

Rochester Township and Zoning Commission Meeting
April 12, 2022

Chair: Arthur Handelman

Members Present: Laura Laudon, Brian Zmolek, Jamie Neisen, Arthur Handelman, Chris Fogarty, Colin Patterson

Guests: Bill Tointen, Roger Ihrke, Seven members of the public.

Chair Arthur Handelman called the meeting to order at 7:00 PM

The meeting minutes from February 8, 2022 were reviewed. Laura Laudon made a motion to approve the minutes. Chris Fogarty seconded the motion.

Mr. Roger Ihrke spoke about a recent email from Olmsted County regarding road access for the sand mining proposal. This is the former Bowie property now owned by the Leitzens. Mr. Ihrke stated that Olmsted County would issue a permit to allow for mining access onto Salem Road SW if right turn lanes and a bypass are included. The Salem Court SW access would be removed and a new access would be constructed.

Mr. Ihrke stated that mining cannot take place until the conditional use permit is issued.

Public Comments began at 7:16 PM

The comments are summarized as follows (included are responses from Mr. Ihrke and Mr. Tointen)

Resident in the area hasn't heard anything about Salem Court SW closing

There is a lot of seasonal flooding in the area. What impact will road closure and sand mining have on flooding.

A Dam is on the west side of County Road 25 that was put in many years ago.

Chair Handelman asked if the Dam would cause challenges with the roadway.

Others replied that the Dam hasn't been functioning for years.

What about the sand mining and the impact on our wells?

Mr. Ihrke replied that studies were done on past sand pits in the area. Test wells were drilled, temperatures of the water in the Zumbro River were obtained. They put dye in the test wells to see if it showed up in the well water. There were no problems in those areas.

Mr. Ihrke stated this was a program through the Department of Natural Resources. It no longer exists today.

What recourse would property owners have if there were well problems? Would the township be responsible for damages to wells?

What about loud noise and trucks in the sand mining operation?

Mr. Ihrke stated that the Conditional Use Permit can set times to start and stop operations during the day.

What about our quality of life? How long will it take to mine the sand?

Mr. Tointen's Comments (in summary below)

A Zone Change doesn't mean development or sand mining just yet. If approved, this will not be a 20-year sand mining operation. The wells will not be impacted. Leitzen Sand and Gravel will bring watering trucks onsite and have spray bars on equipment to keep the sand wet.

When the project is completed, the biggest value will be 17 residential lots. Sand mining will be first, then development from West to East.

A pond will be created to capture run off water. That will be a benefit for the current flooding issues. Once the project is completed, it will be a nice amenity. Fish can be put into the pond, etc.

Wetland restorations will be included. The home values shouldn't be an issue. There was a former sand pit on Salem Sound development. There are now multi-million-dollar homes in that development.

Conditional Use Permits are highly controlled! They can be reviewed at any time.

This operation would not be as large as Salem Road operation (Now Salem Sound).

Upon questioning from the Chair, the Petitioner stated that his company's existing mines in the area currently sell about 60 tons of product. Previously in the hearing, the Board was advised that would be about 188 tons of material left to sell after doing the development.

End of Mr. Tointen's Comments

Mr. Neisen stated he would like a timeline for the sand mining. He stated then the neighbors would then know how long to expect. (3 years, 5 years, etc)

Mr. Fogarty pointed out that the concerns from neighbors are different from Old Valley Road and the mine itself.

Mr. Ihrke explained whatever is voted on tonight, goes to the township board for final approval. He further explained that this is a zone change to Ag Resource Commercial. If approved, then the details and negotiations can be worked out later.

The discussion continued about the pond, road closure and flooding.

8:30 PM Public Comments were closed.

Colin Patterson made a motion to approve the zoning. Chris Fogarty seconded the motion.

The discussion then began on Lily Farms 4th. There will be 8 lots on 30 acres. Each lot will be over 2 acres in size. There will be two shared wells and each homeowner will have their own septic system.

These are outlined in the Township Cooperative Planning Association (Amended Report). This report was dated April 6, 2022.

There are four lots that require a variance if the proposal is approved.

The variances for these lots are outlined on Page 9 of the Amended Report.

Chris Fogarty made a motion to approve those variances as explained in the amended report. Colin Patterson seconded the motion. All (except Jamie Neisen) voted in favor of the variances.

There was a second motion to approve the plat as outlined in the report.


Chris Fogarty made a motion to approve the plat.
Colin Patterson seconded the motion.

All (except Jamie Neisen) voted in favor of the plat.

The meeting was adjourned by Chair Arthur Handelman.

Respectfully Submitted,

Laura Laudon


ARTHUR HANDELMAN
5/12/2022