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Experts teach townships about zoning to control sand

"If you do nothing, you know what's going to happen," attorney and township zoning expert Jim Peters told a roomful of township officials and residents Thursday night.

Peters was referring to the ever-present controversial issue of silica sand mining.

He joined other attorneys and experts during a Land Stewardship Project workshop to teach local residents and officials how zoning ordinances can be used to control silica sand mines that try to come into the area.

David Williams, a township officer and attorney from Fillmore County, stressed the difference between the up-and-coming mines and those that have been in the region for decades.

"Silica sand mining sites are being proposed that are anywhere from 500 to 1,000 acres in size. This is a whole different scale than the aggregate mines we've seen," Williams said.

Thursday's workshop was held one week after the Goodhue

THURSDAY, AUGUST 30, 2012 - 5:00PM

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voted to extend its silica sand mining moratorium -- which was originally put in place in September 2011 -- for an additional 12 months.

The countywide moratorium means townships will be protected from the mines for up to a year, but Goodhue County cannot extend its moratorium a second time after it expires in September 2013. That's when townships will either have to rely on the county's zoning ordinance to control sand mines or develop rules of their own.

Townships are allowed to be more restrictive than the county, but not less. Thursday's workshop helped show township residents and officials exactly what goes into creating a zoning ordinance and comprehensive plan.

"The ordinance process is not as complicated as it sounds, and it won't cost you an arm and a leg," explained Nancy Barsness, a clerk and zoning administrator from a western Minnesota township.

Barsness said the first step toward controlling development is to put a moratorium in place.

Goodhue County's Florence Township approved a moratorium in January and has a few months left before it will expire. The township is one of several that is working to update local zoning to address silica sand mining.

Multiple Florence Township Planning Commission members attended the workshop last week. Jody McIlrath said she's very familiar with zoning because of her position on the commission but learned new things from the attorneys at the meeting.

"The legal views were the most helpful to me," she said.

Barsness advised that townships make the most of their moratorium by using the time to gather information on the township's resources, its environmentally sensitive locations and the kind of developments that are compatible with the area.

Kristen Eide-Tollefson, another Florence Township Planning Commission member, said she did just that in 2003 when she contributed to a community assessment of sensitive areas. What was found back then is that nearly the entire township's water resources are vulnerable to contamination.

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Along with concerns about water quality come concerns about health impacts and excessive road traffic as a result of a silica sand mine. And Florence Township is not alone.

Hay Creek Township recently approved a one-year moratorium and is also working to devise a strict zoning ordinance. An oil company that purchased 155 acres of land in the township has already been doing exploratory drilling. Citizens expect the company will eventually apply for a permit to mine silica sand.

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