



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

www.co.redwood.mn.us

Permit #: 6-17 Date: 3-30-17

Location of the Extraction:

Address: Ocean Avenue City: _____ State: MN Zip: 56266
House # Street Name

Parcel #: 69-022-1020 Township: Three Lakes Section: 22 Twp #: 111 Range: 35

Legal Description:

East 1/2 of NE 1/4 Section 22, Three Lakes TWP.

Information about the Extraction:

Zoning District: AGRICULTURE

Soil Type 1: STORDEN-ESTHERVILLE-VES Loams, 6 to 12 % slopes, eroded

Soil Type 2: WEBSTER CLAY Loam 0 to 2 % slopes

Type Of Extraction: Gravel/fill If other, please explain: Reduce elevation of Hill

General description of the extraction:

Remove and pile topsoil.
Excavate fill. → will reduce hill to level with existing surrounding land grade.
Replace topsoil as project progresses

Total acres in the parcel: 80 Number of acres to be extracted 10

Type of Road: Township Right-of-Way Footage: 33 from CL

Setbacks: (Please enter in feet)

Setback from the Center of the Road: 33

Side Yard Setback 0 Direction: SOUTH

Side Yard Setback: 1900 Direction: NORTH

Rear Yard Setback: 600 Direction: WEST

Starting Date: ASAP Estimated Date of Completion: 10 yr

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

Drainage Plan:

N/A

Landscape and screening plans:

Stockpile topsoil & replace once excavation is complete

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:

PIT will only be used occasionally when material is needed for specific projects by the contractor.

Reclamation plan:

Replace topsoil as project progresses and the hill is leveled, so that as much of the site can be farmed as possible at all times. In the end the whole site will be returned to farmland.

Estimated Cost of Reclamation: \$1,000

General Contractor:

Name: Gary Kerkhoff Const. City: Morgan State: MN

Applicant Information:

First Name: Mark Last Name: Madsen

Business:

Address: 21120 Prairie Ave City: Morgan State: MN Zip: 56266

Home Phone: 507-247-3338 Cell Phone: 507-227-6748

Land Owner Information:

First Name: Mark Last Name: Madsen

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: Mark W. Madsen Date: 3/30/17

Please attach the following information:

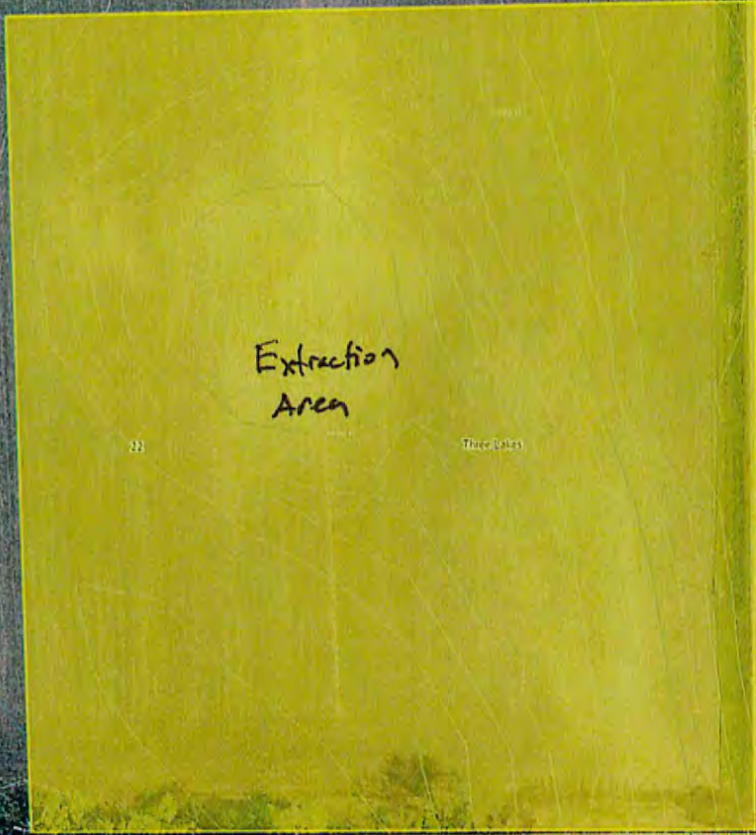
1. A detailed site map. This must include: soil types, topography (10 foot contour intervals), location of watercourses, outline of maximum area to be excavated, setbacks from property lines, vertical profile of area to be excavated including overburden, proposed and existing locations of any structures, 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: \$700.00 Receipt #: 381871 Date Approved:

Commission Action: County Board Action:
Approved: Date: Approved: Date:
Disapproved: Date: Disapproved: Date:



Extraction
Area

Area:
437372.5 Square Feet
Perimeter: 2650.9 Feet

05/02/2016



© 2016 Pictometry



Overview



Legend

- Municipal Boundaries
- Sections
- Townships
- Open Ditch
- Drain Tile
- Lakes
- Rivers
- Address points
- Parcels
- Shoreland**
- <all other values>
- 150 ft
- 300 ft
- 300 ft L W
- 1000 ft
- Flood Plain
- Major Roads**
- County/Twp/City
- State/Federal
- County
- Minor Roads

Parcel ID	69-022-1020	Alternate ID	n/a	Owner Address	MADSEN/MARK W & LYNN M
Sec/Twp/Rng	22-111-35	Class	AGRICULTURE		21120 PRAIRIE AVE
Property Address		Acreage	80		MORGAN MN 56266
District	n/a				
Brief Tax Description	E1/2 NE1/4, 80A				
	(Note: Not to be used on legal documents)				

Date created: 5/15/2017
 Last Data Uploaded: 5/15/2017 10:12:12 AM



Overview



Legend

- Municipal Boundaries
- Sections
- Townships
- Open Ditch
- Drain Tile
- Lakes
- Rivers
- Address points
- Parcels
- Shoreland**
- <all other values>
- 150 ft
- 300 ft
- 300 ft LW
- 1000 ft
- FloodPlain
- Major Roads**
- County/Twp/City
- State/Federal
- County
- Minor Roads

Parcel ID	69-022-1020	Alternate ID	n/a	Owner Address	MADSEN/MARK W & LYNN M
Sec/Twp/Rng	22-111-35	Class	AGRICULTURE		21120 PRAIRIE AVE
Property Address		Acreage	80		MORGAN MN 56266
District	n/a				
Brief Tax Description	E1/2 NE1/4, 80.A				
	(Note: Not to be used on legal documents)				

Date created: 5/15/2017
 Last Data Uploaded: 5/15/2017 10:12:12 AM



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

NOTICE OF PUBLIC HEARING

An *Application for Extraction Conditional Use Permit* has been filed by Mark Madsen pursuant to Sec. 16, Subd. 5 and Sec. 25 of Redwood County Zoning Ordinance for: the extraction, processing, and stockpiling of gravel and fill material from/on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

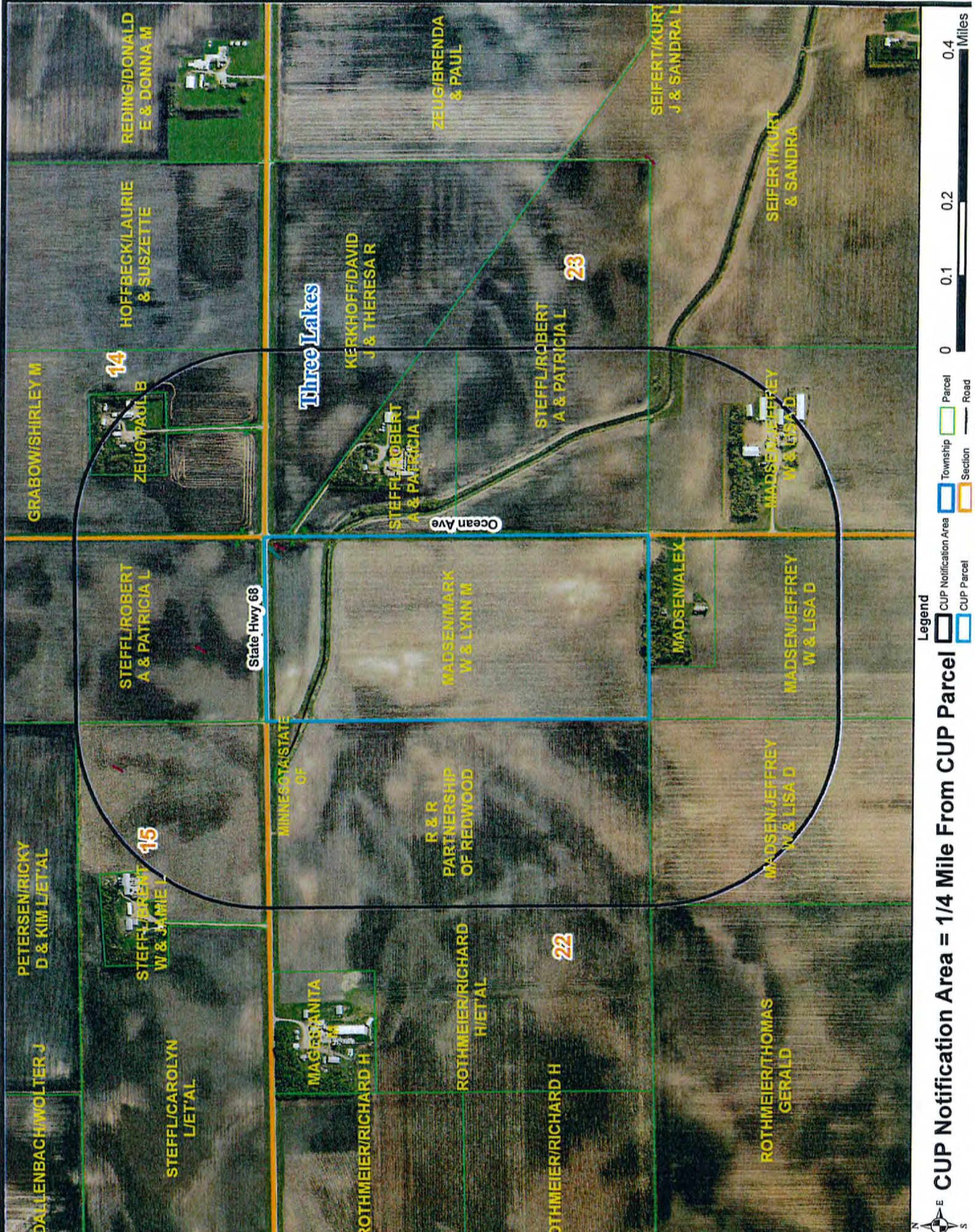
The East Half of the Northeast Quarter (E1/2 NE1/4) of Section 22, Township 111 North, Range 35 West, Three Lakes Township.

A public hearing thereon will be held before the Redwood County Planning Commission at 1:00 o'clock p.m. on Monday, the 22nd day of May, 2017, at the Board Room of the Redwood County Government Center located at 403 South Mill Street, Redwood Falls, MN 56283.

If you have any comments or questions regarding this matter, please attend the hearing or 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: April 25th, 2017

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



PETERSEN/RICKY D & KIM L/ET AL

STEFFL/RICKY W & JAMIE L

STEFFL/CAROLYN L/ET AL

GRABOW/SHIRLEY M

ZEUG/PAUL B

STEFFL/ROBERT A & PATRICIA L

HOFFBECK/LAURIE & SUSZETTE

REDING/DONALD E & DONNA M

MAGRANITA

ROTHMEIER/RICHARD H

ROTHMEIER/RICHARD H/ET AL

R & R PARTNERSHIP OF REDWOOD

MADSEN/MARK W & LYNN M

KERKHOFF/DAVID J & THERESA R

STEFFL/ROBERT A & PATRICIA L

ROTHMEIER/RICHARD H

STEFFL/ROBERT A & PATRICIA L

23

ROTHMEIER/THOMAS GERALD

MADSEN/JEFFREY W & LISA D

MADSEN/JEFFREY W & LISA D

MADSEN/JEFFREY W & LISA D

SEIFERT/KURT & SANDRA

SEIFERT/KURT J & SANDRA L

Ocean Ave

State Hwy 68

MINNESOTA/STATE OF

Three Lakes

14

15



CUP Notification Area = 1/4 Mile From CUP Parcel



0 0.1 0.2 0.4 Miles

Conditions Permit No. 6-17 (Mark Madsen/Gary Kerkhoff)

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 Ocean 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 7:00 am to 8:00 pm.
8. The permit holder shall take appropriate and reasonable measures to assure that all surface water runoff satisfies all applicable local, state, and federal discharge standards. The permit holder shall not allow the conditional use to cause increased surface water runoff onto neighboring properties.
9. The permit holder shall not exceed the boundary limits described and set forth in the *Application for Extraction Conditional Use Permit*, specifically, excavation shall not occur outside of the SE1/4 SE1/4 NE1/4. The permit holder shall keep any pit, excavation, or impounded waters within the limits for which the particular permit is granted. The permit holder shall not allow the conditional use to cause any sloughing or erosion on neighboring properties. The permit holder shall conduct the conditional use in such a way that the neighboring properties and public right-of-way are not in any manner undermined or destabilized.

10. The maximum depth of the excavated area shall not be deeper than the average elevation of the surrounding agricultural fields (1046 feet above sea level per Redwood County Zoning Maps).
11. The use of any other equipment (i.e. hotmix plant, bag house, etc.) at the site shall require a new conditional use permit. 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.
12. The completion date of this *Extraction Conditional Use Permit* will be June 6th, 2027.
13. 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.
14. 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 and sloped to a 3:1 or flatter slope so that it can be returned to crop farming use and 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.
15. The permit holder shall post a bond, cash deposit, irrevocable letter of credit, or other security in the amount of \$20,000.00. 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 ending date of *Extraction Conditional Use Permit*.
16. 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.
17. 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

Mark Madsen

Conditional Use Permit Application #6-17

May 22, 2017

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

Yes _____ No _____

Why?: _____

2) Has evidence been presented that shows the proposed use will cause material injury to the use and enjoyment of other property in the surrounding neighborhood for land uses that are already permitted?

Yes _____ No _____

Why?: _____

3) Will the proposed use have a substantial adverse effect on property values or future development of land in the surrounding neighborhood for uses common to the area?

Yes _____ No _____

Why?: _____

4) Are there, or will there be provided, adequate utilities, access roads, drainage, off-street parking and loading areas, and other necessary facilities to support the proposed use of the property?

Yes _____ No _____

Why?: _____

5) Have adequate measures been taken, or will adequate measures be taken, to prevent or control offensive odor, fumes, dust, noise, lights, and vibration, so that no disturbance to neighboring properties will result?

Yes _____ No _____

Why?: _____

6) Is the proposed use of the property consistent with the general purpose and intent of the Zoning Ordinance and the goals and policies adopted in the Comprehensive Plan?

Yes _____ No _____

Why?: _____

NAME: _____

DATE: _____