



Application for Extraction Conditional Use Permit /  
Temporary Grading and Filling Permit

www.co.redwood.mn.us

Permit #: 9-16 Date: 6-29-16

Location of the Extraction:

Address: 12226 Knox Ave. City: Sanborn State: mn Zip: 56093  
House # Street Name

Parcel #: 51-021-4020 Township: Charlestown Section: 21 Twp #: 109N Range: 36W

Legal Description:

SW 1/4 of NW 1/4 of SE 1/4 sec 21 charlestown

Information about the Extraction:

Zoning District: A9

Soil Type 1: \_\_\_\_\_

Soil Type 2: \_\_\_\_\_

Type Of Extraction: gravel If other, please explain: \_\_\_\_\_

General description of the extraction:

1) strip top soil extract gravel  
2) Knife River will operate a hotmix plant on this site for the Redwood County Hwy 14 Project

Total acres in the parcel: 160 Number of acres to be extracted: \_\_\_\_\_

Type of Road: Tap Gravel Right-of-Way Footage: 40' For Access Rd

Setbacks: (Please enter in feet)

Setback from the Center of the Road: 1500' - KNOX AVE.

Side Yard Setback: 830' Direction: TO NORTH PROPERTY LINE

Side Yard Setback: 850' Direction: TO SOUTH PROPERTY LINE

Rear Yard Setback: 150' Direction: TO WEST PROPERTY LINE

Starting Date: 8-1-16 Estimated Date of Completion: 8-1-2026

Life Expectancy of Operation: 10 years (maximum 10 years)

Drainage Plan:

Entire area drains south

Landscape and screening plans:

Create Pond in NW corner of site. Return  
Rest of area into grassland

Water plan (estimated water use):

N/A

Statement addressing noise, vibration, glare, heat, smoke, particle matter, odors, exterior lighting, toxic or noxious matter, dust, etc:

Noise will only be present during crushing - this will only take place during the day, dust will be controlled by water or treatment. no odor, toxic or noxious matter.

Reclamation plan: Landscape + slope banks to create pond

Estimated Cost of Reclamation: \$2000/acre surrounded by grass areas

General Contractor:

Name: L4S Construction City: Sanborn State: mn

Applicant Information:

First Name: Herb Last Name: Schaffler

Business: L4S Construction

Address: 12226 Knox Ave City: Sanborn State: mn Zip: 56083

Home Phone: 507-648-3382 Cell Phone: 507-227-1856

Land Owner Information:

First Name: Herb Last Name: Schaffler

I affirm that the forgoing information is true and accurate. I understand that if any portion of this information is false or materially misleading, any conditional use permit issued in reliance upon this information is voidable at the election of Redwood County.

Land Owner Signature: Herb Schaffler Date: 6-28-16

Please attach the following information:

1. A detailed site map. This must include: soil types, topography (10 foot contour intervals), location of watercourses, outline of maximum area to be excavated, setbacks from property lines, vertical profile of area to be excavated including overburden, proposed and existing locations of any structures, stockpiles or operation areas, location and names of roads, railroads, known tile lines, proposed fences, utility rights-of-way, planned entrances and exits for operation area, road routes for heavy equipment, any signs being posted, and public areas next to the extraction.

2. An estimated bid of the reclamation along with a detailed map 1" = 100' or larger.

Office Use Only: \* The section below is to be filled out by the Environmental Office Staff

Extraction Fee: \$700 Receipt #: Date Approved:

Commission Action:

County Board Action:

Approved: Date: Approved: Date:

Disapproved: Date: Disapproved: Date:



Proposed Pit Road

Lateral

KNOX AVE

120th St

GOOG

© 2016 Google

Imagery Date: 7/22/2015 44°13'43.18" N 95°10'34.71" W elev. 1070

Knox Ave

N ↑

Sec. # 21  
Charlestown Twp.

Existing Features

CRP

TEST HOLE  
# 1 12'

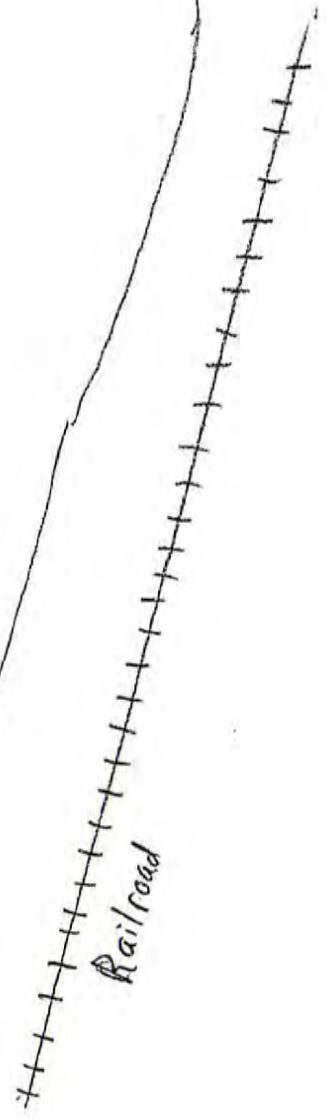
Grassland

# 2 12'

Grassland

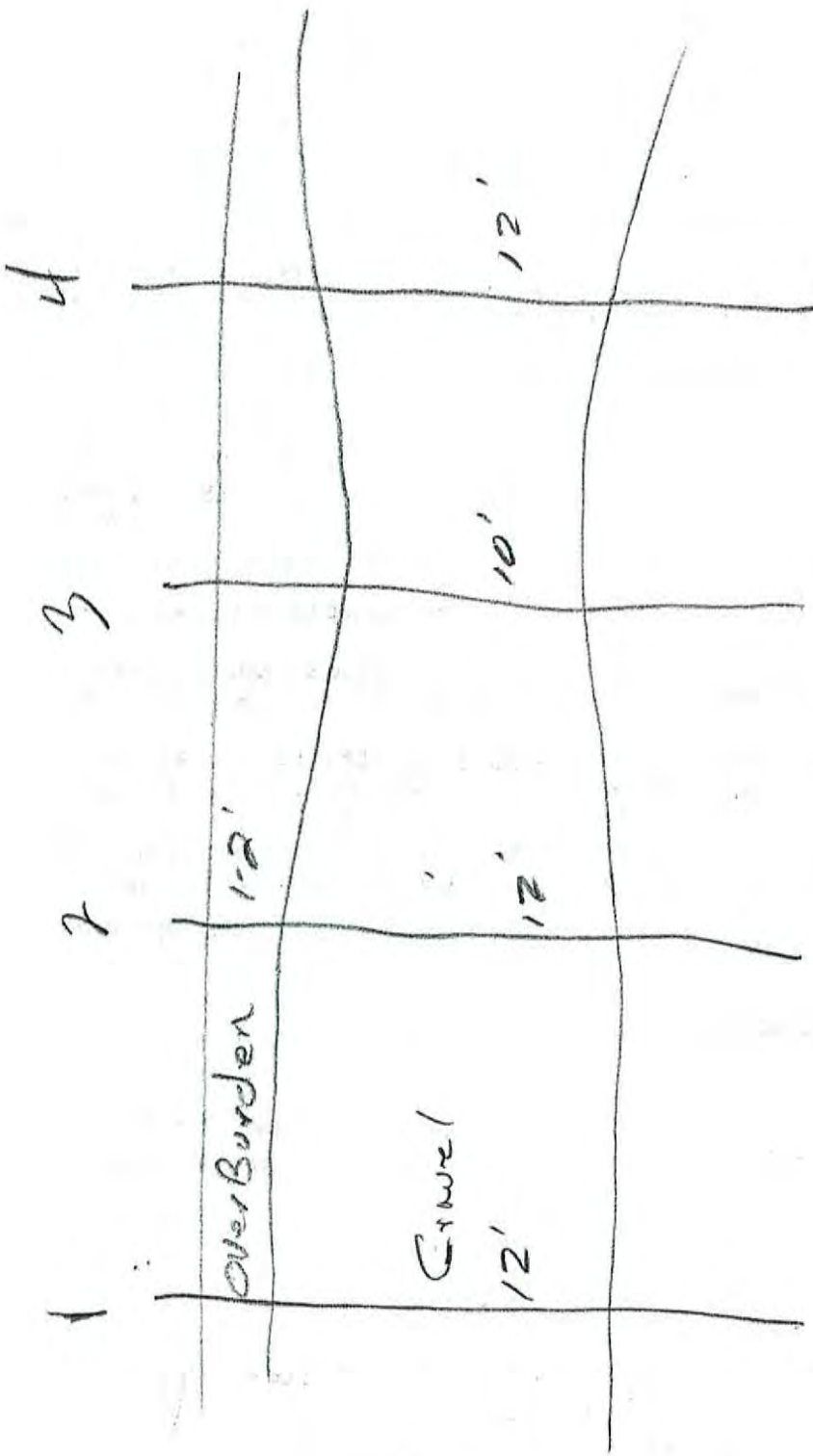
# 3 10'

# 4 12'



Railroad

in property



Vertical Profile

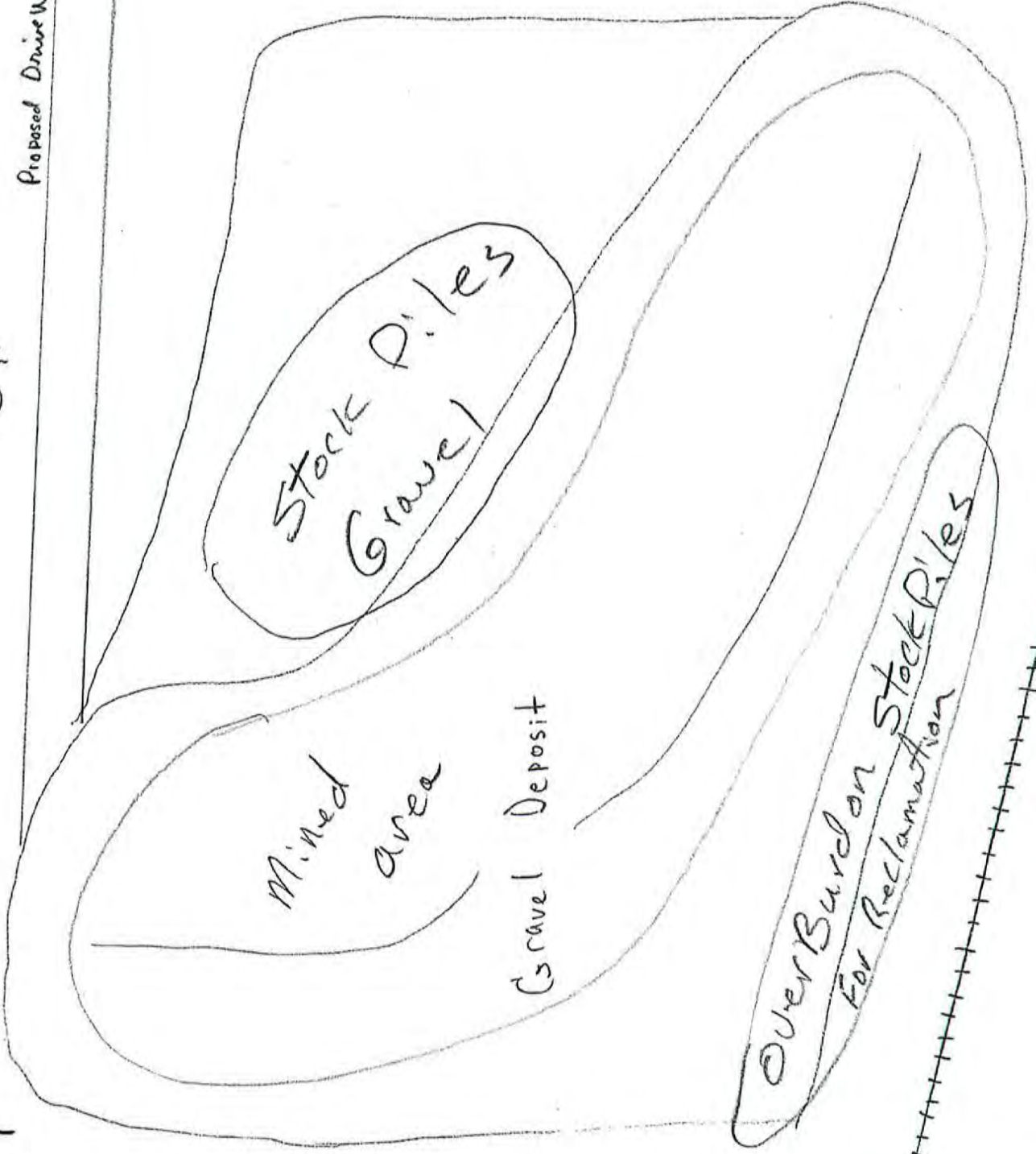


Sec 21

CRP

Proposed Drive Way (to Knox Ave)

KNOX Ave

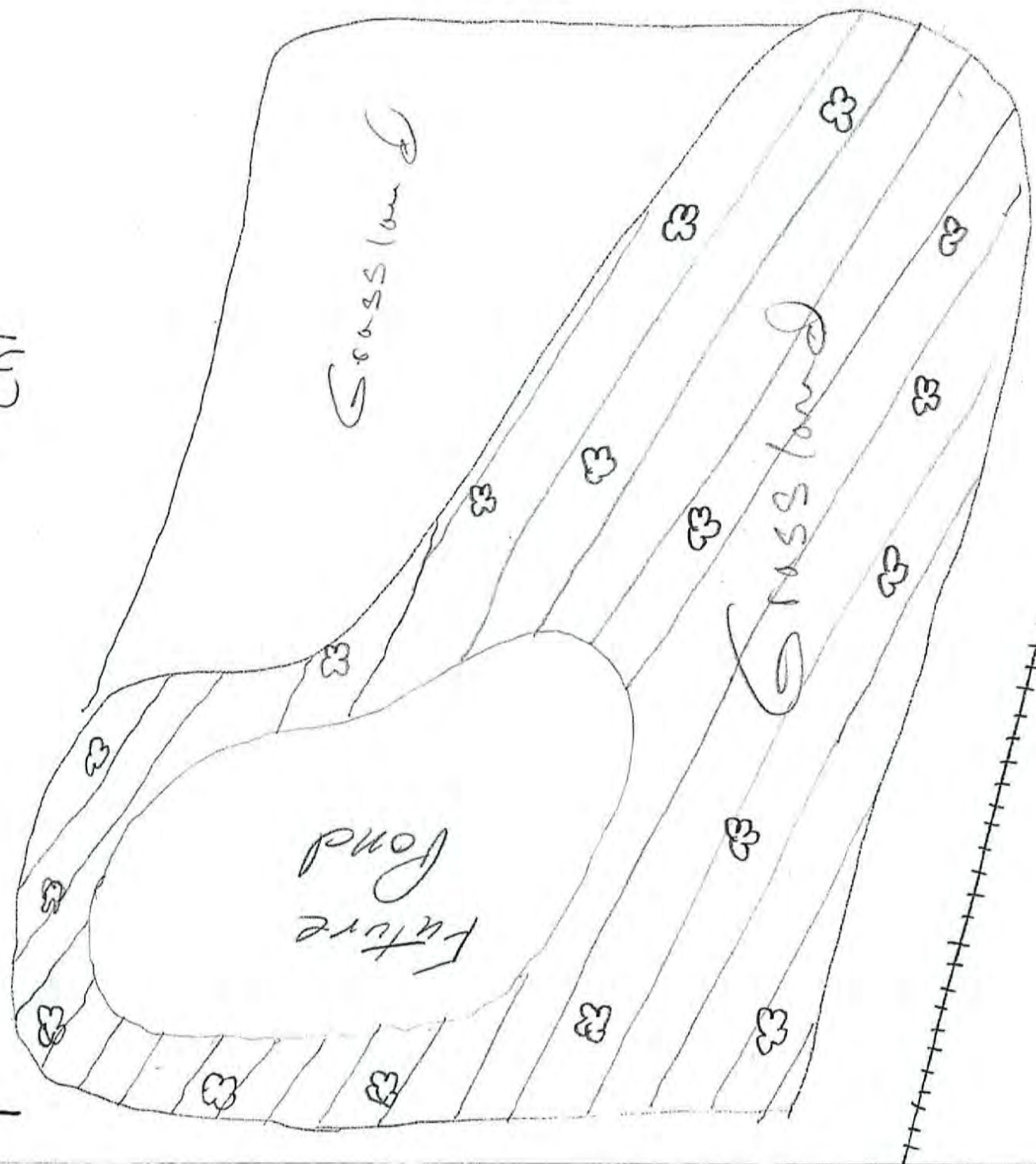


Proposed Operation



Sec 21

CRP



Sloped 3/1  
and Seeded

Reclamation Plan

Knox Ave







89' LEFT  
WEBSTER  
COMPLEX

WILMONTON  
VARIANT  
SANDY  
CLAY  
LOAM

21 Charleston

WILMONTON VARIANT LOAM 2 TO 12 % SLOPES

1899E

WILMONTON  
VARIANT  
SANDY  
CLAY  
LOAM

247

317

04/17/2016 - 05/05/2016

89' Feet



**Conditions Permit No. 9-16 (L & S Construction – Herb Scheffler site)**

1. The permit holder shall comply with all applicable laws, rules, and regulations, including but not limited to Redwood County Zoning Ordinance, as hereafter amended from time to time. The permit holder shall abide by all MSHA requirements. The permit holder shall comply with all federal, state and local laws.
2. The permit holder shall allow the Redwood County Environmental Office to inspect the site for all purposes permitted by law whenever deemed necessary by the Redwood County Environmental Office.
3. The permit holder shall have proper warning signs posted along Knox Avenue during times that material is being hauled into or out of the site. The warning signs shall conform to the requirements and guidelines as provided in the Minnesota Manual on Uniform Traffic Control Devices.
4. All waste and refuse generated by or from the conditional use must be disposed of in the manner provided by the applicable local, state, and federal statutes, rules, and regulations. A copy of all disposal records and receipts must be kept on file for no less than five (5) years and provided to the Redwood County Environmental Office upon request.
5. The permit holder shall contact all relevant local, state, and federal authorities/entities and inquire as to whether a permit and/or license is required. If a permit and/or license is required, the permit holder shall apply for and obtain any and all required permits and/or licenses. A copy of all such permits and/or licenses shall be provided to the Redwood County Environmental Office upon request.
6. The permit holder shall not allow the conditional use to be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted. The permit holder shall not allow the conditional use to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. Adequate measures shall be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of the foregoing will constitute a nuisance now or in the future.
7. Hours of operation shall be \_\_\_\_ am to \_\_\_\_ pm.
8. The permit holder shall not in any way obstruct the flow of water from or in the County drainage tile mains (CD70) located on the site. Any damage to the County tile mains caused by the conditional use shall be repaired by or at the expense of the permit holder.
9. The permit holder shall not exceed the boundary limits described and set forth in the *Application for Extraction Conditional Use Permit*. The permit holder shall keep any pit, excavation, or impounded waters within the limits for which the particular permit is granted. The completion date of this *Extraction Conditional Use Permit* will be August 1, 2026.
10. If any other equipment (i.e. hotmix plant, bag house, etc.) other than excavation and aggregate processing equipment used at the site shall require a new conditional use permit, except that a hotmix plant may be operated on the site for the duration of the US Highway 14 paving project. The

excavation site shall not be used for a demolition site unless the permit holder obtains the proper permits from the State of Minnesota and Redwood County.

11. Adequate access roads, drainage, and other necessary facilities shall be provided at all times and shall continue to be provided by the permit holder now and in the future.
12. The permit holder shall at all times properly guard and keep any pit or excavation in such condition so as not be dangerous from caving or sliding banks. The permit holder shall properly drain, fill, or level any pit or excavation after created so as to make the same safe and healthful which shall be determined by the Board of Commissioners. The permit holder shall grade the site after the excavation and extraction has been completed so as to render it usable. The site shall be reclaimed according to the reclamation plan included in the *Extraction Conditional Use Permit*, reserved topsoil spread on the site and thereafter seeded with approved seed where required to avoid erosion and an unsightly mar on the landscape. The site shall be clean and free of all debris, including stockpiles, when the *Extraction Conditional Use Permit* reaches its completion date.
13. The permit holder shall post a bond, cash deposit, irrevocable letter of credit, or other security in the amount of \$30,000.00. Further, the bond, cash deposit, irrevocable letter of credit, or other security shall remain in full force and effect for a minimum of one year beyond the completion date of *Extraction Conditional Use Permit*.
14. The permit holder shall maintain bodily injury, property damage, and public liability insurance in the amount of at least \$1,000,000 per occurrence during the life of the extraction operation and shall provide proof of the same to the Redwood County Environmental Office.
15. The Redwood County Planning Commission shall review the conditional use permit and shall be authorized to take any and all necessary action(s), including but not limited to revoking the conditional use permit and/or requiring the permit holder to reapply for a conditional use permit, if: 1) The Redwood County Environmental Office acquires information previously unavailable that indicates the terms and conditions of the permit do not accurately represent the actual circumstances of the permitted facility or the conditional use; 2) It is discovered subsequent to the issuance of the permit the permit holder failed to disclose all facts relevant to the issuance of the permit or submitted false or misleading information to the Redwood County Environmental Office, the Redwood County Planning Commission, or the Redwood County Board of Commissioners; 3) The Redwood County Environmental Office determines the permitted facility or conditional use endangers human health or the environment; and/or (4) The permit holder violates any of the herein described conditions, the Redwood County Ordinances, State statutes, or Federal laws.



## 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

### REDWOOD COUNTY PLANNING COMMISSION

L & S Construction

Conditional Use Permit Application # 9-16

July 25<sup>th</sup>, 2016

#### FINDINGS OF FACT

***ORDINANCE CRITERIA – The Planning Commission may recommend the granting of a Conditional Use Permit in any district provided the proposed use is listed as a conditional use for the district and upon a showing that the standards and criteria stated in this Ordinance will be satisfied and that the use is in harmony with the general purposes and intent of this Ordinance and the Comprehensive Plan.***

In determining whether the proposed use is in harmony with the general purposes and intent of the Ordinance and the Comprehensive Plan, the Planning Commission shall consider and make findings on the following questions:

- 1) Will the conditional use be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or substantially diminish and impair property values within the immediate vicinity?

Yes \_\_\_\_\_ No \_\_\_\_\_

Supporting Facts:

- 2) Will the establishment of the conditional use impede on the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area?

Yes \_\_\_\_\_ No \_\_\_\_\_

Supporting Facts:

3) Are there, or will there be provided, adequate utilities, access roads, drainage, and other necessary facilities?

Yes \_\_\_\_\_ No \_\_\_\_\_

Supporting Facts:

4) Have adequate measures been taken, or will adequate measures be taken, to provide sufficient off-street parking and loading space to serve the proposed use of the property?

Yes \_\_\_\_\_ No \_\_\_\_\_

Supporting Facts:

5) Have adequate measures been taken, or will adequate measures be taken, to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result?

Yes \_\_\_\_\_ No \_\_\_\_\_

Supporting Facts:

6) Will the proposed use have an impact (adverse) on the health, safety, and general welfare of the residents in the surrounding neighborhood?

Yes \_\_\_\_\_ No \_\_\_\_\_

Supporting Facts:

NAME: \_\_\_\_\_

DATE: \_\_\_\_\_



**STRAIGHT LINE OF SANBORN, INC  
12226 KNOX AVE  
SANBORN, MN 56083**

**CHARLOTTE ALTERMATT ET'AL  
PO BOX 246  
WANDA, MN 56294**

**JAMES SEIFERT  
700 3<sup>RD</sup> AVE NW  
SLEEPY EYE, MN 56085**

**SHARON LEOPOLD REV TRUST  
12540 KNOX AVE  
SANBORN, MN 56083**

**WAYNE & ANITA WEBER ET'AL  
PO BOX 142  
SANBORN, MN 56083**

**LAMOINE & MARGUERITE LEOPOLD ET'AL  
30776 CO HWY 15  
SANBORN, MN 56083**

**KENNETH & MAXINE WEBER ET'AL  
11857 LASER AVE  
SANBORN, MN 56083**

**DNR- REAL ESTATE MGT  
C/O TAX SPECIALIST  
PO BOX 45  
ST PAUL, MN 55155**

**WILLIAM & MELANIE VOGEL  
11560 CO RD 3  
COMFREY, MN 56019**

**ROBIN PAPE  
C/O ROBIN & JOHN LEEGARD  
4 PRAIRIE VIEW CT  
GILLETTE, WY 82716**

**DAKOTA MINNESOTA & EASTERN RAILROAD CORPORATION  
120 S 6<sup>TH</sup> ST 7<sup>TH</sup> FLOOR TAX DEPARTMENT  
MINNEAPOLIS, MN 55402**

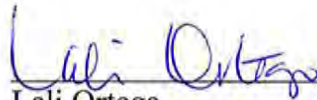


WAYNE & JUDITH PANKONIN  
20800 460 AVE  
SANBORN, MN 56083

CHARLESTOWN TOWNSHIP CLERK  
C/O DOUG MOODY JR  
30061 140<sup>TH</sup> ST  
LAMBERTON, MN 56152

SANBORN CITY CLERK  
C/O TARA HAVEMEIRER  
PO BOX 278  
SANBORN, MN 56083

by enclosing a copy of the same in an envelope, with postage prepaid, and depositing said envelope in a United States Postal Service mailbox located at Redwood Falls, Minnesota on the 15<sup>th</sup> day of July, 2016.

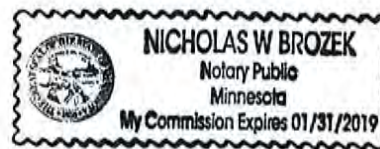


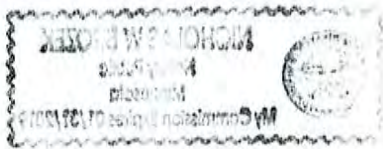
Lali Ortega  
Environmental Administrative Assistant

Subscribed and sworn to before me, a Notary Public, on this 15<sup>th</sup> day of July, 2016, by Lali Ortega.



Notary Public







**REDWOOD COUNTY ENVIRONMENTAL OFFICE**

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

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

**TO:** Whom It May Concern

**FROM:** Nicholas W. Brozek *NB*  
Land Use and Zoning Supervisor  
Redwood County Environmental Office

**DATE:** July 14<sup>th</sup>, 2016

**RE:** *Written Notice of Public Hearing on Application for Extraction Conditional Use Permit*

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An *Application for Extraction Conditional Use Permit* has been filed by Mike Scheffler of L&S Construction, pursuant to Sec. 16, Subd. 5 and Sec. 25 of Redwood County Zoning Ordinance for operation of a temporary hot mix asphalt plant and the extraction of gravel material from/on approximately 15 acres on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

The Southeast Quarter (SE1/4), except tracts, of Section 21, Township 109 North, Range 36 West, Charlestown Township.

A public hearing thereon will be held before the Redwood County Planning Commission at the Planning Commission meeting scheduled at 1:00 o'clock p.m. on Monday, the 25<sup>th</sup> day of July, 2016, at the Board Room of the Redwood County Government Center located at 403 South Mill Street, Redwood Falls, MN 56283.

Pursuant to Sec. 25, Subd. 3, Subp. 3 of Redwood County Zoning Ordinance, “[a]ll property owners of record within five hundred (500) feet of the incorporated areas and/or one-quarter (1/4) mile of the affected property or to the ten (10) properties nearest to the affected property, whichever would provide notice to the greatest number of owners of unincorporated areas where the conditional use is proposed shall be notified by depositing a written notice in the U.S. mails, postage prepaid, as to the time and place of the public hearing. The township in which the affected property is located as well as all municipalities within two (2) miles of the proposed conditional use shall be given proper notice.”

If you have any comments or questions regarding this matter, please contact the Redwood County Environmental Office by telephone at (507) 637-4023 or in writing at the following address: *Redwood County Environmental Office, P.O. Box 130, Redwood Falls, MN 56283.*

cc: Mike Scheffler  
Herb Scheffler



**REDWOOD COUNTY ENVIRONMENTAL OFFICE**

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

*Planning & Zoning • Parks & Trails • GIS  
Aquatic Invasive Species • Septic Inspector  
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**NOTICE OF PUBLIC HEARING**

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If you have any comments or questions regarding this matter, please contact the Redwood County Environmental Office by telephone at (507) 637-4023 or in writing at *Redwood County Environmental Office, P.O. Box 130, Redwood Falls, MN 56283.*

DATED: July 11<sup>th</sup>, 2016

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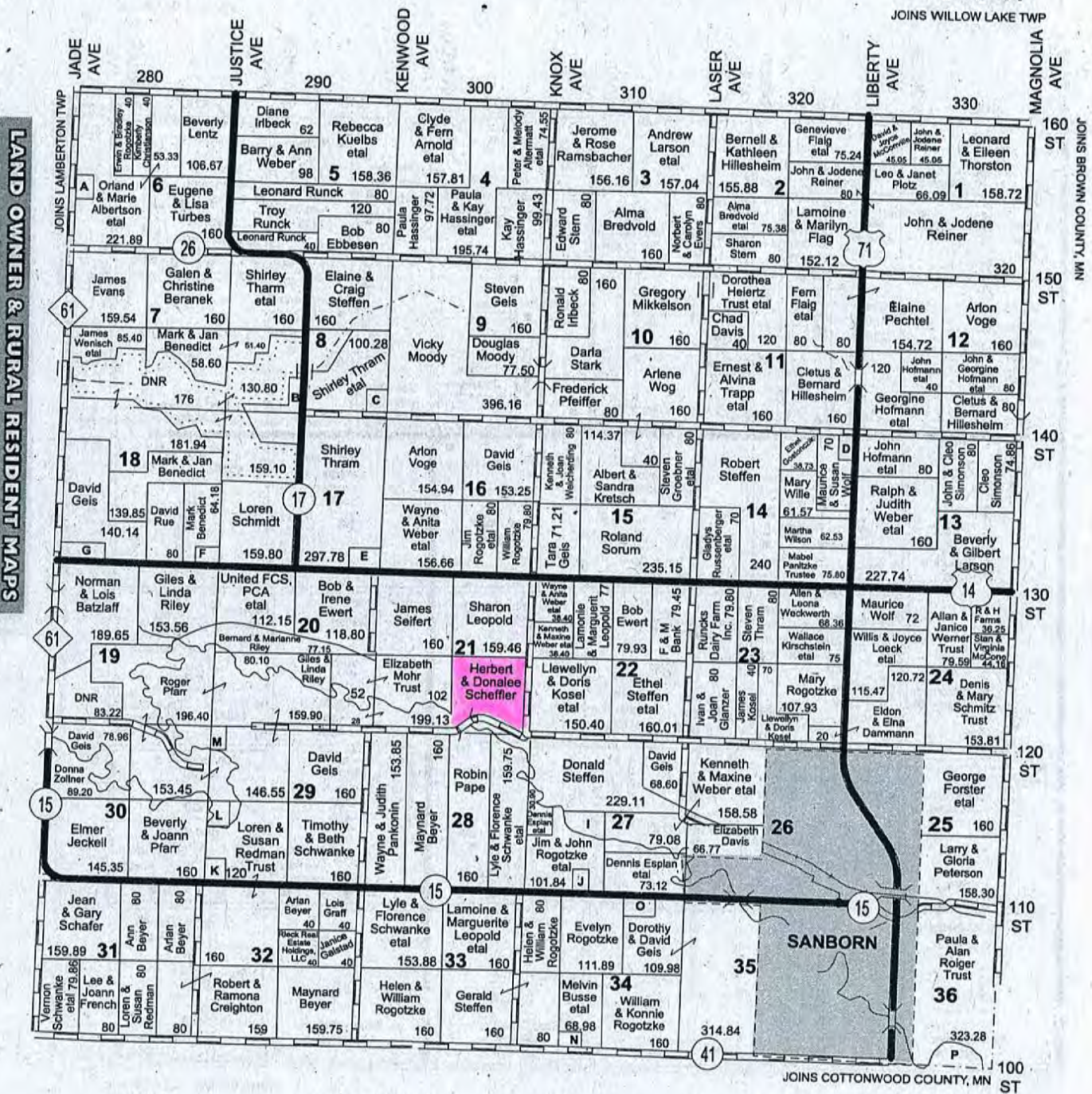
Nicholas W. Brozek  
Land Use and Zoning Supervisor  
Redwood County Environmental Office

# CHARLESTOWN TWP

T 109 N

LAND OWNER

R 36 W

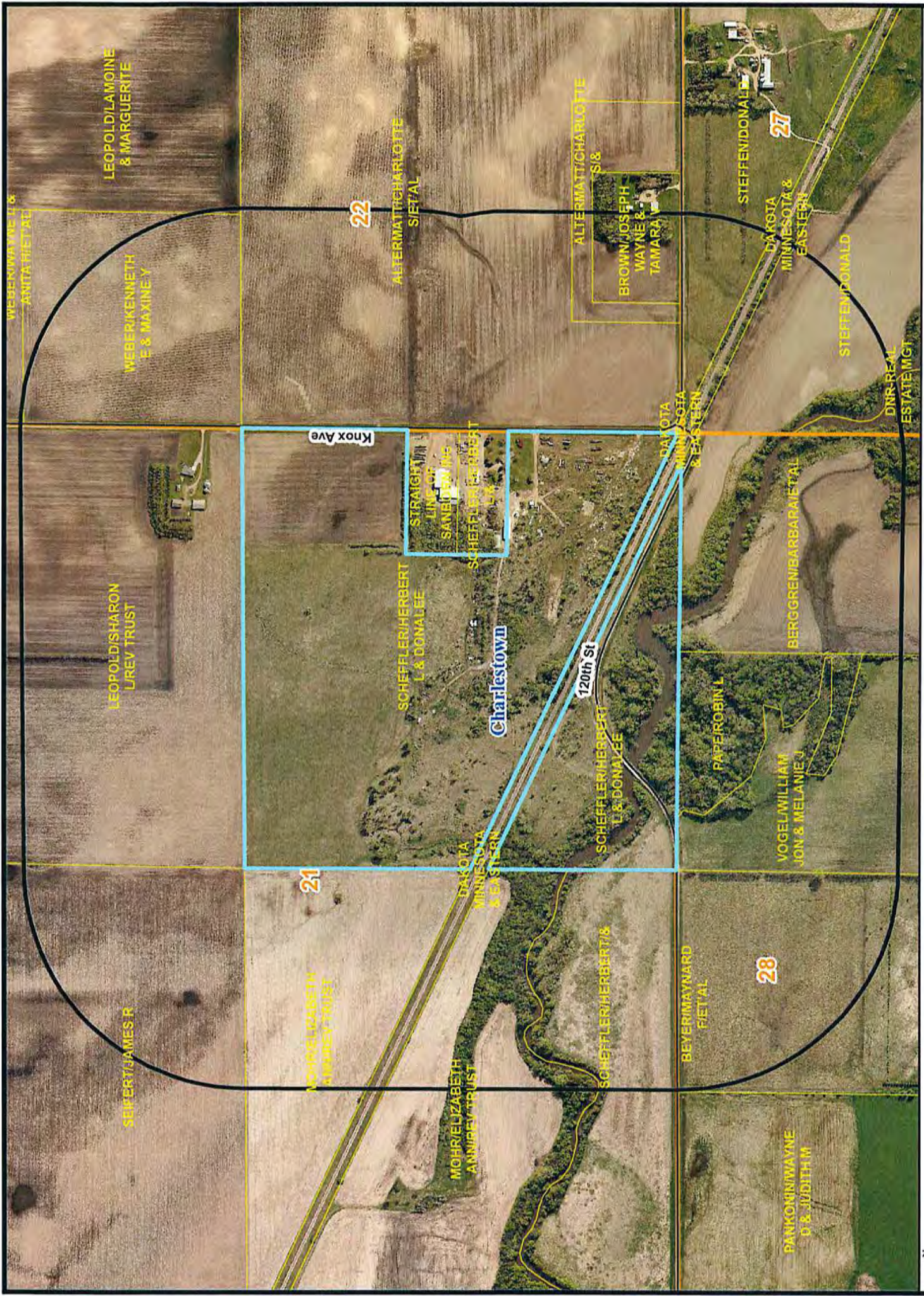


LAND OWNER & RURAL RESIDENT MAPS



**Small Tracts**

- Section 6 A Todd Evans - 10
- Section 7 B Steven & Debra Thram - 13.90
- Section 8 C Darla Stark - 20
- Section 14 D Darlene Trapp - 10
- Section 17 E David Friedley - 20.74
- Section 18 F Mark & Jan Benedict - 10
- G Twanalee Koch & Monica Menter - 19.37
- Section 27 I Kenneth Weber etal - 20.80
- J LaVonne Reese - 12.68
- Section 29 K Arlan Beyer - 22
- L John Mihm - 18
- M Cory & Joan Blomgren - 20
- Section 34 N Peggy Martius - 11.02
- O Jean Moravec - 18.63
- Section 36 P Russell & Carol Pankonin - 16.60



**Legend**

**CUP Notification Area = 1/4 Mile From CUP Parcel**

- CUP Notification Area
- Township
- Parcel
- Section
- Road

