

EAST BETHEL PLANNING COMMISSION MEETING

February 10th, 2015

The East Bethel Planning Commission met on February 10, 2015 at 6:30 P.M. for a Special meeting at City Hall.

MEMBERS PRESENT: Randy Plaisance Glenn Terry* Sherry Allenspach Eldon Holmes
* Commission Chairperson

MEMBERS ABSENT: Lou Cornicelli - Excused Lorraine Bonin – Excused
Tanner Balfany - Excused

ALSO PRESENT: Colleen Winter, Community Development Director
Ron Koller, City Council Member

1.0 Call to Order Mr. Terry called the Special meeting of the East Bethel Planning Commission to order at 6:30 PM.

2.0 Adopt Agenda **Mr. Terry motioned to adopt the agenda. Mr. Holmes seconded the motion. All members were in favor; motion carried.**

**3.0 Public Hearing/
Interim Use Permit,
Mining** **Request by applicant, Classic Construction, Inc. to obtain an Interim Use Permit to perform Major Mining at 1965 Briarwood Lane NE, East Bethel, MN 55011, PIN 333323220005. The Zoning Classification is Single Family Residential (R1) District.**

City of East Bethel Code Reference:
Article V Extractions; Appendix A, Zoning Ordinance, Section 43

Mr. Martin Johnson contacted Classic Construction, Inc. requesting that they create a wildlife pond on his property. The area proposed for the excavation had been a sod farm and is approximately 2 acres in size. The excavation would take place over a period of 12 months and would be started this winter subject to approval of the IUP. The pond will be dug out and a 10:1 slope will be maintained. The seeding will be a Minnesota State Seed Mix 34-262 Wet Prairie. The current driveway will be used to haul the material out. Classic Construction will be the only company hauling the fill and their route will be from Briarwood Ln NE continuing on Highway 65 service road to 187th Lane NE where they will head west and bring fill to a vacant lot owned by Classic Construction in the Classic Commercial Park. Erosion control both at the excavation site and stockpile site will be mandated and is included in their plan. The applicant has completed their Joint application form for Activities affecting water resources in Minnesota and has received a Notice of Decision from the City and from the Army Corps of Engineers. So they are permitted through that process. The City Engineer has also reviewed the project and offered comments and the applicant has responded to those comments.

Ms. Winter reviewed the conditions for approval of the IUP (see below).

Mr. Terry opened the Public Hearing at 6:37 PM. He invited any members of the public who wished to speak to do so. None of the attendees had comments to share. The Public Hearing was closed at 6:38.

The property owner was available to answer questions of Commission members. Mr. Terry asked about the hours for construction on Saturdays. Ms. Winter explained that Mr. Johnson anticipated only one or two times that construction might be needed on the

weekend. The suggestion was made that Mr. Johnson could work with the City Staff when he needed to operate on a Saturday and approval would be made based on the situation. Mr. Johnson agreed to this condition.

Mr. Holmes asked how deep Mr. Johnson anticipated the pond would be. His question related to how long silt might be a problem in a shallow pond. Ms. Winter stated the pond should be 4-6 ft. deep in accordance with the decision per the mining permit. The pond is to be initiated with this permit and IUP but may be phased to include all two acres based on how well it does. The pond will be seeded with “Wet Prairie” mix which is appropriate for growth with this type of pond.

Mr. Terry made a motion to recommend approval of the IUP to Classic Commercial, Inc. and Martin Johnson to permit the excavation of materials and create a wildlife pond under Section V – Excavation, East Bethel City Code of Ordinances. Subject to the following conditions:

1. All permits from jurisdictions under the Joint Application Form are required before any work can begin.
2. All comments of the City Engineer shall be addressed.
3. Property Owner and applicant shall meet City, State, and Federal regulations for the protection of air quality, erosion control, dust control, and noise.
4. Hours of operation shall be 7 am to 7 pm Monday through Friday, and Saturday with consent of City Staff only.
5. Truck Hauling signs shall be posted on the site.
6. NPDES permit is required.
7. A revised grading plan shall be provided.
8. Erosion control shall be required at the stockpile site.
9. Stockpile site is allowed on Outlot A, Classic Commercial Park 3rd Addition. For a period of one year.
10. Property Owner or Applicant shall provide a Letter of Credit or an escrow in an amount determined by the City Engineer.
11. Enter into a Mining Performance Agreement with the City of East Bethel.

Ms. Allenspach seconded the motion; all in favor. Motion carried.

Mr. Terry stated the recommendation will be on the agenda for the next City Council meeting.

11.0 Adjournment

Mr. Plaisance moved to adjourn the meeting. Mr. Holmes seconded; all in favor, motion carried and the meeting was adjourned at 6:43 PM.

Submitted by:
Susan Lori Irons
Recording Secretary

Attachments:

- Attachment #1 – Joint application**
- Attachment #2 – IUP application**
- Attachment #3 – Aerial photo**
- Attachment #4 – Elevation map**
- Attachment #5 – Memo from Hakanson Anderson**
- Attachment #6 – Memo from Classic**
- Attachment #7 – Wetland Notice of decision**

Attachment #8 – Army Corps letter