

## REDWOOD COUNTY PLANNING COMMISSION

### MINUTES

Meeting Date: July 27, 2015

A meeting of the Redwood County Planning Commission convened on Monday, the 27th day of July, 2015, at the Redwood County Government Center.

The following members of the Redwood County Planning Commission were present: Mark Madsen, Mike Scheffler, John Rohlik, Jr., Kent Runkel, Dave Mattison and Commissioner Lon Walling. Also present were the following individuals: Land Use & Zoning Supervisor Nick Brozek and Citizens: Mike Thoun and Bob Christensen.

At approximately 1:00 p.m., Chairman Madsen called the meeting to order.

At approximately 1:01 p.m., Chairman Madsen called to order a public hearing on a *Conditional Use Permit Application*, No. 11-15 submitted by Aldridge Electric to store equipment, tooling, and material on the site, including temporary steel casings, drilling tools, and metal forms.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the *Conditional Use Permit Application*, No. 11-15 submitted by Aldridge Electric:

1. Aldridge Electric, out of Libertyville, Illinois, was a contractor on the CapX2020 power line project. During the project, Aldridge made use of the CapX2020 construction laydown and staging site located in Section 14, Underwood Township, for which CapX previously obtained a conditional use permit. CapX's permit is now expired and CapX is in the process of cleaning up the site. The only equipment and material left on the site is that of Aldridge Electric. Aldridge is seeking a Conditional Use Permit to continue use of part of the staging site for up to two additional years.
2. Aldridge plans to use ten acres of the forty acre CapX2020 site. Aldridge will store equipment, tooling, and material on the site, including temporary steel casings, drilling tools, and metal forms. Everything Aldridge intends to store on the site is already there. The equipment and tooling is very large, and Aldridge prefers to leave it in place pending other potential projects, rather than move everything back to Illinois, just to move it all again to the next job site.
3. Aldridge will have no full-time presence on the site, though they will check in and monitor the site at least once per month during the lease term. Equipment will be brought in to the site as needed to load and remove the stored equipment, tooling, and material, when it is needed elsewhere. The loading equipment will not be left on the site.

4. No permanent structures will be erected. However, one 45' office trailer, stepdeck trailers, and miscellaneous storage boxes (similar to shipping containers) may be stored on the site. The storage boxes and trailer will be locked at all times.
5. The site is an old disused gravel pit, which Aldridge is leasing from the owners of record: Jennifer Vance, Carrie Knudson, Lynne Austin, and Barbara Buchholz. Aldridge has a one year lease to use the property. Aldridge sought a one year permit from the County, but the Environmental Office encouraged Aldridge to apply for a two year permit, to allow an extension of the lease without the need to reapply for a new CUP.
6. In addition to the landowners within ¼ of a mile, and the Township Board, notice of the hearing has been mailed to all the owners of the parcel being leased by Aldridge.
7. The site was operated as a gravel pit by Duininck Bros., Inc. between the years 2000 and 2005 under Extraction Conditional Use Permit #11-00. Duininck's permit application states that the site was an existing pit at the time of application, but the years of operation prior to the year 2000 are not known.
8. No wetlands are located on the proposed 10-acre staging area site.
9. No county tile is located on the proposed site. The nearest county tile is located approximately 1200 feet to the northwest of the northwest corner of the site, at which point it outlets into and becomes Judicial Ditch #40 and runs parallel to the north line of the proposed site at a distance of about 550 feet.
10. There is only one residence located within one-half mile of the proposed site, which is that of Dale Rust, 13895 County Hwy 30, approximately 1800 feet west of the site.
11. The soils present at the site are primarily gravel and Estherville sandy loam.
12. When Aldridge is finished with the site, they will remove all their remaining equipment, tooling, material, trailers, storage boxes, and any other property or debris from the site. If the one year lease is not renewed, cleanup will start around 5/1/16. Aldridge will smooth out any rutting caused during their lease term. If the lease is renewed for an additional year, cleanup of the site will occur in the spring of 2017.
13. The proposed conditions for the *Application for Amended Extraction Conditional Use Permit* submitted by Aldridge Electric are attached hereto.

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

1. The CapX2020 project finished up in the area late last summer, but Aldridge electric wishes to continue to use the location for a "lay down" yard pending future use of the equipment elsewhere.
2. The equipment Aldridge plans to store is already there.

3. Thoune saw some items that are no longer needed and has arranged to have those items sent back ASAP, including empty barrels and pallets if bentonite material.
4. Originally wanted the permit for one year, but Brozek suggested two years in the event the lease is renewed. If that happens, the applicant won't need to come back for an additional CUP.
5. Someone from the company will make security checks once a month

Commissioner Madsen asked Thoune if he had read and understood the proposed conditions.

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

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

Brozek received a call from a concerned neighbor regarding a bridge on County Highway 8. It is posted that there is a 12-ton limit on the bridge. The bridge is SW of the road the proposed site is located on. Thoune stated most of the loads will be "permitted" and once they receive the "oversized permit," they will most likely have to travel east of the site. That was the requirement during the CapX2020 project (the bridge was off limits then, as well.)

There will be no debris left behind after they are done using the site.

The hearing was closed at 1:08 p.m.

On a motion made by Mattison and seconded by Rohlik it was moved and passed unanimously that the *Conditional Use Permit Application*, No. 11-15 submitted by Aldridge Electric be recommended for approval by the Redwood County Board of Commissioners subject to the twelve (12) recommended conditions.

At approximately 1:10 p.m., Chairman Madsen called to order a public hearing on an *Extraction Conditional Use Permit*, No. 12-15 submitted by Robert Christensen for the extraction and removal of fill material (clay and sand).

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the *Extraction Conditional Use Permit*, No. 12-15 submitted by Robert Christensen:

1. An *Application for Extraction Conditional Use Permit* has been filed by Robert Christensen for the extraction and removal of fill material (clay and sand) from/on the following described real property, situated in the County of Redwood, State of Minnesota, to wit: Southwest Quarter of the Northwest Quarter, Section 14, Township 111N, Range 38W, Underwood<sup>1</sup> Township. Proposed extraction area will be 2 acres in area, including overburden stockpiling areas. The extraction area is located in the "A" Agricultural District. Extraction of gravel is a Conditional Use in the "A" Agricultural District.

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<sup>1</sup> Robert Christensen's gravel pit is located in Section 14 of Gales Township. "Underwood" was a mistake in the informational packet.

2. Mr. Christensen's application is to extend an existing extraction operation. The site was originally permitted in 2005 under CUP #16-05. The project proposed under CUP #16-05 was to remove fill material from three hills on Mr. Christensen's agricultural property, starting at the northernmost hill and moving south as needed. Material was removed from the northernmost hill and excavation there has now ceased. The north hill excavation was graded and sloped, topsoil returned, and has been returned to farm use. The contractor, Brey Tiling, has moved the excavation to the second hill. The third, and southernmost, hill has not been touched. CUP #16-05 will expire on 9-1-2015. Therefore, Mr. Christensen is applying for a new CUP to continue excavation of the remaining two hills for an additional ten years.
3. The purpose of the extraction is to provide fill material for local construction jobs, and reduce the height of the hills on Mr. Christensen's land, to make it more suitable for farming. Excavation of the hills will not extend below the average grade of the surrounding field.
4. No structures will be located on site. However, equipment may be temporarily stored on site. The duration of the extraction operation is ten (10) years, to be completed on September 1<sup>st</sup>, 2025.
5. At the end of the ten (10) year period all extraction will cease and the area will be reclaimed by leveling and grading the ground and covering with stockpiled topsoil so as not to exceed a 4:1 slope. The excavated areas will be returned to farm use (row crops).
6. Pursuant to Sec. 16, Subd. 5, Subp. G of Redwood County Zoning Ordinance, the applicant is required to provide proof of bodily injury, property damage, and public liability insurance in the amount of at least \$1,000,000.00 per occurrence. Brey Tiling & Excavation LLC provided a certificate of insurance in connection with the project with a \$1,000,000.00 per occurrence limit, \$1,000,000.00 personal injury limit, and \$2,000,000.00 general aggregate.
7. Pursuant to Sec. 16, Subd. 5, Subp. H of Redwood County Zoning Ordinance, the applicant is required to post a bond, cash deposit, irrevocable letter of credit, or other security to Redwood County in the amount of \$2,000.00 per acre, a minimum of \$10,000.00, or 125% of the estimated/bid value to reclaim the property, whichever is greater. The Redwood County Board of Commissioners may require a higher surety amount, if in the reasonable discretion of the County, the unique characteristics of the proposed project require more substantial restoration or reclamation. Further, pursuant to Sec. 16, Subd. 5, Subp. I of Redwood County Zoning Ordinance, "[s]ureties shall be for a minimum of one year beyond the ending date of Conditional Use Permit." Mr. Christensen estimated the cost of reclamation to be around \$2000.00. Therefore, the required reclamation surety amount for this project, involving the excavation of two acres, is \$10,000. To satisfy said requirement, Mr. Christensen provided an Irrevocable Standby Letter of Credit, in the amount of \$10,000.00. The Irrevocable Standby Letter of Credit was issued by First Independent Bank of Lucan and expires on September 1, 2026.

8. There are three dwellings within half of a mile of the extraction area: 1) Ronald and Kelly Schunk, 1000' southwest of the site; 2) Joseph and Lorna Plaetz, 2000' south of the site; and 3) Stephen Suss and Molly Christopher, 2400' northeast of the site.
9. A county tile line runs 320' to the east of the extraction area. The line begins at the south end of Mr. Christensen's property, and runs north, parallel to the extraction area. The tile outlets into CD 37 about 4000' north of the extraction area.
10. According to the U.S. Fish and Wildlife Service, National Wetland Inventory, no delineated wetlands are located on the site.
11. The proposed conditions for the *Application for Amended Extraction Conditional Use Permit* submitted by Robert Christensen are attached hereto.

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

1. Renewing an extraction permit that will expire soon.
2. There were three big hills on the site, one is gone and they have begun removing the second one.
3. The dirt removed is used for fill on various types of projects.
4. The black dirt has been mounded up on the east and west sides and a bit on the north side. That will be used for cropland after the hill has been removed. Some of the black dirt is being temporarily stored there by Brey and belongs to Brey.

Brozek mentioned there is a tile line, but it is private. There is a county ditch to the east, but is pretty far away. He noticed that a small amount of the black dirt had been removed. Christensen stated that some of the black dirt is owned by Breys and they have taken some of it.

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 1:15 p.m.

On a motion made by Rohlik and seconded by Scheffler it was moved and passed unanimously that the *Extraction Conditional Use Permit*, No. 12-15 submitted by Robert Christensen be recommended for approval by the Redwood County Board of Commissioners subject to the sixteen (16) recommended conditions.

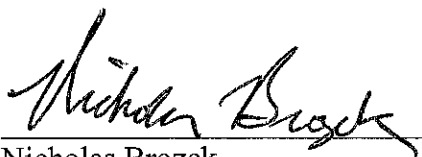
Scheffler inquired about the "Baker deal" from the June meeting (Walnut Grove burn site). Brozek answered that the last he heard, they were getting together with their respective lawyers so Bruce could sign over his 1/6 undivided interest to Dean so he could own the whole thing.

Walling stated that he'd gone to the Walnut Grove city council meeting on July 13<sup>th</sup> and the transfer hadn't been made at that time. The city did get the fence company to postpone

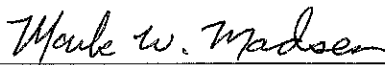
installation. The Redwood County Board approved it with the condition that all landowners sign off on the permit.

On a motion by Runkel seconded by Rohlik, the Commission unanimously approved the June 29<sup>th</sup>, 2015 Planning Commission minutes.

On a motion by Rohlik seconded by Scheffler, the meeting was adjourned at 1:25 p.m.



Nicholas Brozek  
Land Use & Zoning Supervisor  
Redwood County Environmental Office



Mark Madsen, Chairman  
Redwood County Planning Commission