

**CITY OF HANOVER  
PLANNING COMMISSION MEETING  
NOVEMBER 26, 2018  
OFFICIAL MINUTES**

**Call to Order/Pledge of Allegiance**

Stan Kolasa called the November 26, 2018, Planning Commission Meeting to order at 7:00 pm. Members present were Stan Kolasa, Jim Schendel, Dean Kuitunen and Mike Christenson. Also present City Planner Cindy Nash, Council Liaison Doug Hammerseng and Administrative Assistant Amy Biren. Absent: Michelle Armstrong. Several guests were present.

**Approval of Agenda**

**MOTION** by Schendel to approve the agenda, seconded by Christenson.

**Motion carried unanimously.**

**Approval of Minutes from the October 22, 2018 Regular Meeting**

**MOTION** by Schendel to approve the October 22, 2018, minutes, seconded by Kuitunen.

**Motion carried unanimously.**

**Citizen's Forum**

None

**Public Hearing**

**Amendments to the Zoning Ordinance Related to Home Occupations**

Kolasa closed the Planning Commission meeting at 7:01 pm and opened the Public Hearing for the Amendments to the Zoning Ordinance Related to Home Occupations review and to receive public comment.

Nash reviewed what the Planning Commission members had discussed at previous meetings and quickly went through the red-lined version. She pointed out the clarification of a commercial vehicle and that regular delivery trucks such as UPS and FedEx would not be considered commercial vehicles. The new section related to a home occupation being allowed under an IUP (interim use permit) was reviewed and changes pointed out that included requiring the property to be two acres or more and that two vehicles would be allowed. Outdoor storage would not be allowed.

Nash said that the Commission has three choices: first, to recommend the amendments as written and presented; second, to recommend with additional changes; or lastly, to recommend no changes and leave the ordinance as it is currently.

She reminded the Commission that the property owner that generated this amendment would still need to go through the IUP process and that approval of the amendment by Council would not guarantee issuing the IUP to them.

Hammerseng asked what the discussion was regarding the decrease of acreage down to two acres. Nash replied that when preparing the information for the amendment and looking at maps generated by staff, it was determined that the property in question was under the 2.5 acre requirement that was first proposed. Hammerseng responded that the amendment would affect the entire city, not just this property. He asked how many additional properties would fall under this lower acreage. Biren responded that it was under a

dozen with most falling along CSAH 19 heading south toward Corcoran and a few along Beebe Lake Road, also known as Wright County Highway 34.

Hammerseng asked if a property not meeting the acreage requirement could apply for an IUP and still qualify. Nash replied no, the property would have to meet the acreage requirement.

Commission members agreed that the drafted amendment included everything discussed previously.

No one from the public commented.

Kolasa closed the public hearing and re-opened the Planning Commission meeting at 7:08 pm.

**MOTION** by Kuitunen to send the drafted amendment of the Zoning Ordinance Related to Home Occupations forward to Council for approval, seconded by Schendel.

**Motion carried unanimously.**

**Amendment to an Interim Use Permit Extending the End Date for the Mining Operation known as the Mahler Pit**

Kolasa closed the Planning Commission meeting at 7:10 pm and opened the public hearing.

Nash explained that the IUP for the Mahler Pit is set to expire on December 31, 2018. Fehn Companies which operates the mine is asking for an extension to August 31, 2019, in order to decide if they would like to continue the mining operation or to stop mining and reclaim the site. Since the mining ordinance had been revised and updated earlier this year, it seemed logical for the IUP to be brought up to current standards. To do so, Fehn would need to have site plans prepared along with the other requirements outlined in the current ordinance which would include future reclamation of the site. Staff recommends extending the IUP until the end of August.

Nash read correspondence received at City Hall related to the extension of the IUP:

Darlene Dehmer, 12013 17<sup>th</sup> St NE, St. Michael: I am against giving out another permit unless the haul roads are kept wet to keep dust down and the hours are kept to 7 am to 5 pm daily.

Leslie Brown, 8109 29<sup>th</sup> Ave N, New Hope: She owns property at 11355 16<sup>th</sup> St NE, St. Michael, where her daughter and granddaughters live. She explained that when the townhome was purchased in 2006, they were unaware of the proposed mining operation. The noise and additional traffic since then has been tolerated. She requests that the use of 15<sup>th</sup> Street as a hauling road be reviewed, including looking at provisions to repair the road as well as looking at alternate plans for hauling.

Linda Burke, 1420 Esterly Oaks Drive: The hauling traffic on 15<sup>th</sup> Street is very disruptive and noisy. Burke gave examples of the rumbling noise of the trucks and the jake-braking that occurs. She commented that the disrepair of the street adds to the noise level. She asked about the allowed hauling time and if it was being followed along with the possibility of a sound barrier being created such as rows of pine trees.

Ed Hunter, 1430 Esterly Oaks Drive: He lives next door to Burke and says that he doesn't hear the noise during the day as he is at work. His concern is that the road needs repair and that a bike path needs to be installed for pedestrians and the safety of the neighborhood.

An audience member reminded the Commission that there was another mine in St. Michael that was also using 15<sup>th</sup> Street to haul.

The speed limit on 15<sup>th</sup> Street was asked and that it be reviewed when repairing the road. Biren said that this had been asked recently of the Wright County Sheriff's Department and the answer determined was that it is a 45 mph speed limit.

Dean Hiller, 1283 Irvine Drive: He is concerned about the traffic and the need for a bike path as it is not safe for kids or walkers.

Burke also asked why Pearson Bros uses 15<sup>th</sup> Street instead of 5<sup>th</sup> Street and is there any consideration for a light at these intersections. Nash responded that all of the streets being discussed are collector streets and businesses can use any of these roads.

Nash also spoke to the Comprehensive Plan 2040 which recognizes the need for a trail along 15<sup>th</sup> Street.

Another audience member suggested working with the City of St. Michael for the trail as there are fields on the north side of 15<sup>th</sup> Street which would be suitable for the trail. Nash replied that Brian Hagen, Hanover City Administrator, has been in contact with Steve Bot, St. Michael City Administrator, about working together on this street.

Nash explained that this is a challenging discussion because with the original IUP, the street would be repaired by now, but with unexpected things happening such as the housing market crashing, it delayed the end of the mining operation. She went on to explain that mining operators usually can gauge the life expectancy of a mine by determining the type of materials coming out of the mine and how the housing market is behaving.

Gary Fehn, Fehn Companies: It is hard to know exactly when the Mahler Pit will be finished. The truck hauling traffic varies from day to day. One day there may not be any hauling done and on a really good day, 100 trucks may be hauling.

Hunter asked about the life expectancy of the pit in St. Michael. Staff said they did not know and would contact St. Michael to obtain that information.

Hammerseng said that the conversation about 15<sup>th</sup> Street has started and that everyone had very valid points. He suggested getting the traffic counts from the two mines and also stated that the St. Michael side of 15<sup>th</sup> Street was actually getting the heavier truck loads than the Hanover side.

Nash explained that this amendment is a two-step process that allows for making an informed decision on whether to go forward with updating the IUP to current standards or to start a reclamation plan and be done mining.

Hammerseng asked Fehn about the materials still available in the mine. Fehn said that the goal is to keep the mine open and work through the winter months. Hammerseng inquired about the August 31<sup>st</sup> extension date. Fehn said this would allow him the time to get the ordinance requirements completed and to work through the process. Nash also responded that she set the deadline since there were items required for either option that cannot be completed during the winter. For example, a wetland determination needs to be done and this cannot be done when the ground is frozen. Also, it will take time for the IUP to go through the process of coming to Planning Commission and then to Council.

Kuitunen asked Nash to explain to the audience why the IUP will need to go through the newly amended ordinance.

Nash said that the City amended its mining ordinance earlier this year. Permitting of mines has become more sophisticated than in the past and more detailed. For example, the reclamation of the Mahler pit was for it to become a large lot development, but that is not possible since large lot developments on well and septic require the land to be undisturbed by heavy equipment in order for it to be suitable for well and septic. This reclamation plan does not allow it to become re-usable.

Hammerseng said that it is better to give them the time to decide and is there a way to tie the reclamation to the extension.

Nash responded that Hanover has had some mines where reclamation was not really completed. She gave the example of the proposed Hanover Cove development where there was no reclamation done and the issues caused by the way the site was left.

Hammerseng asked if the property where the Mahler Pit is located was in the floodplain or shoreland district. Nash said that yes, there are portions of the property in both of those areas, but that the mine itself is located outside of it. She outlined on the aerial photo where the floodplain was and said that St. Michael's floodplain has not been updated yet unlike the Hanover update that occurred a couple of years ago.

Burke said that repairs to 15<sup>th</sup> Street would satisfy many of the residents and wondered if the mining operators are financially responsible for any of the repairs. Nash said that is somewhat difficult to answer. Fehn has been paying towards the repair of the road, but not in any amount that would fully cover the repairs. This amount was determined in the original IUP. This would be something that would be reviewed during the new IUP process.

Kolasa closed the public hearing and re-opened the Planning Commission meeting at 7:44 pm. He asked Nash what is the next step. Nash replied that staff is recommending that the time frame be extended to August 31, 2019, and other temporary conditions or changes be added after conferring with the City Attorney.

Kolasa said that he understands why this needs to be done and thinks the Commission should go with the recommendation.

Christenson asked if anyone knew the times of operation and hauling for the St. Michael pit. Nash replied that the Mahler pit has hours of operation from 7 am to 7 pm with truck hauling taking place from 7:30 am to 5 pm. The Mahler pit is open on Saturdays from 8 am to 5 pm for residential traffic only. She did not know what the hours were for the St. Michael pit. Schendel said that the hours of operation and hauling for the St. Michael pit were 7 am to 7 pm. Christenson asked who did the enforcement of those hours as he has personally seen hauling taking place outside of those hours. Nash said staff would contact St. Michael to get the mine's information.

**MOTION** by Schendel to move the extension amendment for the Mahler Pit forward to Council for approval, seconded by Kuitunen.

**Motion carried unanimously.**

Nash said that she will take the home occupation amendments to Council on December 4<sup>th</sup>, but the mining extension would more than likely be at the December 18<sup>th</sup> meeting since she needed to work with the City Attorney on it.

## **Unfinished Business**

None

**New Business**

None

**Reports**

Nash said that the City has received revised plans for the Hanover Cove development. She and Justin Messner, City Engineer, are reviewing them to determine completeness. What they determine will dictate the December Planning Commission meeting.

Biren said that Fieldstone Family Homes has joined the builders in Crow River Heights West Third Addition.

The Crow River Lions will be hosting their Stuffed Hash Brown Breakfast on Sunday, December 2<sup>nd</sup> at City Hall.

**Adjournment**

**MOTION** by Schendel to adjourn, seconded by Christenson.

**Motion carried unanimously.**

Meeting adjourned at 7:54 pm.

**ATTEST:**

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Amy L. Biren  
Administrative Assistant