

PLANNING COMMISSION MINUTES

DATE: April 8, 2013

TIME: 4:30 p.m.

PRESENT: Commissioners Boettcher, Gromek, Davis, Porter, Hahn, Olson, Buelow, Ballard and English

STAFF PRESENT: City Planner, Mark Moeller and Assistant City Planner, Carlos Espinosa

The meeting was called to order at 4:30 p.m. by Chairman Porter.

Approval of Minutes – March 25, 2013

The minutes from the Commission's meeting of March 25, 2013, were reviewed. Following a motion to approve by Commissioner Davis and second by Commissioner Boettcher, it was noted by Chairman Porter that his reference to specific trucking industry regulations found on paragraph two of page two, was designed to speak to the issue of Interstate shipping. He was noting this as a point of clarification. Given this comment, the minutes were approved as submitted.

Public Hearing-Transportation Impact Analyses for Silica Sand Facilities & Mines

Chairman Porter called on Carlos Espinosa, Assistant City Planner, to provide a summary of this item. Mr. Espinosa stated that during its last meeting, Commissioners had reviewed a draft ordinance that, if approved, would require all future mines and silica sand processing and transportation facilities to complete a Transportation Impact Analysis (TIA). He noted that proposed amendments were again included as Attachment A to the agenda item. Given discussion occurring at the last meeting, Mr. Espinosa stated that he had consulted with the City Attorney regarding the application of proposed amendments solely to silica sand uses. Given those discussions, the City Attorney had issued an opinion stating that the City does have the "regulatory authority to proceed with the proposed zoning ordinance amendments and impose specific and reasonable conditions in its code for these uses, including the requirement to undertake a traffic impact analysis". Mr. Espinosa stated that the premise of this opinion is based upon the fact that silica sand operations and mines are treated as conditional uses.

He further noted that in addition to Transportation Impact Analysis requirements, proposed amendments would define "silica sand" and specify that the City can request Transportation Impact Analyses as part of mine Conditional Use Permits in other jurisdictions.

Given the previous, Mr. Espinosa noted that the Commission has a number of options this afternoon including to:

1. Recommend approval of the proposed amendments as written.
2. Modify the proposed amendments.
3. Recommend denial of the proposed amendments.
4. Table a decision on the amendments and allow staff to answer any further questions.

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He further noted that these options will be preceded by a required public hearing.

At this point, Chairman Porter opened the public hearing and called for anyone who wished to speak to present first their name and address.

Jane Cowgill, 317 Walnut Street, stated that although proposed amendments were a start, they did not go far enough in addressing many of the transportation issues that could be expected to occur. Given this, she felt it would be premature to adopt the ordinance before these issues are properly resolved. In summary, some of the concerns that she referenced included:

- Road system safety, particularly in light of the recent Environmental Quality Board report on the silica sand industry. In addressing this issue, she referenced the safety concerns on Highway 14 and recent accident history with the Highway 14/Seminary Road intersection.
- As a result of the silica sand industry, traffic patterns within the City are expected to change (increase).
- Increased road use translates into a greater needs for future repairs and increased liabilities. She questioned who would be responsible for paying for these.
- Truck maintenance compliance.
- Who would be assigned to monitor any spillage or leakage that may occur from the transport of silica sand throughout the City?
- Who will monitor trucks to make sure that loads are properly covered?
- Impacts of increased traffic along designated truck traffic routes.
- In short, who will be responsible for insuring that the silica industry, as a whole, is in compliance with defined standards?

In concluding, Ms. Cowgill suggested that the ordinance be revisited prior to being adopted.

Greg Gaut, 673 East Wabasha Street, stated that he lives just a few blocks to the west of Mankato Avenue. Since moving into his house, he felt that the nature/character has changed in relation to increased commercial and industrial developments along that route. It is also a street that is bisected by a major rail line and serves a significant number of City commuters daily.

Mr. Gaut stated that although he understood that truck routes would not be affected by the proposed ordinance, he was very concerned with this fact. Although designated truck routes are certainly designed to accommodate internal truck traffic, many of these routes are flanked by residential neighborhoods. As such, a greater level of truck traffic along any would simply have an impact on these neighborhoods.

In concluding, Mr. Gaut noted that although Mankato Avenue includes a number of functional pieces, the introduction of a considerable amount of increased truck traffic along it could present a significant problem to the whole. Given this, he suggested that the proposed ordinance be revisited.

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Michael Snater, 1312 Skyline Drive, stated that as a former resident to the Main/Sarnia Street intersection, the secondary effects of truck traffic can have negative impacts on resident quality of life issues. With this, he provided information to studies reflecting increases in cancer cases as a result of diesel engine exhaust/fumes and physical/mental health concerns pertaining to constant traffic noise. Given this, he too suggested that the ordinance be revisited particularly in the area of requiring traffic impact analyses for all silica sand operations regardless of whether truck routes are involved or not.

Dale Schurer, drew parallels between increased truck traffic to higher levels of congestion and what this meant for schools and bus routes. He too suggested that no exemption should apply to traffic impact analyses and that they should be required for all silica mine and processing operations.

Frank Bures, 224 Lake Drive, stated that, in his research, diesel exhaust particulates include many chemicals that have lead to 14, 400 deaths.

Dr. Bures also noted that many of these chemicals had been found in Greenland ice. With this, it is an issue that is not necessarily localized and can be found worldwide. He too suggested that a traffic impact analysis be applied to all silica sand operations and that the analysis be applied to all City streets, whether truck routes or not. He felt that such studies could be beneficial in anticipating future problems that might be expected.

Steve Schild, 408 West Broadway, encouraged transportation impact analysis for all silica sand operations. He too noted that such studies should include all routes including designated truck routes.

Joe Morse, Buffalo Ridge Road, noted that from his observations, silica sand trucking operations are messy and do tend to drop material on roads and streets. He referenced Maiden Rock, Wisconsin where silica sand operations are currently underway and where white dust is visible virtually everywhere. He suggested that a transportation impact analysis needs to address air quality matters and also expressed concern as to who would implement and enforce regulations evolving from such studies.

In addressing quality of life issues, he emphasized that the City of Winona does host a number of festivals throughout the year that bring in thousands of people. He asked how these might be affected by a significant increase in truck traffic. He suggested that the ordinance needs to be strengthened before its adopted and further encouraged the Commission to not include exemptions for certain types of streets (i.e.: truck routes).

Mr. Schild spoke to the Highway 43/Mankato intersection and noted that this particular intersection could be very problematic during certain times of the day when busing and truck traffic patterns are heavy.

There being no further comments, the public hearing was closed.

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Chairman Porter asked the Commission what action it would like to take. It was then moved by Commissioner Gromek and seconded by Commissioner Olson to recommend denial of the ordinance proposal that was in front of the Commission this afternoon.

Upon discussion, Commissioner Buelow asked when the Environmental Quality Committee would be meeting to discuss air quality issues. Mr. Espinosa responded that this is scheduled to occur on April 18th.

Commissioner Gromek noted that in presenting his motion, he has a number of concerns with the discriminatory nature of the concept. Although he understood that the Commission had the authority to enact such legislation, he did have a significant problem with requiring extensive transportation studies for targeted industries. Additionally, since such studies would terminate at City limits lines, it is conceivable that external factors could have greater impacts than those the City is trying to regulate.

Chairman Porter further noted that although concerns have been expressed of the secondary effects of diesel fumes, this is not an industry specific issue. In short, such impacts could be expected from any truck that generates from Winona or is passing through Winona.

Commissioner Hahn agreed with Chairman Porter while at the same time noting that trucks are becoming more efficient and many operate on fuels that are not as impacting to the environment.

Commissioner Olson asked how the issue of diesel fumes would be dealt with without impacting commerce.

Commissioner Buelow stated that he would be voting against the motion and would prefer to amend the current proposal to include truck routes in all required transportation impact analyses. Chairman Porter again emphasized that truck routes within the City are designed to accommodate trucks and again did not feel that a single industry should be targeted to undertake a study of transportation impacts alone.

When the question was called, the vote of the Commission was as follows: Commissioners Boettcher, Gromek, Ballard, Davis, Porter, English, Hahn and Olson voted aye; Commissioner Buelow voted nay; abstaining none.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned.

Mark Moeller
City Planner