

## REDWOOD COUNTY PLANNING COMMISSION

### MINUTES

Meeting Date: September 28, 2015

A meeting of the Redwood County Planning Commission convened on Monday, the 28<sup>th</sup> day of September, 2015, at the Redwood County Government Center.

The following members of the Redwood County Planning Commission were present: Mark Madsen, Mike Scheffler, Kent Runkel, Dave Mattison and Commissioner Lon Walling. Absent was John Rohlik, Jr. Also present were the following individuals: Environmental Director Scott Wold, Land Use & Zoning Supervisor Nick Brozek and Citizens: Roger Anderson, Michael Senst, Adam Goldade, Abby Goldade, Matthew Thooft, Jake Barclay, Adam Brookins, Jeff Huseby, Tammy Huseby, Jimmie Lecy, Joyce Lecy, John Kleinschmidt, Betty Lecy, Joey Lecy, Tena Rytel, Mike Preuss, Nathan Petersen, City of Clements Mayor Thomas Groebner, Yellow Medicine County Zoning Coordinator Jolene Johnson, Lower Sioux Community Office of the Environment Director Deb Dirlam, and Redwood County Commissioner Denny Groebner.

At approximately 1:00 p.m., Chair Madsen called the meeting to order and read aloud the rules of conduct for the public hearings.

At approximately 1:01 p.m., Chair Madsen called to order a public hearing on an *Animal Confinement Feedlot Conditional Use Permit Application*, No. 17-15 submitted by Michael Senst.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the application submitted by Mr. Senst:

1. Mike Senst is requesting to expand his existing feedlot at his home site, located at 18278 Grandview Avenue, Lamberton. The site is located in Section 19 of Waterbury Township.
2. The feedlot currently consists of 150 head of feeder to finish cattle in partial confinement barn and open lots. The proposed expansion will include the construction of an additional partial confinement barn and concrete lots. The number of head will increase to 290. The barn structures will be monoslope construction and will slope away from the open lots.
3. Manure pack and temporary field stockpile manure storage will be utilized. No manure pit or storage structure will be constructed. 320 tillable acres are available for the manure, 80 of which are owned by Mr. Senst and 240 of which are owned by Bernadine Senst (see enclosed manure spread acres agreement).
4. A copy of the Conditional Use Permit application, maps, MPCA permit, and proposed permit conditions are enclosed.

Michael "Mike" Senst appeared before the Commission to explain the project. He presented the following information and it was discussed by the Planning Commission:

1. Senst is seeking to expand his existing cattle feedlot setup
2. He feeds Holstein steers from 400 lbs to finish weight
3. All cattle will be on concrete lots, some open air and some within buildings
4. Increasing head count from 150 head to 290 head
5. Manure will be dry manure. It will be stockpiled in the summer and spread on the fields in the winter

Scheffler asked if the applicant's proposed barn addition will create a barn a total of 80 feet by 140 feet. Senst said yes.

Chair Madsen asked if the manure will be solid manure, as opposed to liquid manure. Senst replied yes, it will be solid.

Chair Madsen asked Senst if he had read and understood the proposed conditions, and if he was ok with them. Senst nodded yes.

Members of the public speaking in favor of the project: None.

Members of the public speaking in opposition to the project: None.

The hearing was closed at 1:06 p.m.

On a motion made by Scheffler and seconded by Mattison it was moved and passed unanimously that the *Animal Confinement Feedlot Conditional Use Permit Application*, No. 17-15 submitted by Michael Senst be recommended for approval by the Redwood County Board of Commissioners subject to the twelve (12) recommended conditions.

At approximately 1:06 p.m., Chair Madsen called to order a public hearing on a *Conditional Use Permit*, No. 18-15 submitted by Thomas Groebner, Mayor, o/b/o the City of Clements.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the application submitted by Mayor Groebner:

1. They [sic] City of Clements is seeking to renew its permit for a fire department training building located at 21733 Ocean Avenue, Clements, in Section 2 of Sundown Township. The site was originally permitted in 2010 (CUP #17-10) for a term of 5 years, which expires on October 5<sup>th</sup>, 2015.
2. The building is located at the City of Clements municipal brush burning site. The building is used by the City of Clements volunteer fire department to conduct training

exercises related to emergency fire response, such as search and rescue and air pack training.

3. The building is a double wide mobile or modular home with moveable interior walls. The building does not have bathrooms or plumbing. No equipment is stored on site.
4. The building is substantially screened from the public road and neighboring building sites by trees and vegetation.
5. A copy of the Conditional Use Permit application, maps and proposed permit conditions are enclosed.

Mayor Groebner appeared before the Commission to explain the project. He presented the following information and it was discussed by the Planning Commission:

1. The City wishes to renew its existing permit, which is expiring, for its fire department training facility located at the old "dump grounds."
2. The City would prefer a permit lasting more than five years, which was the time limit placed on the original permit.
3. The facility is used by the Clements fire department for training exercises, such as air pack training and search and rescue training. The training building has moveable interior walls. The firefighters will set up the walls, fill the building with smoke, and enter with their air packs on.

The Commission inquired how frequently the facility is used. Groebner stated it is used about 2 or 3 times per year. Generally the training exercises will occur on the second Wednesday of the month, or the last Wednesday of the month.

Members of the public speaking in favor of the project: None.

Members of the public speaking in opposition to the project: Chair Madsen called for any members of the public opposed to the project to speak. Adam Goldade rose and came to the front. He stated that he was not opposed to the project, but that he had some questions. He owns and lives at the farm site property across the Township road from the training site. Goldade asked if he could be notified of the training dates, or receive a schedule of the proposed training dates. Groebner responded that the training officer or the Fire Chief would be able to provide that information. Goldade asked who is the Fire Chief. Groebner stated that the Fire Chief is Nick Groebner. Goldade said he knows Nick and will speak with him.

Goldade asked if smoke will be an issue on the site. Groebner explained that burns are conducted according to the weather patterns. Brozek clarified that the municipal brush burning site, on the same property as the training facility, is governed by a separate permit and is not the subject of the permit before the Planning Commission today. Brozek asked Groebner if there will be any burning or fire involved in operation of the training facility. Groebner replied that the fire department uses smoke pellets, or may light a small fire and blow the smoke into the building

with a fan. However, there will be no training conducted involving building fires and putting them out, and the training facility building will not be burned.

The hearing was closed at 1:14 p.m.

On a motion made by Runkel and seconded by Scheffler it was moved and passed unanimously that the *Conditional Use Permit*, No. 18-15 submitted by Thomas Groebner, Mayor, o/b/o the City of Clements be recommended for approval by the Redwood County Board of Commissioners subject to the ten (10) recommended conditions.

At approximately 1:14 p.m., Chair Madsen called to order a public hearing on a *Conditional Use Permit*, No. 19-15 submitted by Bernadette Thooft.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the application submitted by Ms. Thooft:

1. Matt and Bernadette Thooft recently purchased an existing farm dwelling site located at 25927 County Highway 7, northwest of Wabasso. The site is located in Section 17 of Vail Township. Bernadette is requesting to operate a retail business at the site.
2. Thooft currently owns and operates a retail business in the City of Wabasso, called The Shop at Boo's Corner. The business sells artwork, toys, specialty spices, religious items, purses, wallets, t-shirts, funny signs, household goods, pillows, wooden crosses, dolls and doll accessories, and wooden furniture. The retail business will occupy a 45' x 20' section of an existing 45' x 80' farm shop building. The total floor area of the business will be 900 square feet, thus qualifying for a permit as a Level II Home Occupation (which are limited by ordinance to no more than 1000 square feet of an outbuilding).
3. The building is heated and insulated. The hours of operation will be Tuesday and Wednesday from noon till 7 p.m., Thursday and Friday from noon till 6 p.m., and Saturday from 10 a.m. till 3 p.m. The business will be closed Sunday and Monday.
4. Customers will access the property from County Highway 7, where there is an existing approach serving the building site. A sign advertising the business, complying with the Redwood County sign ordinance, will be placed on the property near the County Highway 7 right-of-way. Customer parking for the business will be on an existing gravel parking area east of the shop building. The existing grove will screen the business from the public roadway.
5. The business must be made handicapped accessible, per the Home Occupation ordinance. The business will not have a public restroom.
6. A copy of the Conditional Use Permit application, business description, maps, and proposed permit conditions are enclosed.

Matthew "Matt" Thooft appeared before the Commission to explain the project. He presented the following information and it was discussed by the Planning Commission:

1. Matt is the husband of Bernadette Thooft, the applicant.
2. Bernadette currently operates her store out of a house in the City of Wabasso. She wants to move it out to the Thooft's newly acquired farm site and residence.

The commissioners inquired about whether this type of use is allowed in the Agricultural District. Brozek explained that the store will meet the standards for a Level II Home Occupation, which is the Conditional Use in the Agricultural District. The store will take up less than 1,000 square feet of an outbuilding on the applicant's dwelling property and will have fewer than 5 employees. Thooft confirmed that the business will not have any employees, other than Bernadette.

The commissioners inquired about the handicapped accessibility requirement. Brozek explained that handicapped accessibility is required in the Zoning Ordinance for home occupations. The standard policy of the Environmental Office is to hire licensed building inspector Darin Haslip to conduct an inspection of the property and determine what is required for accessibility. Brozek's understanding is that generally a paved parking spot and route to the building is required, as are 36" entrance and interior doors. Brozek stated that the building in which the business will be located has a restroom, but that it will not be held open to the public. Therefore, the restroom will not be required to be handicapped accessible.

Chair Madsen asked Thooft if he had read the conditions, understood them, and agreed with them. Thooft said he is fine with the conditions.

Members of the public speaking in favor of the project: None.

Members of the public speaking in opposition to the project: None.

The hearing was closed at 1:18 p.m.

On a motion made by Scheffler and seconded by Mattison it was moved and passed unanimously that the *Conditional Use Permit*, No. 19-15 submitted by Bernadette Thooft be recommended for approval by the Redwood County Board of Commissioners subject to the thirteen (13) recommended conditions.

At approximately 1:18 p.m., Chair Madsen called to order a public hearing on a *Conditional Use Permit*, No. 20-15 submitted by Matthew Thooft.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the application submitted by Mr. Thooft:

1. Matt Thooft, husband of Bernadette (see number 3 above), is requesting to operate an automotive and truck frame straightening business at his dwelling site located at 25927 County Highway 7, in Section 17 of Vail Township.

2. Thooft's business is currently located in the City of Vesta. Thooft is seeking to move his business to his family's new farm dwelling site, where it will share space in an existing farm shop building with
3. Bernadette's retail store business. Matt Thooft's business will occupy 45' x 60' of the 45' x 80' building, with Bernadette's business occupying the remainder.
4. According to Redwood County Ordinance, an automotive repair business is a Conditional Use in the Agricultural District.
5. Customers will access the property from County Highway 7, where there is an existing approach serving the building site. A sign, complying with the Redwood County sign ordinance, will be placed on the property near the County Highway 7 right-of-way. Customer parking for the business will be on an existing gravel parking area east of the shop building. The existing grove will screen the business from the public roadway.
6. The business will consist of pulling frames, auto and truck assembly, suspension replacement, automotive part removal and installation, welding, cutting, windshield repair and replacement, and detailing. The business will not involve retail sales.
7. Thooft may also engage in a limited amount of auto sales on the site, utilizing an open space between County Highway 7 and the existing grove for that purpose.
8. A sign advertising the business, complying with the Redwood County sign ordinance, will be placed on the property near the County Highway 7 right-of-way.
9. The hours of operation of the business will be Monday through Friday from 8 a.m. till 5 p.m. The business will not be open on Saturday or Sunday.
10. A dumpster will be maintained on the property for disposal of business waste and garbage. The dumpster will be picked up twice per month by Waste Management.
11. The business will not have a public restroom.
12. A copy of the Conditional Use Permit application, business description, maps, and proposed permit conditions are enclosed.

Matthew "Matt" Thooft appeared before the Commission to explain the project. He presented the following information and it was discussed by the Planning Commission:

1. Thooft owns and operates a car and small truck frame straightening business.
2. He repairs cars that have been in accidents, straightening bent frames and replacing damaged auto-body parts.
3. He also buys and repairs approximately 15 cars per year for resale.
4. His business is currently located in Vesta.

Commissioner Lon Walling stated that he is familiar with Thooft's business in Vesta and that it is an upstanding business.

Brozek asked Thooft if he has a state license to sell cars. Thooft replied that he does have a dealer license.

Chair Madsen asked Thooft if he had read the conditions, understood them, and agreed with them. Thooft said he is fine with the conditions.

Members of the public speaking in favor of the project: None.

Members of the public speaking in opposition to the project: None.

The hearing was closed at 1:22 p.m.

On a motion made by Mattison and seconded by Runkel it was moved and passed unanimously that the *Conditional Use Permit*, No. 20-15 submitted by Matthew Thooft be recommended for approval by the Redwood County Board of Commissioners subject to the thirteen (13) recommended conditions.

At approximately 1:22 p.m., Chair Madsen called to order a public hearing on an *Extraction Conditional Use Permit*, No. 21-15 submitted by Adam Brookins of Kasota Stone Fabricators o/b/o Roger Anderson, Landowner.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the application submitted by Mr. Brookins:

1. Kasota stone is requesting to reopen an old granite quarry located in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 18, Swedes Forest Township. The property is owned by Roger and Zayna Anderson, of Belview. The site is located on the north side of County Highway 27. The property is just east of the county line and borders on Yellow Medicine County. The Andersons also own the land on the west side of the county line, in Yellow Medicine County. Part of the quarry site, including the entire existing excavation, is located on the Yellow Medicine side. Consequently, Kasota is currently seeking a CUP from Yellow Medicine County, as well as from Redwood County.
2. Kasota plans to quarry dimensional granite from the site, gradually expanding the original quarry footprint. Up to one half of an acre will be quarried on the Redwood County side. The stone blocks quarried from the site will be stored on the Redwood side before being trimmed for shipment and trucked to the Kasota fabrication facility in Mankato. The oddly shaped, broken, and unusable stone blocks and pieces (grout) will also be stored on the Redwood side, on the existing grout pile from past quarrying. Additionally, the access road and road approaches are on the Redwood side.

3. The mining will primarily be undertaken with wet saws, which reduce the need for blasting. Blasting will occur, but only about once per month. Stone blocks cut from the ground will be staged on site before being moved to a 5,000 square foot trimming building to be constructed on the site. The trimming process is intended to prepare the blocks for shipment to Mankato for fabrication. Fabrication will not take place on site. The wet saw technique should make less waste (grout) to be added to the grout pile. Some of the existing grout will be used to fabricate dimensional stone, or it may be crushed. Water for the wet saw will be impounded in the quarry pit, where sediment will be settled out and the water reused.
4. As quarrying progresses, the newly created grout will be used to re-slope the quarry walls, as active quarrying moves across the area to be quarried. The term of the permit is 10 years, from 4-1-2016 to 4-1-2026. At the end of the permit term, the quarry and grout pile will be re-sloped and seeded.
5. The approaches to the site lack visibility from the roadway. The site is located on a curved stretch of County 27, where the road climbs up out of the River Valley. Consequently, the County Engineer is researching the proper location for placement of warning signs along the roadway to advise drivers of truck traffic.
6. A copy of the Conditional Use Permit application, description of the quarry supplied by Brookins, maps, and proposed permit conditions are enclosed.

Adam Brookins and Jake Barclay appeared before the Commission to explain the project. They presented the following information and it was discussed by the Planning Commission:

1. Kasota wants to reopen an existing quarry located in Yellow Medicine and Redwood Counties. The Quarry has been closed since the 1970s.
2. Kasota intends to "fix what's there" by removing the old crane and ultimately reclaiming the site.
3. Kasota will use a "down the hole" drill and wire wet saws to remove 6' x 5' x 10' blocks from the quarry. The blocks will be trimmed on site for shipping and will then be trucked to Mankato for fabrication.
4. Most of the quarry hole will be located on the Yellow Medicine side, but a small area of Redwood County will be included in the quarry, as well as the grout pile (unusable stone), the access road, and the trimming building.
5. The quarry site has two access points off of CSAH 27. The site will be set up so that the trucks will enter using the western access point and exit using the eastern access point, creating a one-way flow through the site.
6. Some of the existing grout pile will be trimmed and removed.
7. Truck hauling signs will be placed warning drivers of the activity on the site.
8. Kasota currently has three quarries in Mankato and a fabrication plant
9. Dakota Granite has a lease on the site from the landowner, Roger Anderson, and Kasota will be subleasing from Dakota Granite.
10. The site will employ 2 or 3 people if demand is high. If demand for the granite drops, then a single employee will be able to operate the site.



11. Blasting may be used as a quick and efficient means of removing unusable stone from the quarry hole. Blasting is proposed to be limited to no more than one day per month. If the material in the quarry is of consistent good quality, blasting may not be done at all, since it tends to destroy some good material along with the bad.
12. Regarding reclamation, the quarry will be allowed to fill back up naturally with spring and surface water (as it is currently). The walls of the quarry will be benched (terraced) and backfilled with grout to a slope of no greater than 3:1 to a depth of about 5 to 8 feet below the surface of the water, at which point the sides will be left sheer.
13. A crusher will be moved and to crush part of the existing grout pile to make material to improve the quarry road. Crushing will be limited to this purpose and will only occur at the beginning of the project. After the road is in place, no further material will be crushed.

Members of the public speaking in favor of the project: None.

Mike Preuss spoke against the project, making the following statements:

1. He is the closest resident to the quarry- his house is about 1000 feet away.
2. Preuss read aloud a letter he prepared in response to the project (a copy is attached to these minutes)
3. According to his research, the existing Kasota Stone company is a new company, not to be confused with an older company by the same name.
4. Yellow Medicine County Planning Commissioners want to visit a quarry and listen to the noise levels at a similar site.
5. Prior to the hearing, Preuss forwarded a list of questions to the Redwood County Commissioners (see attachment). He would like to have these questions answered.
6. Kasota gave a different answer to the question of how many employees will be at the site at the Yellow Medicine hearing vs. the Redwood hearing.

Brookins and Barclay responded to some of Preuss' questions and comments as follows:

1. The number of employees depends on the context the of question. For instance, should it include truck drivers? Demand for the stone is high now, but could fluctuate in the future, going lower or higher yet, requiring a different number of employees on the site.
2. Kasota took granite from the grout pile to its fabrication site in Mankato and used the wire saws on it. They measured the decibels at different distances from the saw, with the following results:
  - a. 5 feet: 84 decibels
  - b. 10 feet: 80 decibels
  - c. 15 feet: 76 decibels
  - d. 20 feet: 71 decibels
3. Barclay stated that the average speaking volume is 80 decibels
4. Regarding crushing, this is not a rock crushing project, but they do want the option to crush a single time in the beginning of the project for buildout of the site, using the existing grout.

5. Regarding traffic, Kasota proposes to remove the line of trees growing along the CSAH 27 right-of-way near the east quarry access point (which will be used as the exit) in order to improve visibility.
6. Kasota's position is that it is a landowner's right to prosper from their property, and that appropriate conditions placed on the permit would keep all parties satisfied.

Brozek asked if Kasota would be ok with a permit condition limiting crushing to the initial buildout of the road and yard. Barclay responded that Kasota would be fine with that condition.

Brozek asked if Kasota intends to clear the trees on the west side of the quarry site exit, or the east side, or both. Barclay said they would clear the trees on both sides of the site exit.

Chair Madsen asked about how loud the blasting would be and what distance the noise and debris would travel. Barclay stated there would be no blasting initially. Blasting would only occur if bad stone is on the way of good stone. Brookins stated that only "small" loads would be used in order to preserve the dimensional stone.

Mattison asked how many days per week will the site be operational. Brookins replied that, taking weekends, weather, and seasons into account, about one third to one half of the days in a calendar year would be working days. The quarry is intended to be operational on Saturdays. Barclay mentioned that this is in part to allow employees to log 40 hours of work for the week if they have not already by then. Barclay said that they are willing to stay closed on Saturdays if needed as part of the permit conditions.

Joyce Lecy spoke against the project, making the following statements:

1. Joyce stated that they own land on the corner of CSAH 7 and CSAH 27, which is why they received notice of the hearing.
2. The Lecy's used to live in Roger Anderson's house in the 1970s when the quarry was still open. She said the noise there at Anderson's house was not too bad, but when she went visiting at Preuss' house the noise was terrible.
3. She had a problem with her well stemming from the blasting at nearby gravel pits, due to the fine kaolin clay soil.

Joey Lecy spoke against the project, making the following statements:

1. He is Joyce's son
2. The Soil and Water Conservation District paid for a dam to create the existing lake and wildlife area near the quarry in the 1980s. It is hope to an abundance of wildlife.
3. The land around the lake is used for teaching by area schools, which bring groups of students there.
4. The area provides great habitat.
5. Visibility on CSAH 27 east of CSAH 7 is very bad and the existing truck hauling signs are not sufficient.
6. The Lecy's renter was nearly in an accident there near the quarry exit.

Chair Madsen asked if the noise from the proposed quarry would affect the school use of the wildlife area. Lecy replied that it would. Madsen stated that the mining technique proposed is different than those used in the 1970s. Jimmie Lecy stated that in the 1970s the quarry used a rock burner and blasting.

Jeff Huseby spoke against the project, making the following statements:

1. He has lived near the site since 1980
2. He is concerned about noise, runoff, wells, land value, environmental effects.
3. His well is 35 feet deep and only one half of a mile away from the quarry.
4. He is concerned about the DNR dam and lake, and the effects of potential rock dust runoff and snow runoff from the quarry site.
5. He doesn't want noise pollution on Saturdays. He isn't around most of the workweek.
6. He is concerned about road safety, especially in the winter.
7. Asked if the proposed crushing on the site will affect the quarry's DNR water permit.

Deb Dirlam, Director of the Environmental Office at the Lower Sioux Community, spoke against the project, making the following statements:

1. She works within the Minnesota River Valley and has first hand knowledge that it is already a stressed ecosystem, even without reopening this quarry.
2. Asked about the effect of Federal regulations on the project regarding the project's effect on animals. She noted that eagles have nests in the area.
3. She is concerned about the restoration of the site, how it will be monitored. She stated that even after being reclaimed, it will not be restored to the same habitat and use that it has now. It will not be restoring the naturally existing species.

As no other members of the public wished to speak, Mike Pruess asked to make a final comment. He asked what financial benefit Roger Anderson is receiving from the quarry lease deal and offered to pay Anderson \$100,000.00 not to reopen the quarry.

The hearing was closed at 2:35 p.m.

The Planning Commissioners discussed the need to review the letter and questions submitted by Preuss, along with information received by staff that morning from the DNR. They also indicated interest in attending the site visit being planned by Yellow Medicine County.

On a motion made by Scheffler and seconded by Runkel it was moved and passed unanimously that the *Extraction Conditional Use Permit*, No. 21-15 submitted by Adam Brookins of Kasota Stone Fabricators o/b/o Roger Anderson, Landowner, be tabled until the regularly schedule November 30<sup>th</sup>, 2015, Planning Commission meeting.

Brozek stated that he would mail notice of the November meeting to all those present and signed in at the September meeting, but that it would not appear in the newspaper.

At approximately 2:40 p.m., Chair Madsen called to order a public hearing on a *Conditional Use Permit*, No. 22-15 submitted by Nathan “Nate” Petersen of Shooters Sporting Clays.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the application submitted by Mr. Petersen:

1. Nate Petersen is requesting to expand his existing gun range on his property located at 10713 300<sup>th</sup> Street, in Section 19 of Underwood Township. The range is currently set up for shotguns only, trap and skeet, and includes a club house and various outbuildings.
2. Petersen wants to add five new trap houses, four trap shooting fields, two skeet fields, a rifle and pistol range, and exterior lighting. The club house will not be expanded as part of this project.
3. The property is located partly in the Flood Fringe of the Floodplain District. Consequently, notice of the hearing has been sent to the DNR, per State Statute and Redwood County Ordinance.
4. The site is open to individuals who want to come in and shoot, group parties, and tournaments and other events. Some events include food catered from off-site, or grilled outdoors onsite. The clubhouse contains a small kitchen and a studio apartment for a seasonal employee. The septic system was installed in 1998 and designed for a daily sewage flow of approximately 180 gallons. During tournaments and events, the septic and indoor lavatory is supplemented with rented portable toilets.
5. Shooters is located on a quarter section of farmland and former farm land, owned by Petersen. The property is surrounded on three sides by public roads: 300<sup>th</sup> Street on the south, Aspen Avenue on the east, and 305<sup>th</sup> Street on the north. Conditions may be required to ensure that shot does not fall on the public roadway or road right-of-way.
6. Much of the existing and proposed shooting, due to the layout of the site and the location of the roads, will be directed towards the closest neighbors to the site: Brian & Vicki Rosa and Richard & Patricia Rosa.
7. A copy of the Conditional Use Permit application, maps, DNR grant application, a selection of Article 3 of the NRA handbook, and proposed permit conditions are enclosed.

Nathan Petersen appeared before the Commission to explain the project. He presented the following information and it was discussed by the Planning Commission:

1. Petersen is the co-owner and operator of Shooters Sporting Clays
2. He wants to expand his operation to accommodate the growing high school clay target league – 8600 students across the state. He wishes to add four trap fields (including five trap houses) for that purpose.

3. He hosts fundraisers for the Lions Club, the Legion, school teams, FFA teams, SMSU.
4. He has been approved for DNR matching funds for the project.
5. He also wants to add two skeet fields and a rifle/pistol range. He intends to add light poles and lighting for night shooting.
6. Most important to him are the trap fields. Next important are the skeet fields. The rifle and pistol range is last on his list, and he did not present a construction design because he wasn't sure it would be approved.
7. He has an ADA compliance plan developed in cooperation with the Marshall Chamber of Commerce.
8. The business will be open on weekdays and weekends. The expansion will allow for more activity on the weekends, when the school tournaments occur.

Commissioner Walling asked about the outdoor lighting. How tall will the poles be? Petersen responded that they would be between 25 and 40 feet. Brozek stated that the Ordinance limits them to no higher than 35 feet. Walling was concerned about potential citizen complaints due to the lights. Petersen stated that the lights would be used for evening and winter shooting. Petersen was fine with a condition limiting shooting to the hours between 8 am and 10 pm. Peterson was asked if 9pm would be an appropriate end time. He said 10pm would work better for his business, allowing more time for people to shoot after work.

The commissioners asked about public safety. Brozek explained the expected shot fall areas are well short of the public roads, based on the information and charts in the NRA guidelines supplied by Petersen. Petersen stated that 7 ½ size shot will be the largest shot size allowed on the site.

The commissioners discussed whether Petersen's permit application could be approved without a design for the rifle and pistol range. Brozek stated that they could approve the permit for the trap and skeet but not allow the rifle and pistol range, or they could table the whole permit. He recommended not approving the rifle and pistol range without a design, because the commissioners would not know what they were approving.

Petersen discussed potentially utilizing culverts to contain the rifle and pistol shooting lanes, so that the shooters cannot see the horizon. The shooting lanes will be sloped down so that the shooters are pointing their firearms down while shooting. He stated that many ranges have a rule requiring that the barrel of all firearms cannot be raised above level with the ground at all times.

Chair Madsen expressed concern over Petersen needing to come back in for an additional permit to build the rifle and pistol range. Brozek suggested placing a condition on the permit stating that the rifle and pistol range could not be built until Petersen brings in plans and they are approved by the Planning Commission and County Board.

Members of the public speaking in favor of the project: None.

Members of the public speaking in opposition to the project: None.

The hearing was closed at 3:20 p.m.

On a motion made by Mattison and seconded by Scheffler it was moved and passed unanimously that the *Conditional Use Permit*, No. 22-15 submitted by Nathan Petersen of Shooters Sporting Clays be recommended for approval by the Redwood County Board of Commissioners subject to the fourteen (14) recommended conditions, along with an additional condition requiring the permit holder to submit construction plans for the rifle and pistol range for approval by the Planning Commission and County Board prior to constructing the rifle and pistol range.

At approximately 3:20 p.m., Chair Madsen called to order a public hearing on a draft solar ordinance.

Previous to the meeting, a draft solar ordinance was forwarded to the Planning Commissioners. A copy of said draft is attached to these minutes.

At the hearing, several people made statements:

Tom Groebner, Mayor of the City of Clements, described a private solar project that he had worked on in Clements. Mayor Groebner stated that solar is already closely regulated by the electric utility companies, which require insurance policies.

County Commissioner Dennis Groebner stated that the County should plan for future state requirements in connection with the solar mandates.

Tena Rytel, from Geronimo Energy responded to questions from the commissioners regarding solar arrays and made the following comments:

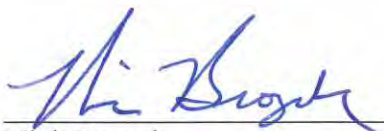
1. Geronimo supports the draft ordinance as written
2. A common small solar array size is 20kw – this would be sufficient to power a small business
3. A 5kw or 6kw array would power a normal single family dwelling.
4. Recommends creating permitting categories based on size of the array, thinks this would provide more clarity than the small, midsized and large categories in the draft ordinance.
5. All arrays, except solar thermal and arrays providing power to buildings that are not on the electrical grid, will at least theoretically feed back into the grid at times.
6. Arrays are generally divided into two types: wholesale and retail. Wholesale arrays produce energy that is all fed into the grid for sale. Retail arrays first use the energy they produce to power a building or use on site, and feed the excess into the grid.
7. Retail arrays are limited in size by the utility companies, which have an interest in limiting the amount of power they are required to buy at retail prices. Consequently, some utilities limit the amount of excess solar energy which can be produced on site, or limit the amount they will buy at retail (buying the remainder wholesale), which leaves the owner no financial incentive to overbuild their solar arrays.
8. According to the MPCA, solar arrays are not considered an impervious surface when the underlying ground is natural soil with perennial vegetation.

John Kleinschmidt with the City of Morgan spoke about some solar projects within Morgan and the Morgan renewable energy ordinance.

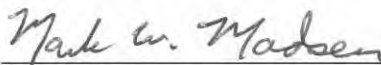
It was discussed that a new draft ordinance will be prepared to incorporate some of the suggestions and comments received at the hearing. The revised draft ordinance will be presented at a public hearing at the next regularly schedule Planning Commission meeting on Monday, October 26<sup>th</sup>, 2015, at 1:00 p.m.

The hearing was closed at 4:10 p.m.

The commissioners reviewed and discussed the minutes from the August 31<sup>st</sup>, 2015 Planning commission meeting. On a motion made by Scheffler and seconded by Mattison, the August 31<sup>st</sup>, 2015 Planning Commission meeting minutes were unanimously approved as presented.



Nick Brozek  
Land Use & Zoning Supervisor  
Redwood County Environmental Office



Mark Madsen, Chairman  
Redwood County Planning Commission





## Questions about the proposed quarrying operation.

Submitted by Mike and Mary Preuss

How many employees are expected to work at the site during normal operation?

How many days per week of operation?

What would be the hours of operation?

What are any intended overtime hours of operation? From? \_\_\_:00am. to? \_\_\_:00pm.

Would Saturdays be scheduled for operation?

Would major Holidays ever be considered for operation if needed to fill an order?

How many rock drills would be operating on the average at one time?

How many jack hammers would be operating on the average at one time?

How many rock saws would be operating on the average at one time?

How many front end loaders would be operating?

Would there ever be rock crushing done on site?

What is the average expected decibel level of the entire operation at a given distance? 500'? \_\_\_\_\_ 1,000'? \_\_\_\_\_

Is there any concern **at all** about the noise level during normal operation at the closest neighbor's residence?

Who does your blasting?

About how many blasts would there be per day if blasting is allowed only 1 day per month?

What are the limitation of the hours or the days that blasting could occur?

How and when are neighbors notified of when blasting would take place?

Is there any concern about blasting possibly disrupting neighboring wells?

Should this happen, will Kasota Stone Fabricators and the blasting contractor be liable for well repair or replacement?

About how many semi-truck loads of granite per year would be hauled from the proposed quarry? For how long?

Are the entrance and exit of the proposed quarry of major concern because of their locations on the curved hill?

Where would the water pumped from the site drain to?

If there is heavy rainfall of 3+ inches where would all the water drain to?

Where would the rock dust contaminated winter ice and snowmelt drain into?

Do you currently have any mining operations? How many? Where? What kind of rock?

Are there any occupants that live within 1,000' of any of those mines other than land owners, friends, relatives or employees of the company?

Can you give us names of those residents so that we may contact them about their experience with your mines?

Did the original Kasota Stone company cease to exist in 2013?

Is Kasota Stone Fabricators Inc. a reorganization of that same company or is this a new company since 2013?

When was the new company formed?

How many employees does Kasota Stone Fabricators Inc. have currently?

What experience does the new company, Kasota Stone Fabricators Inc. have with mining Granite rock?

Who are the principal owners of Kasota Stone Fabricators Inc.?

Who are the Officers?

What role does the company Dakota Granite play in the operation of Kasota Stone Fabricators Inc. currently?

What role would Dakota Granite have in the operation of the proposed quarry? Are they a major customer?

Would Dakota Granite be supplying equipment to mine the granite?

Who owns the mineral rights at the proposed quarry? Can you submit proof?

Were permits issued from Yellow Medicine and Redwood Counties to remove the grout pile at the site this past year?

What concerns do you have about operating this proposed quarry?



9/19/2015

Michael and Mary Preuss  
6378 190<sup>th</sup> Ave.  
Belview, Mn 56214  
612-270-9087  
320-368-0362

Redwood County Land Use and Zoning Board.

Meeting date 9/28/2015

Opposition to the Kasota Stone Fabricators conditional use permit application. (4 pages)

We have been notified by the Redwood County Land Use and Zoning Office that Kasota Stone Fabricators Inc. and Roger Anderson (land owner) have applied for a conditional use permit to re-open the south Echo granite rock quarry which has been vacant since mid-1970's. Our concerns are many as our house is located less than 1,000 feet from the actual quarry where the stone will be mined.

### 1. Noise.

**Our house** is the closest one to the site and sits just above the river valley less than 1,000 feet from the quarry. There is little to no noise barrier other than a sparse amount of trees to lessen the noise that is generated by the proposed operation. Even this offers no amount of noise reduction more than ½ of the year when the leaves are gone. As an example, Monday morning as we were sitting outside having our morning coffee at 7 am. we could plainly hear a cow ballering from that very site. It continued on and was loud enough that we needed to raise our voice a little to continue the conversation. We can also hear normal talk coming from there at times. Even though the operator contends that equipment noise levels will be maintained according to OSHA specifications, those specifications are for operator safety, not for controlling environmental noise pollution. The constant combined noise of rock drills, saws, water pumps, and heavy equipment for up to 12 hours a day and 6 days per week will most certainly make it very unpleasant and near impossible to enjoy the lifestyle that we have worked so hard for the past 34 years!

**We are also concerned** and convinced that the noise will be loud enough to be heard inside our house even with the windows closed. Mike's job allows him to work from home 2-3 days per week. When the weather is favorable he enjoys sitting on the back porch (facing the quarry) or front deck some of the time while he does computer work and makes phone calls. This would no longer be possible let alone enjoyable. He will need to retreat to the basement to avoid the constant drone. Even that may not be enough as it is a walk out basement having the full width of the basement facing the quarry. We have 2 more levels directly above it that face the quarry. We enjoy watching TV on the back porch (1<sup>st</sup> floor facing the quarry) and Mary enjoys sewing on the second story with 2 walls directly facing the quarry. There certainly will be no "sleeping in" when the opportunity exists from being ill or a day off. Our bedroom as well as a second bedroom has one full wall facing the quarry.

**Mary enjoys horse riding.** We have 2 horses that are in a small upper pasture area with the barn located another 150 feet closer to the quarry. Horses are not like cows and they are very upset by noise. Even constant wind sets them on edge as they rely on their hearing for protection. The bottom pasture where they eat grass is within about 400 feet of the quarry. We don't see them wanting to go there to eat. Also, horses do not have the same demeanor when they are stressed. The noise will most certainly cause behavioral problems and may sometimes make them unmanageable to ride. We have just talked about "noise". What kind of trauma will they be subjected to when "BLASTING" happens? It's not like you can prepare them for it! How will all this noise affect their hearing long term?

## 2. Blasting

The applicant is requesting one day per month for blasting. Here again our concerns are many and we have no buffering from the blast wave that will basically hit us full force. I just can't imagine what that would sound like in our house let alone outside and for our horses. I would venture to guess that if we were to use OSHA guidelines for hearing protection that we would need to wear hearing protection while outside or risk hearing damage. What about Inside? With the proposed volume of extraction at 100,000 cuft. per year (500 semi loads) it won't be just one charge. There will be multiple charges throughout day long. I envision that during the first few months there would need to be more frequent blasting to remove the top fractured rock and to create the ramp going into the quarry area for the front end loader to haul out the rock.

**Structural damage** has been reported from blasting. Surely our windows will rattle, pictures on the wall will rattle, dishes in the cupboards will rattle. What does this do to our buildings over a longer period of time? I'm not an expert but if you keep pounding on something long enough even with a small hammer you can do damage to whatever it is you are pounding on!

**Our well** is less than 1,000 feet from the quarry at 110 feet deep and sits just on top of the granite shelf in a layer of very fine sand. For a few years after it was drilled we had problems with this very fine sand being pumped into our supply. We needed the well driller to do some things to try to stop it. It gradually settled down within a few years later. Our concern is that the blasting may cause the sand to get stirred up and once again cause the problem. What guarantee is there of this not happening? Who pays for a new well or maintenance of the current one?

## 3. Traffic

**The location** of the proposed entrance is on a curved hill into the river valley. Because of this it may be very difficult for traffic going east down the hill to see and stop in time for traffic exiting/entering the quarry. In the winter season the hill is usually covered in ice and snow making it impossible to stop. There are numerous gravel pits to the east of the quarry location and the truck traffic is sometimes as much as one per minute going east or west when there are road construction projects to the west of here somewhere. There are also regular gravel trucks that run daily. Farm trucks and fertilizer trucks, loaded semis all are frequent on this road. In the fall we have loaded sugar beet truck traffic going to Renville. They drive fast and most are not "Real truck drivers". We also have seen a large increase in traffic the past 3 years with people going to and from Grandview Valley Winery just to the southeast of the quarry 2 miles.

**The proposed** 100,000 cuft. per year of extraction @ 165 lbs./cuft. for granite rock converts to about **500 truckloads per year**. Given the fact that winter time will most likely be lesser production we could expect to see 5-7 trucks entering/exiting per day the rest of the year. Depending upon how many employees will be at the site there will an added 15-25 or more entrances/exits per day. Any trucks exiting to the west will have a very slow pick up speed going up the hill which may entice some drivers coming from the east to pass the 20 mph. truck on the curved hill, it will happen! In the winter when the hill is often snow covered and icy it will make a quick stop or maneuvering impossible. All this on a more or less hidden entrance from the west and east on a sometimes icy, curved hill. This location is an accident waiting to happen. There have already been numerous reports of very near misses while they have been hauling rock out of there this year. It's not if, it's when and WHO!

#### 4. Property Value

**Mary and I** have spent the past 34 years enjoying the peacefulness of the area. I personally have enjoyed living in this immediate area for some 50 years. In 1981 we started with a bare patch of land large enough for a building site. With a lot of our own personal labor and by investing the majority of our finances we have created our lifelong home. We have always intended to retire here which is hopefully coming up within the next 10 years. Should this conditional use permit be approved, that dream of retiring in the peaceful setting that we have created will be gone let alone dealing with all the noise until retirement. Should we come to the realization that we cannot deal with the continuous noise and decide that we must leave, or health issues or something else would cause us to need to sell, what would our property be worth?

**We have a very nice home** on 5 acres of land on a tar road, a new shop with a solar array, a horse barn with a round pen and a pasture and hillside woods located on a scenic river bluff within 2 miles of a nice winery. We have Deer giving birth in our back yard, Turkeys in the yard, Eagles and Hawks regularly flying over.

**How much is all that worth?**

**Now how much is it worth if I tell you, the buyer** that there is an active rock quarry less than 1,000 feet away, (about 1 city block). To be honest, the noise level is such that we can hear it in our house, sometimes 6 days a week and 12 hours a day. You have to keep the windows closed because of it. If you would like to sleep in or relax at home one day you should just put your ear phones in and listen to I-Tunes or something. And to be perfectly honest, there is blasting going on at least a full day each month. You may as well forget about having horses as they are always on edge, especially the day that the blasting is going on. And you may as well let the pasture go to trees and weeds as they wouldn't go down there closer to the quarry to eat anyway.

**Would you still consider even making an offer? What about the rest of the neighbor's property values?**

#### 5. Environmental Protection

Sometime in the late the 1970's the Wild and Scenic River Area was established to protect the Minnesota River Valley. This quarry is in that area. It was partially because of this Act that Mary and I felt that it was "safe" to invest our resources into building our home where it is. The Act prevented any further mining in this area. Since then however in the mid 2000's some provisions have been made to allow certain mining operations to expand. It appears to be on a case by case basis.

In the mid 1980's the Federal Government wanted to put a Nuclear Waste Repository in this very same area that the quarry is located. It took the DNR's involvement to stop that notion as they had earlier declared the "Five Line Blue Tail Skink" in this area an endangered species. Since that time the DNR has purchased a large amount of land with granite rock outcropping just to the north of the quarry area for Skink Habitat. In the mid 2000's the Skink species had been downgraded to "Guarded" status. In a letter to the Yellow Medicine County Land Use and Zoning office the DNR stated that "they need to do another survey to determine the Skink's current status." They also noted that "there are many rare indigenous species of plants and geological features in this area that need to be protected."

#### 6. Recreation

Just to the northeast of the proposed site is a wetlands area with a large slough that was created by the local land owners with funding obtained from the DNR and the Minnesota Waterfowl Assn. Because of the lay of the land all of the drainage from the proposed site would end up in this fragile habitat. You may wish to contact the DNR and the Minnesota Waterfowl Assn. about this proposed quarrying activity before making any decisions.

## 6. Conclusion

**While it is certainly** a land owners right to prosper by making use of what gifts the earth provides him, it should not be done to the detriment of nearby neighbors, the environment, or the safety of others. We have seen this as a more prevalent problem with feed lot operations creating "Smell Pollution". Guidelines have been written to be as fair as possible to the surrounding neighbors while allowing the feed lot operations to expand. In this case however we are not talking about "Smell Pollution" which carries in the direction of the wind. It only becomes offensive to a neighbor when the wind is in the wrong direction. At that time, only the neighbors that are directly downwind have the problem while everyone else enjoys the nice day. With this project we are talking about Noise Pollution. Unlike Smell Pollution, Noise Pollution does not need the wind to carry it. It radiates out from the source constantly without interruption as long as the source continues. Everyone near the source suffers from the same noise without the hope of the wind changing direction tomorrow for a more enjoyable day.

**You cannot view** this application or any application that carries a Noise Pollution factor with it the same as when you are considering a feedlot application. Nearby neighbors and animals will experience the Noise Pollution 100% of the time, not only if the wind is in the wrong direction as with Smell Pollution, but **100% of the time!** Unlike Smell Pollution, Noise Pollution can also have an effect on the well-being and performance of pets, livestock and other native wild animals.

**The dangerous Traffic** situation creates a lot of risk to drivers on that road (CR 27) which may surely result in future fatalities. In the meeting with Yellow Medicine County on Sept. 15th the representative from Kasota Stone Fabricators Inc. admitted that it was "of great concern to them!" Because of the location of this site there is limited access and very little can be done to make the situation any safer.

**You cannot discount** the real threat to the fragile environment that contains many rare plant and animal species identified by the DNR to be found in this area, whether near extinction or not. The Slough to the northeast is teeming with waterfowl as was the intent by the creation of it in the 80's. Waterfowl need food and the slough provides an abundance of minnows and other things to eat because of the balance of nature that exists. Land owners and guests have been enjoying a bountiful duck and goose hunting season for many years. Waterfowl are also good food for predators that frequent the banks. Water pollution as well as the continued noise and blasting produced by the proposed mine would most certainly adversely affect this fragile ecosystem and ruin a now enjoyable, traditional family recreation!

**We respectfully ask** that you decline this conditional use permit based upon all of these factors that I have listed in this letter and others. There are more than enough negative consequences to show that this proposed quarry operation will adversely affect the local neighborhood and precious rare ecosystem as well as be a hazard to travelers on Co Rd 27. Not to do so will also deny Mary and me of everything that we have worked so hard for these past 34 years. Most of our equity is in our building site. We do not own any other land. It will take away our life style, create possible health issues and deny us any potential for a peaceful and decent retirement whether we choose to continue to live here with the noise or need to sell the devalued property because of the noise and blasting or other unforeseen reasons.

Sincerely,

Mike and Mary Preuss