



## Options for amending mining permit

### **1. Add it onto mining permit requirements similar to Goodhue County's language-**

#### IV. Required Information for all Permit Applications

##### U. Restrictions of Use

The following uses are prohibited in the mineral extraction permit:

1. Permanent asphalt production plants and any similar production or manufacturing process.
2. Crystalline Silica Sand, defined as round, formed sand having a high percentage of silicon dioxide found primarily in high concentration in the Jordan and St. Peter Geologic Formations.

### **2. Add it into section V. Minimum Standards for all mines**

A. The following activities shall be prohibited at any time:

5. Permanent asphalt production plants and any similar production or manufacturing process.
6. Crystalline Silica Sand, defined as round, formed sand having a high percentage of silicon dioxide found primarily in high concentration in the Jordan and St. Peter Geologic Formations.

I recommend the second option, but I think both would work. I added the asphalt production plants after reviewing Goodhue County's mineral extraction ordinance. That could be excluded but I see we haven't addressed it in our current version and think that we should address it. You have my comments from the previous meeting regarding the other changes I believe you should make.

Lynn Schoen

2) Jeanne Pietig, Resident of Reeds Landing, Pepin Township. Pietig indicated she would like to know what the City's procedure is that she can make specific recommendations to strengthen the mining proposal and maybe at the next meeting could provide this. Pietig will send City staff Wabasha County's mining ordinance and would like the city to review the reclamation plan as Wabasha County's is 13 pages and the City's currently is only 2 pages. Also Pietig suggested that the City consider a separate public hearing for the reclamation as a requirement for the permit. Adding in the reclamation plan section 6 information about the public hearing and under requirements for the permit itself, state a reclamation plan that adheres to the provisions of section 6

Kristi indicated to the Commission and audience that we are asking that anyone with comments and concerns regarding the mining ordinance to get them to staff by Friday February 20<sup>th</sup>.

3) Al Wharton, Resident of Wabasha and City Council Member. Wharton has sent City Administrator Springer a few emails. They entail findings of fact from WI, an ordinance from Pepin County WI banning Frac Sand Operation in 2013 and has not been challenged. Something that needs to be addressed is the use of

sureties, performance bonds and letters of credit; they do nothing to protect the city if the mining companies go out of business. Wharton suggests setting up an escrow.

Chair Wodele asked the audience for any further comment and hearing none closed the general public comment portion of the planning commission meeting.

#### 5) Public Hearings – Regional Event Center CUP.

Kristi provided a background on the application and proposed facility. She indicated it is a Conditional Use, which is permitted and comes before the Planning Commission board to seek review and who may potentially apply conditions reasonably tied to the use itself.

The City of Wabasha is requesting a Conditional Use Permit for a regional event center which is a conditional use in the Traditional Downtown Commercial (TDC) zoning district. The location of this new use is 128 2<sup>nd</sup> Street West which is the location of two existing buildings, one of those buildings house Grandpa's Barn in the fall. The purpose of this CUP application is to allow construction of the new 10,500 square foot regional event center at this location.

Chair Wodele opened the public comment section at 7:24pm.

Kristi did indicate that the use does meet the Tradition Downtown Commercial parking standards within City Code.

- 1) Craig Hough – Resident of Wabasha and neighbor to the proposed facility. Feels that parking looks good on paper, but not a good location for the facility. Feels it's a great idea, but not a good location.
- 2) Sharon Burke – Resident of Wabasha, concerned about parking issue.
- 3) Greg Vandemark – owner of the Heritage Laundromat. Concerns of parking and would like the see the reuse of other buildings.
- 4) Tom Schoen – Business owner near the proposed building. Feels that the zoning doesn't allow enough parking for the businesses downtown. Feels that the City should support the current businesses.
- 5) Blaine Marcou – Resident of Wabasha, concerns of parking, property values decreasing and garbage containers that would surround the area.
- 6) Dave Fisk – Resident of Wabasha and adjacent property owner. Historic nature of the neighborhood and landuse from economic development. Would like to see the empty store fronts downtown used for the location instead.
- 7) Al Wharton – Resident of Wabasha and City Council member. Wanted to know who the applicant was.
- 8) Bill Jewson – Resident of Wabasha and local business owner. Feels that it's going to increase business and will be a stimulus to help make the town grow as well as provide public restrooms to the downtown area.
- 9) Lynn Schoen – Resident of Wabasha and City Council Member. Would like to see a different location.
- 10) Craig Hough – speak on behalf of his neighbor Mr. Mathias who has issues with the parking.
- 11) Rollin Hall – Current Mayor of Wabasha. Why are we here? To discuss a CUP on a piece of property or the ups and downs of the regional event center? Kristi responded to the question with “to discuss the CUP on the piece of property to which it pertains to the ordinance.”
- 12) Tom Schoen – Resident of Wabasha and adjacent business owner. Against the CUP.
- 13) Sharon Burke – wanted to know if there was a public hearing on the proposed building.
- 14) Vern Mathias – Resident of Wabasha, would like to see the tax payers decide.

- 15) Claire Abbott – Resident of Wabasha and adjacent property owner, would like to see the developers going back to the original plan of renovating the existing buildings

Chair Wodele asked the audience and hearing no further comment closed the public comment portion of the meeting at 8:10pm

Commission Bricher feels that the parking is not meeting the zoning ordinance standards and when the Eagle Center was built that some of parking was designated to the Eagle Center as part of its CUP process.

Kristi indicated that the TDC allows up to 1000 feet for available parking and that she has not found anywhere that any of the existing spots are taken up.

The Commission continued on with reviewing the staff review. Event hours having a cap of midnight was suggested by staff. There are two bars in the vicinity and are open till 2am. Commissioner Wallerich would suggest a cap of 12:30 am.

Commissioner Wallerich made a motion to approve the CUP for Regional Event Center with the following edits; item b. Time changed to 12:30am and add that garbage containers will be enclosed to the list of conditions. Commissioner Falkum seconded the motion.

Ayes: Wallerich, Falkum, Wodele, Durand, Kruger

Nyes: Bricher

Motion carried.

#### 6) Old Business

##### a) Mining Ordinance Update

Kristi reviewed her memo.

The Council has asked that the Commissioners review and make recommendations on all of the issues raised so far with the mining ordinance as well as the potential inclusion of the new mining text. These issues have been raised by members of the Council, Commissioners, and residents. Staff would like to have all these suggestions forwarded to them by Friday February 20<sup>th</sup>. Staff will have a collated list for March's meeting.

Staff indicated that March's regular meeting already has a public hearing scheduled and feels that a special meeting just to discuss the mining issues may be possible. Special meeting on March 17<sup>th</sup> at 7pm was discussed and agreed upon.

##### b) Reservoir Silicates Update – no update

##### c) Meeting with current mine operators – no update

##### d) River Front Task Force Update

Kristi indicated City Council supported the study funded by the Port Authority on the property next to the NEC. They are scheduled for 3 workshops where they will be providing some uses, ideas and analysis of what best would fit in that property.

##### e) Comp Plan Update-

Kristi provided a Steering Committee list to the commission. The First meeting will be held at the CJC on the 4<sup>th</sup> Wednesday of the next three months. The first meeting will look at where Wabasha is for landuse.

#### 7) New Business- None

#### 8) Board of Adjustment Business- None

9) Other Business – None

10) Next Regular Meeting Date –

The next regular meeting will be scheduled for Tuesday March 10th at 7pm at Wabasha City Hall.

A Special meeting to discuss the mining ordinance issues will take place on Tuesday March 17, 2014 at 7pm at Wabasha City Hall.

11) Adjourn - Commissioners Wallerich and Kruger made a motion to adjourn at 9:05 pm. Adopted unanimously.

Respectfully submitted by: \_\_\_\_\_  
Wendy Busch, Planning & Zoning Assistant

\_\_\_\_\_  
Adopted Date