

New Haven Township

OLMSTED COUNTY, MINNESOTA — EST. 1858

PHONE: 507.356.8330 EMAIL: NHTOWNSHIP@BEVCOMM.NET

9024 COUNTY ROAD 3 NW, ORONOCO, MN 55960

Special Town Board Meeting Minutes August 4, 2020

1. Call to Order: The Pledge of Allegiance was recited and a special meeting of the New Haven Town Board was called to order at about 6:37 PM by Chair Mary Andrist. Quorum requirements were met with Supervisor Denny Beyer and Supervisor Brian Hervey also present. Also in attendance were Planning and Zoning Administrator Ann Fahy-Gust and Clerk Dale Thomforde.

2. Meeting Agenda: The purpose of the meeting is to consider a zoning change from A2 to ARC and a Conditional Use Permit (CUP) for Properties of D&D LLC (Dennis and Dana Haakenson), 5937 15th St NW, Rochester, MN 55901, including parts of parcels 85.02.22.082703, 85.02.23.082705, 85.03.11.082707, 85.03.14.038430. Since this is a special town board meeting, no additions or changes to the agenda are permitted.

3. Review of the Request for a Zoning Change A2 to ARC and CUP:

Chair Andrist opened the public hearing and asked Ann Fahy-Gust to read the legal notice.

Planning & Zoning Administrator Ann Fahy-Gust read the *Notice of Public Hearing* that was included in the meeting handout packet (copy attached), published in the Rochester Post Bulletin legal notices on July 25, 2020, and mailed on a postcard to all recorded land owners within 1320 feet (¼ mile) of the subject properties.

Andrist asked if anyone would like to speak in favor.

Tony Tomashek, representing Mathy Construction Co. (920 10th Ave N, Onalaska, WI 54650 NW), presented the two handouts distributed at the meeting, summarizing the history of the project, and plans. They are considering purchasing the properties. The project is planned to provide sand for Rochester Sand and Gravel and Leitzen Concrete. They would disturb 30-35 acres to extract sand from about 27 acres. They have met with most of the neighbors. They have had discussions with the City of Pine Island about the road. They are forecasting extraction of about 50,000 ton of sand a year, or about 2,100 truckloads over the 6-7 summer months, and shutting down for the winter months. They are looking at a 20-25 year project length. The reclamation includes a lake and agricultural land.

Linda Haakenson (712 Co Rd 13 SW, Pine Island) said her family is happy that Mathy Construction has come with the plan that they have for the property. They were happy with the reclamation of the site after the State project to extract sand.

Andrist asked three more times if anyone else would like to speak in favor.

Mark Leitzen (1745 18th Ave NW, Rochester, MN 55901) spoke for Leitzen Concrete Products, said they agree with what Mr. Tomashek said and would be happy to answer any questions.

Andrist asked three more times if anyone else would like to speak in favor. No one responded.

Andrist asked three times if anyone would like to speak against. No one responded.

Andrist asked if anyone had anything else to say.

Elmer Stock (1863 Riverview Rd SE, Pine Island) said his main concern is to have a hard surface on the road. He said the dust is terrible and something needs to be done. With crushed rock and water, a couple of days later it is dust again.

Larry Kautz (2811 Riverview Ct SE, Pine Island) said he agreed with Mr. Stock on the road. It is a City road, but he would like to see the Township and City work together to find a solution. With his trucking business, it is hard to clean up the trucks, and it is currently so rough, you can hardly drive on it. This is an opportunity to get it taken care of now when the project is going on.

Andrist asked if anyone else would like to speak. No one responded.

Andrist asked the Planning & Zoning Administrator to give a recommendation. Fahy-Gust said the Planning Advisory Commission (PAC) looked at many things about the project. The main thing is the road that is in the Township but owned and maintained by the City. Olmsted County’s main concern is that there is a road agreement between the project and the City of Pine Island that will meet the criteria of the neighbors. The County thought it was an appropriate location to rezone from A2 to ARC. The PAC recommended approval with the 9 conditions presented in her summary report (copy attached). The other recommendation was the road agreement is in place before final approval

Hervey moved to close the public hearing, seconded by Beyer. The motion carried 3-0.

Beyer asked the total length of the road. It is 1.3 miles. Todd Robertson said the City of Pine Island is working on an agreement. They are looking for dust control and an agreement on maintaining the 3500 feet the pit would be using. There are no plans to blacktop at this time. The City does not have the budget to blacktop the section to the pit, which be about \$270,000, or the whole road which would be about \$700,000. Fahy-Gust said the land will be reclaimed to A2, which can include a lake. Hervey moved to tentatively approve the zoning change and CUP with final approval pending a road agreement between the City of Pine Island and the owners/operators that protects the Township residents along the road, seconded by Beyer. The motion carried 3-0.

4. Adjournment: Chair Andrist adjourned the meeting at about 6:59 PM.

Approved by the Board,
Date:

Attest,
Date:

[Signed copy on file]

[Signed copy on file]

Mary Andrist – Chair
For the New Haven Town Board

Dale J. Thomforde
New Haven Township Clerk

New Haven Township

9024 County Road 3 NW
Oronoco, MN. 55960
(507-356-8330)

To: New Haven Town Board
From: Planning and Zoning Administrator
Re: Conditional Use Permit Sections 2&3

Applicant/Owner: Dennis and Dana Haawkinson Parcel Numbers 85.02.22.082703,
85.02.23.082705, 85.03.14.038430, 85.03.11.082707 Zoning A2

Request:

A Rezoning and Conditional Use Permit allowing a sand pit to be developed over approximately 100 acres. The pit operations would consume approximately 27 acres and the operations would encompass approximately 32.5 acres. Governance is from New Haven Township Ordinance Book Section 4.02, 5.02 and 4.0 .

Public Hearing:

The New Haven Town Board will hold a public hearing at the New Haven Town Hall 9024 Co Rd 3 NW, Oronoco, MN Tuesday, August 4, 2020 sometime after 6:30 pm.

Attachments:

Application
Notification sent to surrounding neighbors
Public Hearing Notice
Submission from Mathy Construction for both Rezoning and Conditional Use Permit

Zoning Analysis:

The Planning Advisory Commission met and discussed the plan with Mathy and Leitzen and Pine Island Public Works. The notes from that meeting are included.
The Planning and Zoning Administrator contacted Olmsted County regarding this development and their comments were focused on the road agreement that will need to be in place with Pine Island before this rezoning and conditional use permit should be executed. They did not see an issue with the rezoning to ARC for the purposes of operating a dredging sand pit. They would not be in favor of a pit that required blasting of any type.

Zoning recommendation:

Provided the road agreement can be established with the City of Pine Island the Zoning Administrator would recommend approval.

The following conditions should be considered for this request:

1. Operation times be limited to dawn to dusk as with other pit operations
2. Because this operation is intended to extend approximately 25 years, an annual report be submitted or presented to the Board at each August meeting.
3. That appropriate certificates of liability, workers compensation insurance be available should the Board wish to review.
4. The property be gated and locked when not operational.
5. Signs be posted that no entry is allowed.
6. That there be fencing and berms appropriately placed to prevent unauthorized entry
7. Because the operations are intended to extend approximately 25 years that a reclamation plan be in place and on file in the Planning and Zoning office.
8. That any complaints received by the Township be dealt with promptly and that the Town Board receive a note covering how the complaint was resolved
9. That all appropriate DNR, EPA and MPCA regulations and permits are procured and are on file with the Planning Administrator.

Respectfully submitted

Ann Fahy-Gust
New Haven Planning and Zoning

PAC Meeting minutes

June 22, 2020

Present: Chris Hawkins, Jake Wolfe, Leon Plantz (phone), Lori Starkson

Absent: Mary Blair Hoeft with permission

Guests: Todd Robertson, Craig Britton – Pine Island

Andrew Peters, Tony Tomasahek – Mathy Construction

Mark Leitzen – Leitzen Sand and Gravel

Chris Hawkins called the meeting to order at 630pm, did introductions and had Ann Fahy-Gust explain the purpose of the meeting which was to discuss a requested zoning change from A2 to ARC and a Conditional Use Permit on the land currently owned by Dennis and Dana Haakenson. The owners of the property were not present.

Mathy Construction and Leitzen Sand and Gravel are proposing a joint venture to re-open a sand pit that was used during the Highway 52 construction and currently is farmed. They have approached the Haakenson's and if the approval of the rezoning and CUP were to occur, they would purchase the land from the Haakenson's and open a sand mining pit.

Tony from Mathy gave a presentation indicating that the purchase of 100 acres would involve 27 acres for the mining and another 36.5 acres for operations. Production would be for concrete sand and asphalt sand. There would be sand dredging and washing, no blasting. Milestone would be the operating partners.

They estimate a 25 year project with sporadic use. Construction and preparation would take approximately 9 months.

Pine Island currently has jurisdiction over the road that would be used – Riverview Road SE and is in negotiations to develop a road agreement for usage by this new venture. Their request is that a signed agreement with Pine Island be part of the conditions for a conditional use and rezoning approval.

The Commission was concerned about the CER rating of the land which currently averages about 60. Dust concerns along the road and as a result of operations was raised and Mathy will do dust control on the road and the operation itself isn't dusty because it is a dredging operation.

The request for hours of operation was discussed and Ann stated that the normal hours for all pits in New Haven is dusk to dawn. Mathy indicated they could work within that provided there could be some consideration for Saturday hours as well.

Jake Wolfe recommended the request for rezoning be moved forward to a public hearing before the New Haven Town Board. Seconded by Lori Starkson. Since Leon Plantz was on the phone, a roll call was conducted

Wolfe – Aye, Starkson – Aye, Plantz – Aye, Hawkins – Aye

Leon Plantz recommended that the consideration for a CUP be brought before the New Haven Town Board for a public hearing, Seconded by Jake Wolfe. Since Plantz was on the phone a roll call was conducted

Wolfe – Aye, Starkson – Aye, Plantz – Aye, Hawkins – Aye

Meeting adjourned 745pm

PUBLIC HEARING NOTICE

Notice is hereby given that the New Haven Town Board will hold a public meeting sometime after 6:30 pm on Tuesday August 4, 2020, at the New Haven Town Hall located at 9024 County Road 3 NW, Oronoco, MN 55960 to consider the following:

Rezoning parts of Parcels# 85.02.22.082703, 85.02.23.082705, 85.03.14.038430, 85.03.11.082707 for an approximate total of 100 acres; from A2 to ARC for the purposes of reopening a sand pit for the extraction of sand. This will require a Conditional Use permit as well and both topics will be discussed at this hearing. This request is from the Properties of D&D LLC; Dennis and Dana Haakenson.

All interested parties are invited to attend or submit written comments on this matter to:

Planning and Zoning Administrator

9024 Co Rd 3 NW

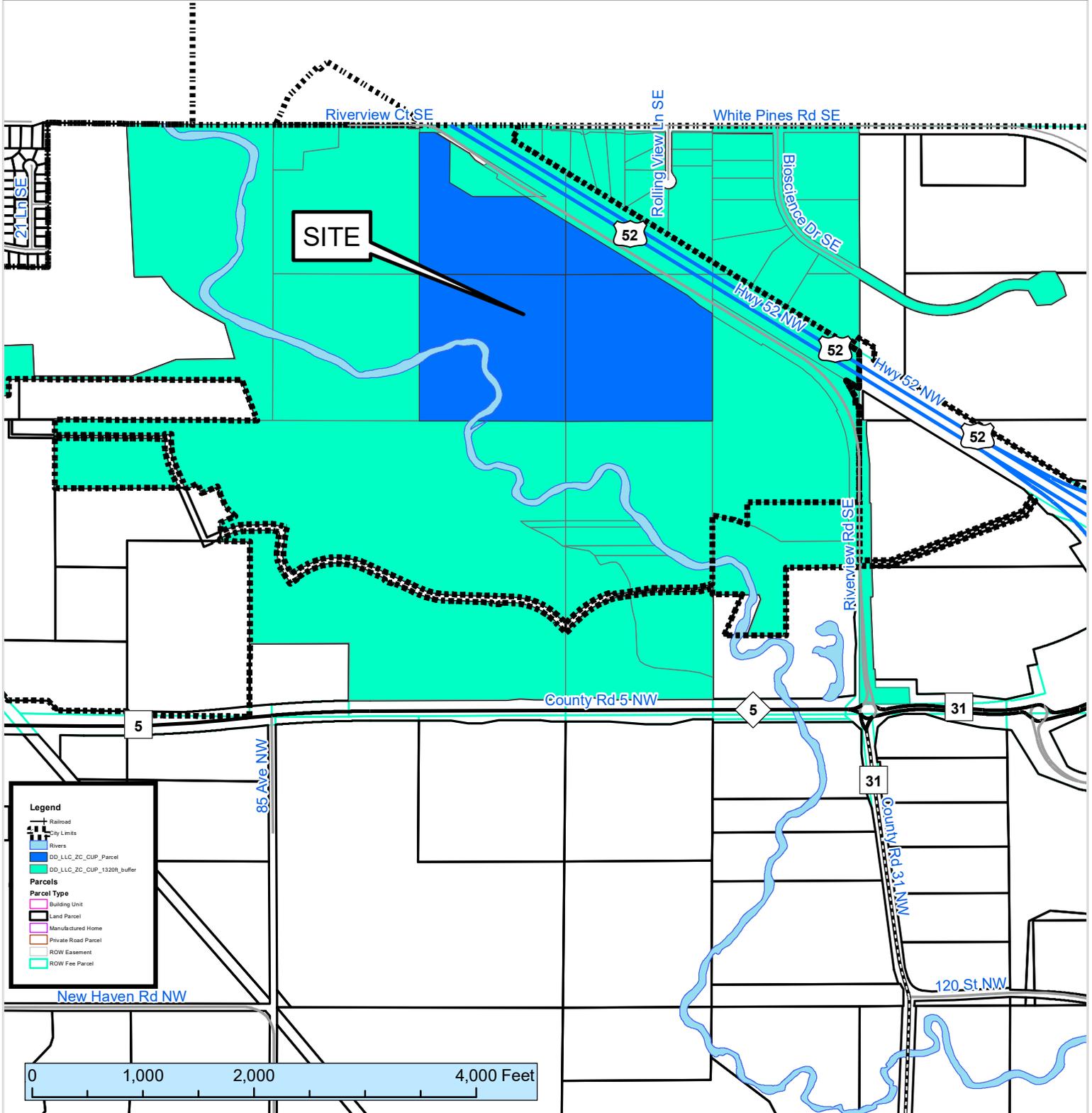
Oronoco MN 55960

Email: nhtownship@bevcomm.net

Dated this 20th day of July by order of the New Haven Town Board

1320 ft. Notification Area of

Rezoning parts of Parcels 85.02.22.082703, 85.02.23.082705, 85.03.14.038430, 85.03.11.082707 for an approximate total of 100 acres; from A2 to ARC for the purposes of reopening a sand pit for the extraction of sand. This will require a Conditional Use permit as well and both topics will be discussed at this hearing. This request is from the Properties of D&D LLC; Dennis and Dana Haakenson.



This map prepared by the GIS Division, Olmsted County Planning Department. Olmsted County is not responsible for omissions or errors contained herein. If discrepancies are found within this map, please notify the GIS Division, Olmsted County Planning Department, 2122 Campus Drive SE Rochester MN 55904 (507) 328-7100.

Map Date: 07/24/2020

