

**City of Pine Island
Planning and Zoning Commission
Agenda**

Tuesday – October 14, 2014

7:00 PM

Second Floor – City Hall
250 South Main Street

- I. Roll Call
- II. Pledge of Allegiance
- III. Minutes of August 19, 2014
- IV. Update on rock pile in Champagne Hills
- V. Continued discussion of Utility Size Alternative Energy Zoning
- VI. Adjourn.

City of Pine Island
Planning and Zoning Commission
Minutes
Tuesday, August 19, 2014
5:30 P.M. – City Hall

Meeting called to order at 5:33 P.M. by Chairman Ken Hames

Present: Ken Hames, Harlan Pahl, Grant Friese, Brad Rehling

Absent: T.J. Schutz, Randy Bates

Also Present: Jon Eickhoff, Lydia Giat, Erik Rekstad

Pledge of Allegiance was recited.

Motion by Grant Friese and second by Brad Rehling to accept the minutes of the July 8, 2014 meeting. Approved 4-0-0.

Ken Hames opened the public hearing on the Minor Subdivision Hearing (Lot Split) for 510 8th Street SW owned by Unimark Property Development LLC. Erik Rekstad was present to explain his request to split the parcel. The current home would be on the smaller parcel (Parcel A) with the larger parcel (Parcel B) left for development in the future. Current street access and sanitary service for the current home would need easements from the other parcel. When the larger parcel gets developed, street access and sanitary service for the current home would be changed.

Motion by Brad Rehling and second by Grant Friese to close the hearing. Approved 4-0-0.

Motion by Grant Friese and second by Brad Rehling to recommend City Council write up a letter agreement between the City and Unimark Property Development LLC to regarding future utility needs provisions for Parcel A and approve the lot subdivision. Approved 4-0-0.

The Commission continued discussion of zoning of Utility Size Alternative Energy systems. Ken and Jon will bring ordinance examples from other jurisdictions to the next meeting.

Motion by Grant Friese and second by Brad Rehling to adjourn at 6:35 P.M. Approved 4-0-0

Respectively Submitted,

Jon Eickhoff



City of Pine Island

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September 26, 2014

Larry Ellingson
55090 200 Ave
West Concord, MN 55985

RE: PID# 85.06.12.072721, 85.06.12.072722, 85.06.12.072723
Rock and fill from 942 9th Ave SW, Pine Island, MN

Dear Mr. Ellingson:

This letter is in reference to the rock and debris pile that has been placed on the above parcels during construction on 942 9th Ave SW. The excavated materials should have been transported out of the neighborhood to a proper disposal site. This pile is in violation of City Code 10.44, which states:

SEC. 10.44. PUBLIC NUISANCE. It is unlawful for any person to maintain a public nuisance by their act or failure to perform a legal duty, and for purposes of this Section, a public nuisance shall be defined as any of the following: (1) maintaining or permitting a condition which unreasonably annoys, injures or endangers the safety, health, morals, comfort or repose of any considerable number of members of the public; or, (2) interfering with, obstructing or rendering dangerous for passage, any street, public right-of-way, or waters used by the public; or, (3) any other act or omission declared by law to be a public nuisance. (7-1-90)

The large pile of limestone piled on the steep sloop of these lots is a public nuisance and endangers health for the following non-exclusive reasons:

- The rocks are a rockslide hazard,
- Children playing on the rocks can be seriously hurt or killed,
- Animals and rodents can take up residence in the rock voids,
- The altered landscape can affect the storm water treatment pond proper functioning

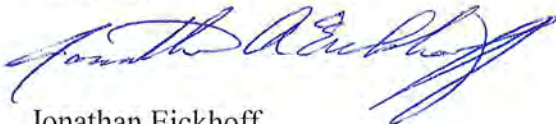
Also, this accumulation of fill, boulders, and rock is in violation of City Code 10.01 Subd. 3, which states:

Subd. 3. Disposal Required.

A. Duty to Dispose. Every person shall, in a prompt and sanitary manner, dispose of the following types of solid waste that may accumulate upon property owned, leased or occupied by such person, to-wit: hazardous waste, animal waste used as fertilizer, earthen fill, boulders, rock, sewage or other common pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluent or discharges which are point sources subject to permits under Section 402 of the Federal Water Pollution Act as amended, dissolved materials in irrigation return flows, or sources, special nuclear or by-product material as defined by the Atomic Energy Act of 1954.

Please take immediate action to remove this hazard. Lack of removing and/or correcting this hazard by October 15th can lead to enforcement actions by the City Council at their October 21st meeting.

Sincerely,



Jonathan Eickhoff
City Clerk

Cc: Todd Gathje Construction
Dick McCullough