

**ALBANY TOWNSHIP  
PLANNING COMMISSION  
Monthly Meeting and Public Hearing  
February 18, 2020**

The February 18, 2020 meeting of the Albany Planning Commission was called to order at 7:30 P.M. by Chair Joe Peternell at Albany City Hall Council Chambers. Members present Joe Peternell, Gary Bloch and Mike Noll. Also present, Zoning Administrator Jerry Forster, Supervisor Mary Rosen, and Clerk Diane Noll.

The Pledge of Allegiance was recited.

**APPROVAL OF AGENDA**

Addition of Janet Radeke to have her mylar signed. A motion to approve the agenda as updated was made by Commissioner Noll, seconded by Commissioner Bloch, motion carried.

**APPROVAL OF MINUTES**

A motion to approve the minutes of monthly meeting of January 14, 2020, as presented was made by Commissioner Bloch, seconded by Commissioner Noll, motion carried.

**OPEN FORUM-**

Janet Radtke, 36162 207<sup>th</sup> Avenue, Administrative Split

Ref: PIN: 01.00088.0000 Section 11, Township 125, Range 031

Total Acres: +/- 55 acres

PIN: 01.00093.0000 Section 12, Township 125, Range 031

Total Acres: +/- 120.00 acres

Ms Radtke is present to have her mylar signed. This split was approved by the Township Board at the December 23, 2019 meeting. Requesting to split the two parcels onto separate deeds.

**ACTION-**Mylar was signed by Chair Peternell

**PUBLIC HEARING**

Chair Peternell read the statement of purpose for the meeting:

This is a public hearing to consider the proposed requested Conditional Use Permit for a Concrete Plant at 21745 340 Street, currently a gravel pit owned by CJK Partnership, LLC.

This Public Hearing is part of the legal procedure that the Albany Township Planning Commission is required to follow regarding the request for a Conditional Use Permit, as mandated by MN State Statute 462.3595 and Albany Township Zoning Ordinance Chapter 4.8.1. A final decision on this proposed Conditional Use Permit has yet to be made. That decision will ultimately be made by the Township Board of Supervisors, and will take into account what is said at this hearing. The Township Clerk will now read, for the record, the notice of this public hearing.

Notice is hereby given, that the Albany Township Planning Commission will meet on FEBRUARY 18, 2020 7:30 P.M. at Albany City Hall, Council Chambers, 400 Railroad Ave, Albany MN for the purpose of giving consideration to the following:

A Conditional Use Permit has been submitted by CJK Partnership, LLC, requesting placing a temporary Concrete Plant in the existing Gravel Pit at 21745 340 Street, Albany MN. The property under consideration is in

part of the SE1/4 NE1/4 lying west of Sand Lake Road in Section 27, Albany Township.

Reading of Procedure and guideline by Chair Peternell:

Discussion will be limited to the requested Conditional Use Permit.

Anyone wishing to comment or ask questions will be allowed to do so.

No speaker will be permitted to speak more than twice except to answer a question from the board.

Each speaker will be limited to a total of 2 minutes.

No applause or interruptions are permitted.

All comments must be directed to the chair.

Each person must state his or her name and address before speaking.

The board may recess the hearing to another date and time in order to properly hear all those concerned, collect further information, or make a final decision

Open up comments and opinions from public; No written comments were received.

PLEASE HAVE EACH PERSON GIVE NAME, ADDRESS, AND OPINION FOR THE RECORD:

• Favor Ordinance Revisions • Oppose Ordinance Revisions

Residents present: Chris Kotzer, 21745 340 Street, Albany MN

Johnny Kotzer, 34026 207<sup>th</sup> Avenue, Albany MN

Jeff Kostreba, 19329 440 St, Holdingford MN

Mr. Chris Kotzer, requested further information as to when the township will allow the hours to be, and what is the proposed date of allowing the CUP.

The Planning Commission proposed to allow the concrete plant to be in operation until the IUP from the county for the gravel pit expires. Which would be December 31, 2038.

Commissioner Noll asked what size trucks would be used to haul the cement?

7 ton road going south on Sand Lake Road- unable to use as a haul road unless customer is on that road.

Is there a dust issue?

Silos have dust collectors. No dust

Requested to be open Saturday mornings

Requesting hours to be 5am to 8 pm first truck would leave by 5:30

Electric motor-very quiet.

A motion to close public hearings was made by Commissioner Noll, seconded by Commissioner Bloch, motion carried.

**ALBANY TOWNSHIP PLANNING COMMISSION**  
**Worksheet for Findings of Fact – Conditional/Interim Use Permits**

Applicant: CJK partnership LLC. Address: 21745 340 St, Albany MN X CUP IUP

Findings shall be made in either granting or denying an application, and should reference specific sections of ordinances that apply to the project. Questions which you could be asking include, but are not limited to:

1. Is the proposal consistent with existing Township ordinances (performance standards)? Specify the applicable section of the ordinance and discuss why or why not. Zoning District: A-40

*Yes, the proposal is consistent with the existing Township ordinances.*

*The Township has Adopted County Ordinance 439*

*9.3.5 Permitted Conditional Uses*

*1. Concrete (readymix) or asphalt mixing facility, permanent*

2. Are there any other standards, rules, or requirements/conditions that the proposal must meet?

*Meets or exceeds all setbacks; Transportation and environmental plans have been submitted; Reclamation/clean up within 180 days of ceasing operation.*

**Submitted Transportation Plan:** *CJK will be using Sand Lake Road, which is a nine ton road.*

*All traffic will head north unless it's going to a specific destination addressed to the south, that is located on Sand Lake Road.*

*The average number of trucks on the move would be from two to five per hour. The busiest time of the day would typically be in the morning from 6:00 A.M. to 8:00 A.M.*

3. Is the proposed use compatible with the present and future land uses in the area or can it be separated by distance or screening from adjacent land uses? Why or why not? How will any scenic views be impacted by the proposed use?

*Yes, proposed use is compatible with the present and future land uses in the area.*

*Existing grassy berm screens the area, there will be no impact on scenic view.*

4. Are there environmental concerns (ground water, surface water, air quality, wellhead protection areas) that should be addressed as part of this proposed request?

**Submitted Environmental Plan:** *A wash out pond will be used. The clean water will be re-used and the solids will be reclaimed and put into the crushed concrete pile to be recycled. A seeded berm is in place and the gravel road will be sprayed with calcium chloride for dust control.*

5. Has information been provided regarding the impact to property values in the

area as a result of the proposal?

*Existing gravel pit and concrete recycling operation has been in existence at this location for a number of years. This area is surrounded by Ag/Industrial property. Property value impact is highly unlikely.*

6. What potential public health, safety, or traffic generation impacts will the proposal have in relation to the area and the capability of the roads serving the area and how are they being addressed by the proposal?

*There may be a small increase in truck traffic.*

7. How does the proposal affect the general health, safety and welfare of the residents?

*Little if any*

8. Does the proposal conform to the goals and objectives of the Township's Comprehensive Plan? Specify which goals and objectives apply.

*Yes, the proposal conforms to the goals and objectives of the Comprehensive Plan.*

*Chapter 4-Land Use*

*Commercial and Light Manufacturing-To allow commercial and industrial uses that are consistent with the preservation of long-term agriculture and the rural atmosphere in the Township. GOAL: Direct non-agricultural commercial uses with minimal traffic and public service demands to the existing commercial area along I-94*

9. How does the proposal affect existing public services and facilities including schools, parks, streets and utilities?

*No effect*

10. Has the applicant provided financial assurance to guarantee reclamation or cleanup?

*\$8,000 financial guarantee payable to township.*

*Reclamation/clean up within 180 days of ceasing operation*

11. Other issues pertinent to this matter.

*Time of operation will be from 5A.M. To 8 P.M. And 5 A.M. To 3 P.M. on Saturday's*

*The permit will expire on December 31, 2038.*

**ACTION:** A motion to recommend to the Albany Township Board approval of the Conditional Use Permit for a Concrete Plant at 21745 340 Street with the following limitations:

*Time of operation will be Monday to Friday, from 5A.M. To 8 P.M. Saturday's 5 A.M. to 3 P.M.*

*The permit will expire on December 31, 2038.*

*\$8,000 financial guarantee payable to township.*

*Reclamation/clean up within 180 days of ceasing operation*

Motion to recommend to Albany Township Supervisors approval of Conditional Use Permit was made by Commissioner Noll, seconded by Commissioner Bloch, motion carried unanimously.

## **OLD BUSINESS-NONE**

## **NEW BUSINESS**

**Informational**-Scepaniak/Viking CUP continuation of County Permit. Stearns County-Received a request to extend/amend the IUP for Viking Gravel pit - County Public Hearing February 20. The Township Board approved the following:  
Request to keep existing hours for hauling 6 am to 7:30 pm Monday – Saturday April – November. Crushing may be extended until 10 pm.

ACTION: The Planning Commission agreed with the Boards decision

## **REPORTS**

No new permits issued.

## **COMMUNICATIONS**

March 10-Annual Meeting PC report is requested.

## **ADJOURNMENT**

A motion to adjourn was made by Commissioner Noll , seconded by Commissioner Bloch, motion carried.

Meeting adjourned at 8:00 P.M.

Respectfully submitted,

*Diane E Noll*

Diane E Noll  
Clerk/Treasurer

Approved: \_\_\_\_\_ *Joseph Peternell* \_\_\_\_\_ Date: June 9, 2020  
*Planning Commission Chair*