

**MINUTES**  
**Blue Earth County Planning Commission**  
**Regular Meeting**  
**Wednesday October 5, 2011**  
**7:30 p.m.**

**1. CALL TO ORDER**

The meeting was called to order at 7:30 P.M. by Lyle Femrite. Planning Commission members present were Lyle Femrite, Kurt Anderson, Bill Anderson, Don Gerrish, Kip Bruender, and Chuck Grams. Planning and Zoning staff present were Sara Isebrand and George Leary.

**2. APPROVAL OF MINUTES**

Mr. Kurt Anderson made a motion to approve the minutes from the September 7, 2011 Regular Planning Commission Meeting. Mr. Grams seconded the motion which carried unanimously.

**3. AGENDA APPROVAL**

Mr. Leary requested that the request for Hard Rock Quarries and Pete Forrey/Radichel Properties LLC be moved to the end.

**4. NEW BUSINESS**

**PC 24-11**

**Minnesota Pork**, Request for a conditional use permit to construct a manure storage structure at an existing feedlot. The site is located in the SE ¼ of the SE ¼ Section 19, Shelby Township. The property is zoned Agricultural.

Ms. Isebrand presented the staff report.

The applicants were present.

There was no public comment and little discussion by the Planning Commission.

Following the discussion, Mr. Bill Anderson made a motion to recommend approval of the request to the County Board. Mr. Gerrish seconded the motion which carried unanimously.

**PC 25-11**

**Chad & Lori Ruch**, Request for a Conditional Use Permit to operate a Photography Business as a Level I Home Occupation. The site is located within Antoinettes Oak Subdivision and an outlying parcel of land, Section 17, South Bend Township. The property is zoned Rural Residence.

Ms. Isebrand presented the staff report.

The applicants were present.

There was no public comment and little discussion by the Planning Commission.

Following the discussion, Mr. Bruender made a motion to recommend approval of the request to the County Board. Mr. Bill Anderson seconded the motion which carried unanimously.

**PC 27-11**

**Kenneth and Luanne Seys and the Hector and Leona Seys Family Trust**, Preliminary and final plat of Seys Subdivision Number 4. A one lot and one outlot subdivision located in the NW ¼ of the NE ¼ of Section 31, LeRay Township. The property is zoned Agricultural.

Mr. Leary presented the staff report.

The applicant was present and had nothing to add.

There was no public comment and little discussion by the Planning Commission.

Following the discussion, Mr. Kurt Anderson made a motion to recommend approval of the request to the County Board. Mr. Grams seconded the motion which carried unanimously.

**PC 28-11**

**Adam and Rachel Seys and the Leona Seys Family Trust**, Preliminary and final plat of Seys Subdivision Number 3. A one lot subdivision located in the NE ¼ of the NW ¼ of Section 31, LeRay Township. The property is zoned Agricultural.

Ms. Isebrand presented the staff report.

The applicant was present and had nothing to add.

There was no public comment and little discussion by the Planning Commission.

Following the discussion, Mr. Bruender made a motion to recommend approval of the request to the County Board. Mr. Kurt Anderson seconded the motion which carried unanimously.

**PC 12-11**

**Hard Rock Quarries, LLC**, Request for a conditional use permit to continue and expand aggregate mining activities in a gravel mining operation located in portions of the NE ¼ of the SW ¼, the SE ¼ of the NW ¼, and the SW ¼ of the NE ¼ all located in Section 12, Rapidan Township. The property is zoned Conservation and Shoreland.

Mr. Leary presented the staff report.

The applicant was represented and had nothing to add.

Ray Cornelius, Rapidan Township Supervisor was present and informed the Planning Commission that the Township has requested a \$25,000 bond and dust control, two times per year or more if needed, from the applicants. He also indicated that the township has not received any complaints about the road and the applicants have done a good job.

Al Berner, Mary Berner, Janet Goth, and Joan Brown expressed their concerns about the road conditions, dust, damage to wetlands, and hours of operations.

Mr. Kurt Anderson indicated that it was a very extensive staff report and that the I&S Group report was also very thorough. He added that it is a very highly regulated industry. He continued by saying that the owner has the right to utilize property and that aggregate supplies are diminishing and are of

benefit to all. He concluded by stating that the applicant has met all of the criteria and made a recommendation of approval of the request with the provision that the requested hours of operation be changed thereby limiting Saturday hours from 7:00 a.m. to 12:00 pm (noon). Monday through Friday hours of operation would remain unchanged at 7:00 am to 9:00 pm. They will be allowed a one hour quiet time warm up of vehicles and equipment prior to the start up of operations. Mr. Bruender seconded the motion which carried unanimously. The motion passed by a vote of five to zero with one member abstaining.

**PC 26-11**

**Radichel Properties, LLC and Forrey Septic Systems and Excavating, LLC**, Request for a conditional use permit to reopen an aggregate mining and processing site to recommence aggregate mining and processing activities. The site is located in portions of the N ½ of the SE ¼ of Section 27, South Bend Township. The property is zoned Conservation and Shoreland.

Mr. Leary presented the staff report.

The applicant was present and added that there is a need for the material available from the site.

Doug Schaller, South Bend Township, added that this request is in Area 3 of the orderly annexation agreement.

Dennis Gremel, a neighboring property owner, indicated that he is in the process of working with the Radichel's to provide access to the property.

Sharron Schaller, Doug Schaller, and Ann Feist expressed concerns about access issues, truck traffic, noise, and the possible affects the proposal will have on the impact of the river on erodible banks.

Doug Schaller indicated that the site is in the general area where Harley Strand was killed and added that additional signage may help with safety concerns.

Mr. Femrite indicated that the greatest potential of river change is on the outside curve which may not be affected by mining activity.

Mr. Bruender stated that the proposed mining area will provide a floodwater retention pond.

Following the discussion, Mr. Bruender made a motion to recommend approval of the request to the County Board. Mr. Grams seconded the motion. Mr. Kurt Anderson stated that he stood by his general comments made during the Hard Rock Quarries mining proposal. Mr. Bill Anderson indicated the same and the motion carried unanimously.

**5. AJOURNMENT**

Mr. Bill Anderson made a motion to adjourn the meeting which was seconded by Mr. Gerrish and unanimously passed. The meeting was adjourned at 9:35 p.m.

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Planning Commission Chair

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Date

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Planning Commission Secretary

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Date