

# McHenry County Zoning Commission

April 25, 2019

7:00 PM

The meeting was called to order by Matt Zelinski. Other members present were Bill Goodwin, Shawn Anderson, Tom Krumwiede, Roger Myers, Lyle Hendrickson, Larry Haman, Nancy Mueller, Darrell Haman and Darlene Carpenter. Others in attendance were Lonnie Jaeger, Todd Krout, Ryan Ammermann, Leo Thomas, JoAnn Edwards, Lee Zimmerman, Charles Keller Jr., Mason Zimmerman, Mike Zimmerman, Mary Zimmerman, Kristi Zimmerman, Mike Koble, Genny Koble, Kolette Kramer, Reed Kramer, Jesse Vollmer, Mary Eaton, Joel Young and Lynette Vollmer.

A motion was made by Bill and seconded by Roger to approve the minutes from March 28<sup>th</sup>. Motion carried unanimously.

Southern Power representative Ryan Ammermann updated the board regarding their application for a transmission line and substation. Ryan informed the board they will be able to comply with the setback requirements and place the substation 300' from Hwy 41. The transmission poles will also be in compliance, and be located 150' from the center of the section lines. Ammermann presented the board with a letter from NDDOT regarding the approval of an access approach. A motion was made by Haman and seconded by Roger to recommend the CUP be approved. Motion carried unanimously.

The public hearing was held for the Asgard Resources conditional use and variance application to set up a sand plant in the SW ¼ NW ¼ of Section 27-156-77. The variance permit is requested to mine sand across the section line between sections 27/28 (South ¾ mile), 33/34, 28/33, and 27/34 in 156-77. Asgard representative Joel Young explained the process to include mining during daylight hours with the hauling and processing of sand would be 24 hours/day. Approximately 6,000 tons/day would be hauled, which would equal about 270 trucks/day. Young stated 2,500 – 3,000 gallons/minute of water would be needed for the wash plant. They plan to utilize fabric buildings and will employ 6-7 people. Todd Krout asked how they are going to prevent blowing on windy days. Todd would like to see them seed grass as they go as part of the reclamation process. Krout also asked where they propose to start mining, which Young stated close to the proposed facility and then move east. Young was asked about the State Water permit and he said the state is waiting for approval from the County Zoning Board before they will act on the water permit. Jesse Vollmer asked how far above the water table they would stay as well as when they intend to start. Young was not sure about the water table and they would like to start hauling by June 1. Matt Zelinski mentioned they must provide documentation regarding a reclamation plan, as well as permits from the State Water Commission regarding a water permit, the State Historical Society for a SHPO permit, and the State Archeology Dept for the Dakota Skipper studies. No one spoke in opposition. A motion was made by Roger and seconded by Nancy to recommend approving the CUP and variance, contingent upon all permits are received and approved. Motion carried unanimously.

The public hearing was held for the Aggregate Construction CUP application to mine gravel in the NE ¼ of Section 34-155-77. No one appeared in opposition. A motion was made by Shawn and seconded by Nancy to recommend the CUP be approved. Motion carried unanimously.

The board discussed the Ryan Latendresse septic situation. A motion was made by Roger and seconded by Tom to have the States Attorney send him a letter regarding his lack of septic permit. Motion carried unanimously.

The board reviewed the following applications:

- Jason Gange – 2 grain bins
- Keith Hegney – shed addition
- Mary Eaton – house and garage
- Valerie Holler – garage addition
- Seth Heilman – manufactured home
- Paul Thomas – grain bins
- Kerry Gotvaslee – house
- Scott Smith – replace and expand deck
- Jeremy Flom - house

A motion was made by Nancy and seconded by Roger to approve the permits for Eaton, Heilman, Flom pending receipt of their septic permits and/or application fees. Motion carried unanimously.

A motion was made by Darrell and seconded by Tom to approve the permits for Gange, Hegney, Holler and Thomas. Motion carried unanimously.

It was noted Scott Smith will need to apply for a variance since his deck will be closer than 150' to the center of the road and Kerry Gotvaslee will need to contact Norwich Township for a permit.

Robert April had previously received a permit and variance in May of 2017, but did not start the project. The board agreed a new permit would be required.

At 9:25 PM, a motion was made by Darrell and seconded by Larry to adjourn. Motion carried unanimously.

ATTEST:

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Darlene Carpenter, Auditor