Planning Commission Minutes

APPROVED

May 3, 2021

I. Call to Order

II. **Pledge of Allegiance** – All present participated in the flag pledge.

III. **Roll Call** – City clerk Teich conducted the roll call. Commission members Rossini, Seidow, Williams, Olson, Peterson present. A quorum was present.

IV. Consent Agenda

Commission member Seidow motioned to approve the planning commission minutes of 4.5.21. Commission member Williams seconded, all voting aye, motion carried.

V. Public Comment

a. There was no public comment.

VI. Public Hearing

a. <u>Text Amendment to Chapters 154 and 155 of the Harris City Code, Zoning Regulations.</u>

1. Clerk Teich reviewed the language changes needed to allow for Interim Uses in certain zones within the city of Harris. Understanding that it was not the intent of the city of Harris to exclude or not support mining in the city of Harris, it appears that the omission of language allowing mineral extraction in certain zones was simply an oversight during the revisions of the Harris city code over the years. Realizing the city continues to entertain mineral extraction and business involved with mineral extraction, in the interim use process, city attorney recommended the code of ordinances be revised to accommodate these activities as a permitted Interim Use. With focus on Rural Residential 2, and B General Business zones. The city attorney provided guidance on the ordinance language revisions. City Attorney Allegro advises against spot zoning, meaning only allowing an activity in a portion of the district under consideration. The ordinance revision applies to the entire district under consideration, city leaders must consider each Interim Use Permit on its' own as they come forward. Chair Rossini inquired whether anyone present wanted to speak for or against the proposed code changes. One person questioned where zone R2 was located. City map was consulted, noting R2 is a large part of the city of Harris. No further comments.

b. <u>Gustafson Excavating Interim Use Permit</u>

1. Kevin Gustafson appeared to discuss the IUP request. Mr. Gustafson identified a need for a sand source in the communities of east central Minnesota as infrastructure develops. Mr. Gustafson purchased a piece of property from Gary Fields. No plan to do gravel crushing or install an asphalt plant. The plan is strictly for sand extraction. Not a plan for many trucks each day, may be hit and miss, with some activity some weeks and none other weeks. Plan is to access the southwest corner of the property and use 420th to highway 61. Will not exit on the northeast area of the property, so as not to affect residents on Harder ave. Mr. Gustafson says he expects to blade the road and provide periodic maintenance when they use the road, which would not include paving the road under the terms of this permit. Many businesses use this road. Maintain road in this case means blade and put a little gravel on the road, resultant of heavy use of Gustafson trucks. Chair Rossini asked about air quality. Gustafson does not believe there will be an issue, because they are loading with excavators, and they are not processing on site. Chair Rossini asked if the operation is noisy, and if the area would become an eyesore. Mr. Gustafson stated that a berm, seeding and trees would be established, with one entrance to the pit from 420th. Hours of operation would be 7 a.m. to 7 p.m., no weekends. Grading when done, may be at beginning or end of day. Applicant is covered by MSHA, has secured a reclamation bond in the amount of $24,000, and desires a 10-year permit. (Same as Knife River.) Chair Rossini inquired whether anyone else present wanted to speak about the Gustafson Interim Use Permit request. Speaking in support of the Gustafson Excavating Interim User permit were Kevin Mann, KLM farms, Chris Fields of Ed Fields and sons says if someone wants to come in and provide some maintenance 420th that is good. Planning commission received one written submission from a party living on Harder, directly across from the proposed IUP site, expressing concern about dust resultant of Mining activities. Clerk accepted that input via phone call from resident, and handed out memo to Commission members and IUP applicant Gustafson. No other remarks were received.

c. <u>Schafer Contracting, Inc. Interim Use Permit</u>

1. Troy Vrieze, Schafer Contracting, Inc. appeared on behalf of the applicant. Schafer is working with Chisago County on road construction project. Interim Use Permit focuses on temporary plant set up for two to three weeks to produce the concrete for the County State Aide 30 project. All materials will be brought onto site. When project is

complete the plant will be taken down. Commission member Peterson requested signage be placed on Stark Road to advise public that trucks are coming in and out of the site. Chair Rossini asked about air quality. Applicant states they have multi sector permission by the MPCA, dust control measures in place. No night operations, but desire to start equipment approx. 5:30 a.m. with production approximately 6:45 a.m. Note an existing well on the property, that will be reviewed by a well drilling entity out of Forest Lake. There were no public remarks about the Shafer Contracting IUP.

2. Commissioner Olson motioned to close the public hearing, Commissioner Williams seconded, all voting aye, motion carried.

VII. <u>Regular Agenda</u>

a. Text Amendment to Chapters 154 and 155 of the Harris City Code Zoning Regulations.
    1. General discussion included, should revisions to code encompass other areas? Noting that as Harris works with the recently completed Economic Development plans, there may be additional ordinance changes needed to support development in Harris. Commission member Olson motioned to approve and move the proposed ordinance amendments adding mining to Rural Residential – 2 and B General Business, to city council, Commission member Peterson seconded, all voting aye, motion carried.
b. Text Amendment to the definition of Mineral Extraction of the Harris City code.
    1. Clerk Teich explained the revision to the definition of Mineral Extraction. Commission member Seidow motioned to approve the revision to the definition of Mineral Extraction, in Harris code of ordinances and move to city council for approval. Commission member Peterson seconded, all voting aye, motion carried.
c. Interim Use Permit Request, Gustafson Excavating
    1. Commission identified the following conditions for the IUP: 1. Berm construction with trees and grass seed eastern and southern border of the IUP property; ten-year approval; trucks will predominantly use 420th for ingress / egress, 7 a.m. to 7 p.m. hours of operation, maintain 420th with gravel as needed only on the gravel portion of road, may keep small crusher on site in the event rock is discovered, no weekend operations, staff to park on site not on road. Clerk directed to review previous IUP's for other standard language.
d. Interim User Permit Request, Schafer Contracting, Inc.
    1. Commission identified the following conditions for the IUP: 1. Traffic signage to advise public trucks are hauling. 2. Hours of operation 5:30

a.m. to 9 p.m. Production hours 7 a.m. to 7 p.m. (Early machines warm up prior to production.) 3. Staff to not park on Stark road. 4. Months of operation June through October 5. Schafer shall abide by the Minnesota Pollution Control Agency (MPCA) regulations for the operation. 6. Property will be left in the same condition or better than original condition. Councilmember Olson moved to approve and move the Interim Use Permit for Shafer Contracting to city council, Councilmember Williams seconded, all voting Aye, motion carried.

e. Trytten request for subdivision
    1. Craig and Vicky Trytten appeared to present a proposal for a subdivision. Identifying a 20-acre parcel on their farm, dividing to four lots, with an intent to sell each lot on the open real estate market. The Tryttens shared a map of the subject parcel. The appearance was a first step of the subdividing process. The proposal does not create any land locked parcels, and each proposed parcel has road access. Commission advised a survey of the property must be completed, and other city ordinances pertaining to development and subdivision must be followed. The city engineer will review the survey and provide management of the proposal, including check against city ordinance. Informational for Planning Commission, no action needed.

f. City of Harris Economic Development Studies
    1. The Commission received Executive Summaries from MSA, to accompany the Economic Development Studies completed under special grant funds. Once approved, the summaries may be shared with the city via the city website. Some discussion about lot sizes, and the combination of business and housing as suggested as a possible model in Harris. The Commission is interested in hearing proposals from persons exploring different types of housing and business models, the city wants to work with entities and persons identifying Harris as a next venture. Identified three areas of focus relating to the Economic Development studies. 1. Should a developer be invited to come share information with the commission as to business and housing trends? 2. Should the city consider purchasing properties for future development and pursue rezoning at the city level? 3. What types of ordinance revisions are recommended to support the growth of Harris in housing and business? Commission directed the summaries be on next month's Planning Commission agenda. What is city appetite for property purchase? Discussion only, no action required or taken.

g. Old Business
    1. Signage Policy

1. A signage program could have cold storage needs, which the city may already have available, and a budget. Commission discussed that a signage program helps reduce the city liability in matters related to traffic issues. A figure of $3,000.00 to start a signage program was discussed. Commissioner Peterson to date has completed inventory of city of Harris signs, has drafted a sample policy guideline using Chippewa county example. Next steps will include an inquiry as to what the city of Harris budget contains for city signage, and how do other municipalities maintain sign inventory records?
2. Priorities of signage program, include continued movement for policy development and completion. Next steps will include drafting signage policy that later becomes a piece of a "Road Maintenance policy." Public Works road policy can be a large policy.
3. Commissioner Peterson hopes to attend the next city council meeting to report on and discuss with city council the progress to date on the city signage program.

VIII. Commissioner reports

a. There were no Commissioner reports.

IX. Adjourn

a. Commissioner Seidow motioned to adjourn, Commissioner Williams seconded, all voting Aye, motion carried. Meeting adjourned at 9:23 p.m.

John Rossini, Chair _____

Nancy Teich, City Clerk_____

Date approved_6-7-21_____