

June 2, 2016

City of Cuyuna

Public Hearing: Special Use Permit to operate a gravel pit.

PIN: 170303103ZA0009

The public hearing for the Special Use Permit to operate a gravel pit was held by the Cuyuna City Council at 6:00 pm in City Hall. Present were Mayor Brix and council members Z. Brix, Eisen, Stockard, and Zontelli. Mayor Brix led the Pledge of Allegiance.

Council reviewed the request from Brad Holmwig, DBA Holmwig Excavating, for a special use permit to operate a gravel pit within the City of Cuyuna. Council then opened the meeting to solicit public comment:

Tom Rian, resident of East Lane, presented a letter to the council summarizing his and Mary Jo Rian's opposition to granting the permit. He expressed his concern for safety, increased industrial truck traffic and noise that would be associated with a gravel pit. He noted the lots and property in the area were zoned and sold as residential. Further, property owners, including the property considered for a gravel pit, have restrictive covenants for this type of activity. Additionally, he felt the trucks would degrade the road, reduce property value, and be a safety hazard to children on East Lane.

Chris Hage, resident of East Lane, presented a letter in opposition to allowing a gravel pit operation. In his letter he expressed concern for safety of children on East Lane, noise from the operation and trucks, and potential damage to East Lane from the gravel trucks.

Brad Holmwig, applicant for the gravel pit, said he could put in a new entrance off of CSAH#31 to avoid the use of East Lane. Also, he would work the entrance planting trees and grass seed to eliminate rocks and mud on CSAH#31 and make it look better. The location for the gravel excavation pit is behind the ridge on the SE portion of the property to control noise and also would not be visible from the lake property owners. His current existing pit is almost out of material.

Gordy Lusian, representing the Rabbit, Carlson, Clinker, and Cuyuna Lakeshore Owners Association (RCCC) inquired if the gravel pit would have additional traffic on Cottontail Drive. He was informed it would not have access from Cottontail Drive.

Steve Warner, resident of East Lane, said they have 5 small children who ride bikes on the lane and commercial trucks would be a safety issue. Also, he shared all the property owners in that area have covenants on the property prohibiting commercial development and use.

Mayor asked the clerk to read the restrictions and conditions attached to the last gravel excavation pit permit in Cuyuna to see if the public present found them as possibly acceptable should a permit be considered for approval.

Tom Rian expressed his concern that 10 days is a lot for gravel crushing in addition to the regular hauling in and out. Brad Holmwig stated he would perform the crushing during the early spring, during the week, and between 8am and 6 pm.

Council member Eisen asked if the restricted covenant applied only to the platted areas. Tom Rian shared that the property considered for the gravel pit has the same restrictive covenant prohibiting commercial use. Council member Zontelli shared that Richard Harrison, who sold the property now considered for the gravel pit, would agree to remove the restriction. Attorney Bender opinioned that might not be possible as the restriction is a recorded intent. The city might not be bound by the restriction, but does have to consider the intent of the covenant.

Tom Rian asked if the councilmember who works for Holmwig Excavating would excuse himself from voting on the application. Council member Z. Brix said he would not vote on the application.

Councilmember Zontelli asked Brad Holmwig if he would consider leaving a 200' buffer of trees to the north of the proposed pit area to minimize noise of the operation and present more natural surroundings. Mr. Holmwig said he would leave the buffer and also mentioned again that the proposed gravel pit area is situated behind a 30-35 ridge and cannot be seen from the lake area.

Mary Rian shared they retired here because of the scenic nature of the area and would not want the noise of a gravel pit operation in the residential area. Tom Rian stated he thought it would not be possible to grant a permit because of the restrictive covenants.

- **Motion by Eisen to adjourn the public hearing. Second by Zontelli. Motion carried unanimously.**

William F Bedard  
Clerk

Lloyd Brix  
Mayor.