

MINUTES-PLANNING COMMISSION/BOARD OF ADJUSTMENTS MEETING

TUESDAY MARCH 10, 2015 – 7:00 P.M. COMMISSIONERS ROOM, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MINNESOTA.

MEMBERS PRESENT: Chalmers, DeCock, Ludeman, Steen

OTHERS PRESENT: Anderson, Ritter, Biren

Ludeman opened the meeting at 7:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

IDENTIFY ANY CONFLICT OF INTEREST: None

AMEND/APPROVE AGENDA : Biren add discussion on buffer strips

CORRECT/APPROVE MINUTES

Motion by DeCock Second by Chalmers to approve the February 10th minutes. All voted in favor motion carried.

BOARD OF ADJUSTMENT: None

PLANNING COMMISSION:

Curt Boerboom Condition Use Request to establish a gravel pit on land zoned agricultural. Curt Boerboom and John Biren explained the project. No public comment was received. Created the findings of fact. Discussed topography of 330th Ave and State Highway 19. Chalmers moved, seconded by Steen to recommend to the Lyon County Board of Commissioners to grant a Conditional Use Permit to Curt Boerboom, Marshall, MN 56258 to construct process sand and gravel. The area representing the request is zoned agricultural and described as The Northwest Quarter (NW1/4) of Section Thirty-five (35), Township One Hundred Twelve (112) North, Range Forty (40) West. With the following stipulations:

1. Conditional Use Permit will be reviewed annually.
 2. Conditional Use Permit is granted for 40 acres or the life of the operation whichever is less.
 3. Top soil will be stockpiled and used for reclaiming and leveling.
 4. Reclaiming and leveling of land is to be done as work progresses.
 5. Grade site after extraction is completed so as to render it usable, seeding required avoiding erosion and an unsightly mar of the landscape.
 6. Must maintain a backslope of 4:1 or flatter.
 7. Responsible for maintenance on roads that trucks will be hauling on.
 8. Responsible for dust control on haul roads.
 9. Haul roads designated as: 330th Ave to State Hwy 19.
 10. Owner must notify Lyon County when work is complete.
 11. Must obtain permits from appropriated agencies.
 12. Adopt Findings of Fact as part of Motion.
 13. A copy of the County Board's Motion shall be filed with the County Recorder's Office long with the legal description of the property. Additional fees to be paid by the applicant for the actual costs incurred by the county for the recording fees.
- All voted in Favor, Motion passed.

Kevin Evans Conditional Use Request to establish a gravel pit on land zoned agricultural. Kevin Evans and John Biren explained the project. John relayed a concern from the neighbor to the south of the project that native grass and trees had been planted and wanted to make sure the property lines were respected. There was no other public comment. Created the findings of fact. Chalmers moved, seconded by DeCock to recommend to the Lyon County Board of Commissioners to grant a Conditional Use Permit to Kevin Evans, Lynd, MN 56157 to construct process sand and gravel. The area representing the request is zoned agricultural and described as All that part of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section Nine (9), Township One Hundred Ten (110), Range Forty-two (42). With the following stipulations:

1. Conditional Use Permit will be reviewed annually.
2. Conditional Use Permit is granted for 40 acres or the life of the operation whichever is less.
3. Top soil will be stockpiled and used for reclaiming and leveling.
4. Reclaiming and leveling of land is to be done as work progresses.
5. Grade site after extraction is completed so as to render it usable, seeding required avoiding erosion and an unsightly mar of the landscape.
6. Must maintain a backslope of 4:1 or flatter.
7. Must not extract material with 25 feet of the southern property line.
8. Responsible for maintenance on roads that trucks will be hauling on.
9. Responsible for dust control on haul roads.
10. Haul roads designated as: Co Rd 20 to State Hwy 23.
11. Owner must notify Lyon County when work is complete.
12. Must obtain permits from appropriated agencies.
13. Adopt Findings of Fact as part of Motion.
14. A copy of the County Board's Motion shall be filed with the County Recorder's Office along with the legal description of the property. Additional fees to be paid by the applicant for the actual costs incurred by the county for the recording fees.

Discussion on buffer regulations as it pertains to protected waters and public drainage ditches. Handouts included a map of the protected waters and ditches in Lyon County. A copy of the nonconforming use standards and a copy of the vegetative requirement found in Minnesota Statutes 103e.

Meeting adjourned

Respectfully submitted,

Planning and Zoning/Board of Adjustments

John Biren, Lyon County Planning & Zoning