

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Thursday, August 9, 2012 – 7:00 p.m.
City Hall Chambers - 8150 Barbara Avenue

Chair Bartholomew called the Planning Commission meeting to order at 7:00 p.m.

Commissioners Present: Tom Bartholomew
Armando Lissarrague
Paul Hark
Victoria Elsmore
Tony Scales
Dennis Wippermann
Annette Maggi
Pat Simon

Commissioners Absent: Harold Gooch (excused)

Others Present: Allan Hunting, City Planner

APPROVAL OF MINUTES

The minutes from the July 3, 2012 meeting were approved as submitted.

BITUMINOUS ROADWAYS – CASE NO. 12-17CZA

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a Sand and Gravel Overlay district designation five year renewal for the asphalt plant and a conditional use permit amendment for the mining and processing of sand and gravel and to operate an asphalt plant and contractors yard with open storage, for the property located at 11661 and 11201 Rich Valley Boulevard. 30 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that Bituminous Roadways is requesting a five year extension of their Sand and Gravel Overlay designation. Code requires that it be renewed every five years. The applicant is not proposing any changes to the operation of the site. They are, however, requesting to add a single on-site groundwater well to supplement stormwater collection for the washing portion of the operation. They would construct three new stormwater ponds to wash the aggregate that they use for their asphalt operation. They are also requesting to modify their hours of operation to allow up to 30 night shift hours per season to the asphalt plant operation schedule. The City's environmental consultant, Barr Engineering, reviewed the request and submitted their report. They support the request as they did not find any issues with the five year renewal or the conditional use permit amendment. The Environmental Commission reviewed the application as well and recommended approval. Staff recommends approval of the request as presented.

Commissioner Simon asked if staff received comments from any of the neighbors.

Mr. Hunting replied they had not.

Commissioner Simon asked if the City received any complaints since Bituminous Roadways' last Sand and Gravel Overlay renewal.

Mr. Hunting replied he was not aware of any complaints regarding the gravel pit operation.

Commissioner Simon asked for clarification of Barr Engineering's test results.

Mr. Hunting replied that Barr determined the levels to be well below any of the limits.

Commissioner Maggi asked why the addition of the new well did not appear in the conditions of approval.

Mr. Hunting advised that it was an added condition.

Commissioner Simon advised that it was listed as Condition 29.

Commissioner Maggi advised that she had an older version of the staff report that did not list a Condition 29.

Mr. Hunting advised that the report that went to the other eight Commissioners as well as the applicant included Condition 29 which allowed for a new well.

Commissioner Lissarrague asked if staff anticipated any problems with the requested 24 hour operation.

Mr. Hunting replied they did not; he noted that Bituminous Roadways has requested and received permission for extended hours in the past and to his knowledge staff has not received any complaints. He advised that the applicant has always contacted the nearest neighbor, Mr. Wicker, to alert him of the night time hours.

Commissioner Hark asked who would be responsible for resolving any drop in water level to the Wicker well.

Mr. Hunting replied that Bituminous Roadways would be responsible for correcting the situation. He added that a new well would require a DNR appropriations permit as well.

Commissioner Wippermann asked for clarification of Condition 24 regarding the monitoring of wells.

Mr. Hunting advised that the condition refers to monitoring a combination of both on-site and off-site wells. He deferred to Kent Peterson for further details.

Kent Peterson, President of Bituminous Roadways, stated they monitor three wells every other year; two that belong to the neighbors (Bob Plan and Todd Wicker) and one on-site well.

Commissioner Wippermann stated that since one Commissioner had an older version of the report, staff should ensure that the official documents included Condition 29 for the renewal request and Condition 13 for the Conditional Use Permit Amendment.

Opening of Public Hearing

The applicant, Kent Peterson, advised he was available to answer any questions.

Chair Bartholomew asked if the applicant was in agreement with the 29 conditions for the Sand and Gravel Overlay and the 13 conditions for the Conditional Use Permit Amendment.

Mr. Peterson replied that all conditions were listed in his packet and he was agreeable with all

conditions.

Chair Bartholomew asked if there would be any surface water discharge from the ponds or the mining operation.

Mr. Peterson replied that nothing would be discharged off-site.

Chair Bartholomew asked if Mr. Peterson agreed with a statement in the report advising that the increased infiltration of surface water into the groundwater would not result in groundwater contamination.

Mr. Peterson replied in the affirmative.

Chair Bartholomew asked if the charging of the ponds would be done in the spring.

Mr. Peterson replied they would use the well at the maximum in the spring but would continue to supplement throughout the season.

Jeff Brown, 11636 Akron Avenue, stated he was a close neighbor of the gravel pit and that Bituminous Roadways has been a good neighbor. He questioned how many gallons would be drawn in a three day period.

Mr. Peterson replied the well could pump 450 gallons per minute.

Mr. Brown asked how many gallons that would total over a three day period, and also what would happen if the neighboring wells went dry.

Mr. Hunting replied that the wells on the nearby properties were in a much deeper aquifer than the proposed well; therefore there should be no impact on those wells.

Mr. Brown advised that he had a very shallow well which could be at the same level.

Mr. Peterson advised that Bituminous Roadways would be legally obligated to replace or correct the situation if it were to cause a neighboring well to go dry.

Mr. Hunting advised that the groundwater flows from west to east and therefore the proposed well should not have an impact on Mr. Brown's well which lies west of Bituminous Roadways.

Chair Bartholomew asked what the depth was of Mr. Brown's well.

Mr. Brown replied 110 feet. He asked if the well could pull water from the refinery in his direction.

Mr. Hunting replied that Barr Engineering has stated the water would continue to flow from west to east and would not backflow. Barr obtained records from the County and determined that the only wells that could potentially be impacted were two lying to the east of Bituminous Roadways.

Commissioner Lissarrague questioned how Mr. Brown would proceed should his well go dry and how they would determine whether the issue was a result of Bituminous Roadway's operation.

Mr. Brown stated the cost of hiring a lawyer could cost him more than putting in a new well.

Mr. Hunting advised that he would give Mr. Brown a copy of the Barr report.

Chair Bartholomew recommended that if Mr. Brown had any concerns after reading the report, he should bring those concerns to the City Council.

Mr. Hunting advised that he would have Barr Engineering look at Mr. Brown's specific situation prior to this item going to City Council.

Commissioner Elsmore advised that in response to Mr. Brown's earlier question, the proposed well was capable of pumping 42.8 million gallons per year.

Planning Commission Recommendation

Motion by Commissioner Simon, second by Commissioner Elsmore, to approve the request for a Sand and Gravel Overlay District designation for a five year renewal for the asphalt plant with the 29 conditions listed in the report, and a Conditional Use Permit Amendment for the processing of sand and gravel, an asphalt plant and contractor's yard with open storage with the 13 conditions listed in the report, for the property located at 11661 and 11201 Rich Valley Boulevard.

Motion carried (7/1 – Lissarrague). This item goes to the City Council on August 13, 2012.

ADJOURNMENT

Chair Bartholomew adjourned the meeting at 7:28 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary