTE: CARRIED UNANIMOUSLY

DISCUSSION:

- **US 12 Corridor Land Use Plan:** Salkowski reported Staff would be meeting at the regular town board meetings in the south half of the County over the next 3-4 weeks.
- A conference in St. Cloud was mentioned. Interest in attending was voiced by Pederson, Denn, Russek and Salkowski indicated he may be attending.

Meeting adjourned at 8:50 p.m.

Respectfully submitted,

Tom Salkowski
Planning & Zoning Administrator

TS:tp