

**CASTLE ROCK TOWNSHIP
PLANNING COMMISSION PUBLIC HEARING
AUGUST 25, 2004
7:30 P.M.**

The Planning Commission of Castle Rock Township held a public hearing on Wednesday, August 25, 2004, at 7:30 p.m. at the Castle Rock Town Hall, for the purpose of reviewing the request of Country Joe Homes, Joe Miller, 18133 Cedar Avenue, Farmington, MN 55024 for an interim use permit to operate a small scale sand and gravel mining operation at 240th Street – legal description: the South half of Section 10, Township 113 North, Range 19 West, Dakota County, Minnesota, except the west 60 acres thereof and also except a tract of land described as: Beginning at a point on the east line of said South half, 91 rods north of the southeast corner, thence south 91 rods, thence West 171 rods, thence North 61 rods, thence East 11 rods, and thence in a Northeasterly direction to the point of beginning, subject to an existing easement for transmission line purposes.

Present were Jim Heiman Chair, Dave Nicolai Vice Chair, Dave Kammuelier, and Bob Dubbels and Dave Kammuelier Planning Commission members, and Maralee Rother Secretary. Also present were Orren Lucht, Margarete Lucht, Krista Dubbels, Russ Zellmer, Mike Rademacher, Dave Dubbels, Tony Ferrozo, Susan Ferrozo, Paul Irrthum, Mark Wagenknecht, Larry and Jean Oldenburg, Don and Lori Jacobson, Shirley Dubbels, Nancy Nielsen, Richard Dubbels, Patrick Tinsley, Arlyn Lamb, Brenda and Craig Zierden, Joe Rother, Raymond Harstad, Mark Henry, Lisa Duoos, Collin Garvey, and Randy Becker, Jim Yarrish, and Chuck Rechtizel.

Jim Heiman Chair called the meeting to order at 7:30 p.m.

Kristen Pauley, engineer for Sunde Engineering, gave a presentation of the mining extraction procedure proposed at the site. Mr. Miller will be exclusive user of site – the material will be used only at Joe Miller's sites. There will be no processing, or no crusher or screeners. It will be located within an area of 181 acres which is zoned agricultural, and there are some residences nearby and across the road. There will be 39 acres in this facility and no mining within the floodplains. Hours of operation will be 7:00 a.m. to 6:00 p.m. on Monday thru Friday, and 7:00 a.m. to 12:00 noon on Saturdays.

There will be an average of 4 vehicles daily, and a peak of 20. The vehicles will be owner operated. Dust control will be taken care of by watering the roads. The only noise will be the loader and vehicles which are being loaded.

There will be no vibrations because there will be no blasting. Also, there will be no unauthorized storage. The phases will go from west to east. There will be no explosions and no fuel storage. There will be no mining into the water table. The route would be 240th Street West to Highway 3 north or south. 240th Street east of Alverno is of a width less than a normal road. A seven-axle end dump truck would be used for hauling. The

will be no in-use plant because there will not be any washing or crushing. There will be four separate phases of approximately ten acres each.

Residents concerns, comments and views are:

- The amount of additional traffic of trucks –
- The nine ton road issue –
- Is this procedure a permitted use?
- Neighbors small children and allergies –
- The need to compromise if necessary –
- Mention of grandfathered sites operated in the past –
- A presentation of a letter of a concerned resident regarding the mineral extraction permit –
- Question of topography and map of wetlands –
- Question of Planning Commission Member Dave Nicolai having a conflict of interest –
- Discussion of maintenance of 240th Street east of Alverno which was less than \$300.00 last year –
- The secretary was asked to read mining #99-1, page 6, Section 6.6.01, A – J permitted procedure –

David Nicolai made a motion and Dave Kammuegger seconded that this public hearing be continued giving the Commission time to research the issue of a nine ton road, speed limits, what could be done to make a nine ton road or to widen the road, the probability of a petition of an EAW, and to review the Environmental Review process. Motion carried 5 ayes.

The secretary was asked to read 6.10 ME A on page 35 of the Castle Rock Zoning Ordinance.

Bob Dubbels made a motion and Jim Heiman seconded that the Section Purpose of Mineral Extraction Ordinance #99-1, A thru E, be identified and studied and be presented at the reconvened meeting. Motion carried 4 ayes. David Nicolai abstained.

Dave Nicolai made a motion and Dave Kammuegger seconded to recess this hearing and reconvene on September 8, 2004 at 7:30 p.m. at the Town Hall. Motion carried 5 ayes.

Meeting recessed at 9:30 p.m.

Respectfully submitted,

Maralee Rother Secretary

