



REDWOOD COUNTY ENVIRONMENTAL OFFICE

*Planning & Zoning • Parks & Trails • GIS
Aquatic Invasive Species • Septic Inspector
Drainage Inspector • Agricultural Inspector*

PO BOX 130
REDWOOD FALLS
MINNESOTA 56283
PH: 507-637-4023

AGENDA

REDWOOD COUNTY PLANNING COMMISSION

Monday, July 25th, 2016 – 1:00 p.m.

1. Call to Order
2. Public Hearing on the *Application for Conditional Use Permit* filed by Lincoln Pipestone Rural Water
3. Public Hearing on the *Application for Extraction Conditional Use Permit* filed by L & S Construction
4. Other Business:
 - a. Review and approve the minutes from the June 27th Planning Commission meeting
 - b. Any other business



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TO: Redwood County Planning Commission

FROM: Nick Brozek *AB*
Land Use and Zoning Supervisor
Redwood County Environmental Office

DATE: July 14th, 2016

RE: Planning Commission Hearing on July 25th, 2016

A meeting of the Redwood County Planning Commission has been scheduled for Monday, the 25th day of July, 2016, beginning at 1:00 o'clock p.m. at the Board Room of the Redwood County Government Center located at 403 South Mill Street, Redwood Falls, MN 56283.

The meeting will include two (2) public hearings. A brief summary of the subject matter of the agenda items are set forth below.

1. Public hearing on an *Application for Conditional Use Permit* submitted by Shawn Nelson o/b/o Lincoln Pipestone Rural Water.

Lincoln Pipestone Rural Water is proposing to construct a 4" water main to service the recently permitted Boerboom Ag Resources swine feedlot in Section 21 of Underwood Township. The 4" line will start at an existing Lincoln Pipestone 8" water main running along the north side of State Highway 19. It will follow Balsa Avenue north for 2.5 miles and then will turn and follow 305th Street for ½ of a mile, terminating at the Boerboom site. The main will be buried about 6' underground.

The proposed water main is located in the Agricultural District (with part located also in the Floodplain District). Section 7, Subd. 3.4 of Redwood County Ordinance states that in the Agricultural District "any essential service line as regulated in Section 18 of this Ordinance" is a conditional use. Section 18 of the Ordinance makes the distinction that "Major" essential service lines are a Conditional Use and that "Minor" essential service lines are a permitted use. Section 22, Subd. 2.49 of the Ordinance defines a minor essential service as "any essential service line or structure located within any county easement of [sic] county right-of-way and providing single service distribution lines." Since the proposed main is not located entirely within the county right-of-way or a county easement, and since it is a main line and not a single service line, a Conditional Use Permit is required.

Easements have been obtained by Lincoln Pipestone from all the affected landowners along Balsa Avenue between Highway 19 and 300th Street. The easements are described in the CUP application as follows:

1. The West 100' of the west 260' of the east 660' of the south 230' of the S1/2 of the SW1/4 of Section 33, Underwood Township (owner – John Welu)
2. The West 100' of the S1/2 of the NW1/4 and the N1/2 of the SW1/1 of Section 33, Underwood Township (owner – Kreft Family Trust - John Rohlik, Trustee)

3. The West 100' of the N1/2 of the NW1/4 of Section 33, Underwood Township (owner – Michael Coudron)
4. The West 100' of the W1/2 of the SW1/4 of Section 28, Underwood Township (owner – Daniel Coudron)
5. The West 100' of the South 2000' and the West 300' of the North 700', all in the W1/2 of the NW1/4 of Section 28, Underwood Township (owner – Ron Coudron)

Lincoln Pipestone was not able to obtain an easement from the owner of the property in the SW1/4 of Section 21 of Underwood Township. Consequently, the water main in that section will run in the township road right-of-way. Lincoln Pipestone contacted the Underwood Township Board of Supervisors and was advised that no permit is necessary to construct the water main in the township's right-of-way, but that the disturbed areas must be returned to their original condition, including seeding. This requirement was confirmed by county staff in a phone call to Bill Lightfoot, Underwood Township Board Chair.

Lightfoot expressed concern regarding repairing the damage to the township roads caused during construction of the pipeline. A condition is recommended by staff requiring Lincoln Pipestone to enter into an agreement with the Township regarding repair and maintenance of the roadway during the construction process.

Before intersecting with 300th Street, Balsa Avenue curves to the west to go around the dwelling and building site of Robert and Suzanne Kirsch. In this spot, the water main will cease to follow Balsa Avenue. It will veer to the east and go around the Kirsch property, staying on property owned by Ron Coudron. The main will then be bored under 300th Street and will head west back to Balsa on the north side of 300th Street, in the road right-of-way. It will stay within the Balsa Avenue right-of-way until Balsa intersects with 305th Street. There the main will turn east and, using the 305th Street right-of-way, continue to the Boerboom site.

The water main will be directional bored under all road and county ditch crossings. The main will intersect 290th Street and 300th Street. About 1750 feet north of State Highway 19 the main will cross Judicial Ditch 33. Approximately 1000 feet east of Balsa Avenue, in the 305th Street right-of-way, the main will cross the western branch of County Ditch 93. After an additional 2000 feet, the main will cross the southern branch of County Ditch 93. The main will be placed at least 6 feet below the existing bottom of the ditch channel.

Approximately 580 feet south of 305th Street, the main will cross just above the point at which County Ditch 93 starts as an open ditch. The main will cross the 15" county tile main that crosses under Balsa Avenue to empty into CD 93.

From about 735 feet south of 305th Street (just before the point at which the main intersects the 15" county tile main) to about 1420 feet east of Balsa Avenue (about 300 feet east of the point at which it intersects CD 93) the main will be located in the Flood Fringe District of the Floodplain.

Subdivision 5, paragraph 1 of the Floodplain Ordinance states that Permitted uses therein "shall be those uses of land or structures listed as permitted uses in the underlying zoning use district(s)." The Agricultural District lists Major Essential Services as a Conditional Use. Subdivision 5.5.D requires, when undertaking Conditional Uses in the Floodplain, that "[f]ill shall be properly compacted and the slopes shall be properly protected by the use of riprap, vegetative cover or other acceptable method." This means that Lincoln Pipestone will need to present a plan to ensure that surface water runoff is dealt with and that sedimentation will be avoided and contained.

Additionally, Subdivision 8.1 of the Ordinance requires that "[a]ll public utilities and facilities such as gas, electrical, sewer, and water supply systems to be located in the flood plain shall be flood proofed in accordance with the State Building Code or elevated to above the regulatory flood protection elevation." Lincoln Pipestone will need to engage the services of a state-licensed building inspector with the authority and expertise to certify compliance with the state flood proofing requirements.

In addition to the easements described above, Lincoln Pipestone has obtained an easement along the south line of Section 28 of Underwood Township, on the north side of 290th Street, in order to provide, in the future, a single service line to the dwelling site of Ron Coudron. Additional single service lines may be installed along the 4" main line in the future, to serve adjacent properties as requested by the owners.

A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

2. Public hearing on an *Application for Extraction Conditional Use Permit* submitted by Mike Scheffler o/b/o L & S Construction.

L & S is seeking to permit a new gravel pit on property located behind the L & S business site in the SW1/4 of Section 21, Charlestown Township. The property is owned by Herb Scheffler (owner of L & S). The CUP application includes a request to use the proposed gravel pit area to set up a temporary hot mix asphalt plant. The hot mix plant will be operated by Knife River Corporation in conjunction with the planned resurfacing of US Highway 14.

The site is located in the Agriculture District. Mining is a Conditional Use in said District. Hot mix asphalt plants are common accessory uses at extraction sites.

Approximately 15 acres of the site will be mined and/or used for mining processes and stockpiling. The topsoil will be stripped off and stockpiled for reclamation. The gravel will be mined and crushed as needed for local projects. This will include crushing, stockpiling, and hauling. L & S is requesting a 10 year permit.

The site will be set back about 1600 feet from the center line of Knox Avenue, 700 feet from the north property line, and 150 feet from the west (rear) property line. The south line of the property borders on the Dakota Minnesota & Eastern Railroad right of way. There is a fence running adjacent to the right of way at a distance of about 55' from the tracks. The gravel pit will be located beyond that fence. The railroad right-of-way is 100 feet across, centered on the tracks (50' on each side of the tracks). Environmental Office staff recommend that the gravel pit be set back at least 5' from the railroad right-of-way.

The pit will be located about 590' north of the Cottonwood River. Two branches of County tile line CD 70 come together and outlet into the waterway on the northwest end of the proposed extraction area. The easterly of these is a 20" main draining parts of Sections 9, 16, 17, and 21 of Charlestown Township. The westerly is an 18" main draining parts of Sections 17, 18, 20, and 21 of Charlestown Township. There is no County ditch located on or near the pit site, however, the waterway on the west side of the site moves the water from CD70 to the Cottonwood River.

L & S completed four test holes on the site, ranging in depth from 10' to 12'. The test holes show 10 to 12 feet of gravel sitting on top of a layer of clay. The plan is to remove the gravel down to the clay without pumping water from the pit.

On the extraction site, gravel stockpiles will be located in the northeast part of the site. Overburden stockpiles will be located on the south side of the site.

Part of the waterway on the west end of the site is located in the Shoreland and Floodplain Districts. L & S will avoid excavating in the area designated as Shoreland and Floodplain. A 50' setback will be maintained between the pit and the Shoreland and Floodplain Districts.

Noise will be produced on the site only during times of crushing. Crushing will only occur during daylight hours. Dust will be controlled by water or treatment. No odors will be produced and no noxious materials will be used on the site.

L & S will construct a new access road on the site for gravel hauling. The road will come from Knox Avenue north of the L & S and Straightline business building site access. From there it will head due west on the north side of the Straightline site. Behind the Straightline site the road will cross a piece of grassland that is currently enrolled in CRP (L & S is working with the DNR to purchase back a strip of ground for the road). The road will enter the pit near the north end of the pit. In all, the new access road will travel 1800' in a straight line running east and west between Knox Avenue and the pit.

Surface water on the site drains to the south, toward the railroad bed and the Cottonwood River. There is 500+ feet of grassland between the proposed pit site and the Cottonwood. Additionally, the railroad bed and part of 120th Street separate the river from the proposed pit. The railroad line crosses the previously described waterway on a bridge near the southwest corner of the proposed pit site. The surface water will flow under the railroad bridge and enter the river via the waterway.

After 10 years of operation, the site will be reclaimed. A pond will be created in the NW part of the pit site. The remaining areas will have the reserved topsoil spread and seeded and will be returned to grassland. The banks and sides of the pit will be sloped and graded.

The pit is located on the L & S and Straightline business site. The three closest residential dwellings to the site, other than that of Herb Scheffler, are as follows: Sharon Leopold, 12540 Knox Avenue, about 2050' north of the site; Joseph and Tamara Brown, 31239 120th Street, about 3275' southeast of the site; and Donald Steffen, 31382 120th Street, about 4040' southeast of the site. The residence of Herb Scheffler is located about 1400' east of the site and the L & S and Straightline business buildings are located about 1200' east of the site.

The soils present on the site are as follows:

1. Wilmington variant loam, 2 to 12 percent slopes
2. Linder loam
3. Wilmington variant sandy clay loam

A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.