

Planning Commission Meeting Minutes January 21, 2020

The Empire Township Planning Commission meeting was called to order by Tom Kaldunski at 8:00 PM.

Present were: Tom Kaldunski, Jared Sachs, Bob Bjerke, Chris Williamson, Jane Kansier, Charles Seipel, and liaison Ed Gerten. Commission Member Trent Larson was absent.

The meeting was opened to Public Hearing #1, to consider a request to rezone approximately 95 acres of the McNamara mine property from agricultural preservation to mineral extraction; Public Hearing #2, to consider an IUP for McNamara Contracting to allow both the continuation and expansion of the current mineral extraction operation.

Ed Gerten read the public hearing notices.

Jane Kansier presented memos pertaining to the rezoning request and IUP renewal. The Planning Commission reviewed maps showing the current and proposed zoning classification as well as a phase map and elevation map of the proposed mining operation expansion. The purpose of the zoning request is to allow for expansion of mineral extraction operations into an area that is currently vacant ag land. The IUP renewal would allow the mineral extraction operations to take place in 6 phases over the next 30-40 years. The application requests hours of operation to be 4:00 am to 10:00 pm, Monday through Friday and 6:00 am to 9:00 pm on Saturday and the permission of 30 days of 24-hour operations to take place with a notice to the Township and no waiting period.

The possibility of eventually mining 164th Street and Chippendale Ave W was discussed.

The property owners at 16273 Chippendale Ave. West were present to discuss their concerns with the proposed project. They stated that since a berm was constructed to the south of their property by the mining operation, a new septic system had to be installed to handle water going onto their property and there is constant truck traffic and dust on the road adjacent to their property due to the mineral extraction activities. These issues are affecting their tenants. The property owners stated that they cannot sell the property due to issues with the current zoning classification of the property. The Planning Commission reported that this property is an unusual case due to it's size and location, and they do not want to set a precedence by making an exception for the property but want to work with the property owner to help address the concerns.

Tom Kaldunski made a motion to close public hearings #1 and #2. Jared Sachs seconded. Motion carried 4-0.

Tom Kaldunski made a motion to recommend approval of the rezoning request of approximately 95 acres of the McNamara mine property from Agricultural Preservation to Mineral Extraction. Jared Sachs seconded. Motion carried 4-0.

Jared Sachs made a motion to recommend that the IUP for McNamara Contracting continuation and expansion of the current mineral extraction operation be approved with the condition that hours of operation remain from 6:00 AM to 9:00 PM and a notice of at least 24 hours be provided to the Township and it's Planning Commission before a day consisting of a 24 hour operation takes place. Bob Bjerke seconded. Motion carried 4-0.

Mike McNamara stated that he was hoping to limit the number of days of 24-hour operations to 30 days in part because of the request to extend the hours of operation.

The Planning Commission discussed some possible language that might be included in a zoning ordinance amendment to permit a business to be operated at 16275 Chippendale Ave. The Planning Commission should notify the property owners when a potential zoning ordinance amendment is ready to be discussed.

The Planning Commission reviewed a letter from the property owners at 21000 Blaine Ave regarding their sign that was placed in the. The sign has been removed and will be reinstalled according to the zoning ordinance.

Charlie will be gone for the February 4th meeting. There will be a public hearing on an IUP for the Ames site on February 4th.

It was reported that the site cleanup and landscaping at the Feely solar projects should be monitored. There is still a lot of cleanup work to do on the western site this spring.

Meeting adjourned at 9:45 PM.