

MINUTES-PLANNING COMMISSION/BOARD OF ADJUSTMENTS MEETING

Tuesday, March 12, 2024 7:00 P.M. COMMISSIONERS ROOM, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN.

MEMBERS PRESENT: DeBaere, Louwagie, Sleiter

OTHERS PRESENT: Biren, Wikelius, Graupmann, Tom Sterzinger, Gary Jorgensen

ABSENT: Meulebroeck, Olson, Crowley

Olson opened the meeting at 7:01 p.m.

All present recited the Pledge of Allegiance

Identify any conflicts of interest: None

AMEND/APPROVE AGENDA: Louwagie moved, seconded by DeBaere to approve the agenda as presented. All in favor, motion carried.

Tabled Election of 2024 Officers for Chairman and Vice Chairman until next meeting.

Minutes for the July 11, 2023 meeting reviewed. Louwagie moved, seconded by DeBaere to approve the minutes as presented. All in favor motion carries.

BOARD OF ADJUSTMENTS: None

PLANNING COMMISSION:

Biren - Reads Conditional Use Permit for Tom Sterzinger for Gravel Pit Conditional Use Permit.

A REQUEST HAS BEEN MADE to the Lyon County Planning and Zoning Administrator by Tom Sterzinger, Operator, on land owned by Gary Jorgensen, for a Conditional Use Permit request to process sand and gravel. The area representing the request is zoned agricultural. The land is described as follows:

The East Half (E 1/2) of the Southeast Quarter (SE 1/4) EXCEPT the East Half (E 1/2) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) all in Section Nineteen (19), Township One Hundred Eleven (111) North, Range Forty-three (43) West of the 5th P.M, Lyon County, Minnesota.

Biren explains project –The Gravel Pit is in Island Lake Township, Section 19, land surrounding Chris and Nicole Nibbe and the rest is owned by Gary Jorgensen. We noticed a ½ mile instead of a ¼ mile to capture 10 surrounding properties. Land is located north of County Road 4. The township road is gravel. Will be processing sand and gravel primarily for road authority use. Biren introduces Tom Sterzinger.

Sterzinger: Explains his business and explains that currently the property is pasture. We will strip back the top soil and place to side, excavate the material, crush to spec and then stock pile it. Utilize the township road to haul to private and townships.

Biren – Does anyone have any questions?

Sleiter – Any waterways that it would affect at all?

Biren – We have a condition with the 40 acres or less and we won't be requiring any environmental assessments worksheets. Nothing from the State. I have been out there quite a few times. Has been a gravel pit before. L&S operated prior. The property is in the middle of nowhere, without a lot of close neighboring properties. I did mail letters to the neighbors and township. The township supports the work that Tom does and they have no concerns. They did have some concerns about the township road condition. Plan is to meet with the Township Board at another gravel pit area to discuss repair to the road.

Sleiter – Anyone in the audience have questions or concerns?

Board goes through the findings of fact and agrees with the findings. Moves onto motions and makes changes to the conditions.

Louwagie moved, seconded by DeBaere to recommend to the Lyon County Board of Commissioners to grant a Conditional Use Permit to Tom Sterzinger, Operator, on land owned by Gary Jorgensen to process sand and gravel. The area representing the request is zoned agricultural and described as:

The East Half (E 1/2) of the Southeast Quarter (SE 1/4) EXCEPT the East Half (E 1/2) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) all in Section Nineteen (19), Township One Hundred Eleven (111) North, Range Forty-three (43) West of the 5th P.M, Lyon County, Minnesota.

Conditional Use Permit will be reviewed annually.

1. Conditional Use Permit is granted for 40 acres or the life of the operation whichever is less.
2. Top soil will be stockpiled and used for reclaiming and leveling.
3. Reclaiming and leveling of land is to be done as work progresses.
4. Grade site after extraction is completed so as to render it usable, seeding required avoiding erosion and an unsightly mar of the landscape.
5. Must maintain a backslope of 4:1 or flatter.
6. Responsible for maintenance and dust control on roads that trucks will be hauling on.
7. Must communicate with neighboring properties on plans when mining/reclamation is closer than 25' from property line. Property owners to maintain ownership of gravel on their respected properties.
8. Owner must notify Lyon County when work is complete.
9. Must obtain permits from appropriated agencies.
10. Adopt Findings of Fact as part of Motion.
11. 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.

VOTING FOR: DeBaere, Sleiter, Louwagie

OPPOSED: None

ABSTAINED: None

ABSENT: Meulebroeck, Olson

DATED: March 12, 2024

Motion to adjourn by DeBaere second by Louwagie. All in favor, motion carried.

Board of Adjustments/Planning Commission
Chair

John Biren, Lyon County P&Z Administrator