

May 16, 2016

JESSENLAND PLANNING AND ZONING

Minutes

1. Review and approve minutes of April meeting. (John/Tim)
2. Approve agenda. (John/Tim)
3. Requests:
  - Over the Counter:
  - Conditional Use:
  - Variance:
  - Other:
4. Action:
5. Other business:

Dan Eibs reported that he has asked all 3 Town Board members to talk to Tom Graham to encourage him to work with the township to develop a reclamation plan. Dan also asked for better communication between the Town Board and P&Z. The motion made at the Town Board Annual Meeting to present to the residents of Jessenland Twp. a chance to vote on whether or not to keep the planning and zoning commission was not known about by Dan previous to the meeting.

DNR reported that Cemstone's proposed building site appears to be in the Flood Fringe Subdistrict and hence they may build the proposed building but it must meet guidelines for elevation/fill. Ceil Strauss, flood plain manager for DNR said: I have done some comparisons of the information in the attached items, and looked at the aerial photos in the area. One thing I noted that I think was causing some confusion is that the FEMA map shows County Road 12 taking a turn to the south and connecting with County Road 6 further south than what we see in the aerial photos (at least back to 1991). So CR 12 really intersects in about the middle of the lobe of higher land shown on the east side of CR 6 and south of cross-section Y. So it doesn't work to scale from where the FEMA map shows CR 12 connecting with CR 6.

In the attached FIRMette of the area (FM27016200180C.pdf), the shaded area that is cross-hatched is the floodway and the shaded area that is not cross hatched is the flood fringe. In the map Garry sent he showed the locations of the floodway and flood fringe with the different colors. The location of the floodway on this map is the official location and needs to be scaled off. If you scale up the approximately 450 feet north of the creek to the proposed shed location, and then scale the distance from County Road 6 to the mapped floodway area it is about 300 feet. It appears that the floodway line would be right at the eastern edge of the existing building that is on the south side of the proposed truck scale.

Bottom line – looks like the proposed berms, 100' x 40 shed and the truck scale are either outside of the floodplain or in the flood fringe where filling is allowed. So if the building would need to be elevated to regulatory flood protection elevation of 740.3 (NGVD29) – the BFE of 739.0 + stage increase of 0.3 + 1.0 freeboard. (BFE and stage increase based on floodway data table elevations at cross-section Y, and minimum freeboard in MN is 1 foot.)

The proposed creek crossing and the proposed road going beyond that current building / proposed truck scale are in the floodway, so the crossing and any proposed grading in that area will need to have analysis done to show there is "no rise" (no more than 0.00 feet) in the flood elevation.

Cemstone's proposed building site is only a 150' front yard setback. Under 'Permitted Uses' in the Flood Fringe District the Jessenland Ordinances state that, "Permitted Uses shall be those uses of land or structures listed as Permitted Uses in the underlying zoning use district(s)." The underlying zoning district for the proposed building would be C-Ag and hence require a 200' setback. Martha will contact Cemstone with that information.

A meeting with Cemstone to discuss the proposed building site, expansion of Cemstone's mining operation, and noise issues should be scheduled.

6. Adjourned (Tim, John)
7. Next regular meeting: June 20, 2016, 7:00 p.m.

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Kyle Iverson, Clerk

Commission Members Present: John Skelley, Doug Thomas, Deb Boettcher, Kyle Iverson, Tim Spletzer