

Supervisor's Planning and Zoning Meeting
Minutes February 02, 2021

Silver Creek Township

On Tuesday February 02, 2021, the Silver Creek Planning and Zoning Committee met at the Silver Creek Town Hall located at 3827 134th Street NW, Monticello, Minnesota 55362, Wright County, and State of Minnesota. The meeting was tape recorded for transcribing purposes only. Vice Chair Heikkinen called the Supervisor meeting to order at 7:00 p.m. There were 15 people in the audience at the start of the meeting. All present stood and recited the pledge of allegiance to the Flag of the United States of America. Motion by Supervisor Ludenia to continue the Supervisor Meeting until after the P & Z Meeting. Second by Supervisor Ness. All present in favor. Motion Carried. P & Z Chair Richard Chwalek continued with the P & Z Meeting. Discussed that the meeting is now being recorded and can also join via Zoom.

Members Present:

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| Chris Klein | Richard Chwalek | |
| Dan Ness | Mike Ludenia | Mark Egge |
| Barry Heikkinen | Tom Vanek | Dan Mielke |

APPROVAL OF THE CONSENT AGENDA ITEMS:

Minutes of 11/05/2020. Motion to approve minutes by Supervisor Klein, second by Mark Egge. Motion carried.

CHAIR REPORTS: None

New Business:

Richard Pattay 11518 CR 7: Mr. Pattay was present to discuss the CUP for his private kennel that is used for dog sledding activities. He has 12 dogs at this time. We have never received any complaints. Motion by Supervisor Heikkinen approve the Pattay CUP for an additional 3 years, second by Supervisor Ness. Motion carried 8-0.

Ron Young 3637 148th St NW: Review of current CUP that allows a residence in a commercial area. Mr. Young was present. They have closed the model home but are still doing business. Motion by Supervisor Klein to approve the CUP and review in 3 years. Second by Supervisor Heikkinen. Motion carried 8-0.

Hoffman Construction 13667 Meridian Ave: I-94 contractor requesting to place excess dirt from the project to build a berm along the south and west property line. Tom Dobberthein, Project Manager was present; they want to build a berm along Hwy 75 on the Schmitz property because there is excess material coming from the I-94 project that is from the ditch cuts that is not needed. They will still be using the property on the other side of 1-94 to place excess material coming from the east side of the freeway. The new site will be used for the west side of the project. They propose to build a berm along the old railroad area between the high lines and the ag field and along the field property line. It will be seeded with grass mix and property owner may be planting trees. They contact property owners offering ideas on what to do with the excess dirt. There are also five sites in Clearwater Township where they will be putting dirt on other people's property. They will request access to cross Hwy 75 from the County. This will be clay material. They strip the top soil, bring in and shape the clay into the berm and put the top soil back on the berm. They have been working with Excel Energy, they have to stay 25' away from the power poles and Excel will also have to approve the plan.

Some residents present were concerned about water drainage, why this location was selected and not along Hwy 75 where the railroad bed was taken out a few years ago as it would help them with the increased highway noise they now hear. Why other property owners were not talked to about dirt being put on their property. Why they did not get more notice to consider the plan, would there be an environmental study. The concerned residents would like the matter tabled so the ramifications of this plan can be considered.

It was explained that when they find there will be excess dirt they find a location that the dirt could be placed, talk to the property owner and if they agree, they work with them to complete an agreement. The companies first step is to come to the Township, then they go to the County meeting, then continue to work with Excel and then all permits come through the DOT highway project.

A question from a resident via Zoom was why the Township did not consider what to do with the excess dirt when the project first came before the Board. It was discussed that the Board did not know there would be any excess dirt at that time. After further discussion motion made by Supervisor Klein to approve the CUP request with the language that if there is excess dirt or if there are other land owners that Hoffman Construction is willing to work with; that they can vary from the request and the berm can be place any place on PIDs 216-100-251200,2101 and 1100. Second by Supervisor Ludenia. Carried 6-2.

Kenneth Schwartz CR 75 PID 216-100-251200: Mr. Schwartz was present to discuss his request for a CUP to allow mining of material with processing to include crushing, screening and washing. He showed a map of the project to the P&Z committee. It is 18.8 acres and follows the irrigation curve. The whole area has gravel. There is a report that the County has showing where gravel is located. Scott Spears and Donna Pasternak were present to ask Supervisor Klein to recuse himself from this discussion because of his longstanding personal & employment relationship with the applicant. This would avoid any potential feeling that there might be prejudice. Supervisor Klein feels he does not need to recuse himself because he does not have any financial obligation or gains from this request. Mr. Spears asked again that he recuse himself. Supervisor Klein said he can be part of the discussion and he does not have any financial gains. Supervisor Klein said he can be part of this discussion and he can vote. Resident asked My Schwartz if there was a long term plan. He said he does not know yet how it will work out. He has drilled to 30 ft. and did 5 pilot holes, two in the proposed site. He has talked to the County asking their thoughts, opinions, problems and does this fit. He does not have a contractor that will work out of the pit. He does have a reclamation plan.

Residents' concerns were how it would affect air and water quality, the flow of the water drainage, excess noise, dust, that the pit would be extended in the future, how close it is to the neighboring property, property values and the health concerns caused by gravel pits. There is no noise or dust restriction on the sides of the property, and where the berms would be placed. A pit will create an eyesore in the area and it causes the loss of agricultural land, when an EAW would be needed to be done and if the CUP needs to be for the whole PID and not just the 18 acres.

Mr. Jones asked are there any laws or ordinances that would keep him from putting the pit there. Mr. Schwartz said he has talked to the County and would not plan this unless he thought it would fit. He does have to go through all the hoops, but the County said everything fits. An environmental study was not required by the County. Motion by Supervisor Heikkinen to continue to our next meeting, second by Supervisor Ness. Motion carried 5-3.

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Old Business:

CMRP: Supervisor Heikkinen up dated the CMRP, they want a one hour presentation and we would be the host. Dues have gone down to approximately \$5300. There will be a survey on line now for people to take.

Unfinished Business:

Misc.:

Upcoming Items:

ADJOURNMENT: A motion by Supervisor Klein to adjourn, second by Supervisor Ludenia. Motion carried. The meeting adjourned at 9:10 pm.

Respectfully Submitted,
Silver Creek Township Clerk,
Nancy Betzler
02/02/2021 Minutes
Approved by Board of Supervisor's
04/06/2021
