



Redwood County

www.co.redwood.mn.us

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

Permit #: 15-17 Date: 6-28-17

Location of the Extraction:

Address: Justice Ave City: Redwood Falls State: MN Zip: 56283
House # Street Name

Parcel #: 63-005-1020 Township: Redwood Falls Section: 05 Twp #: 112 Range: 36

Legal Description:

Sect -05, TWP-112, Range-36
NW FR 1/4

Information about the Extraction:

Zoning District: Agricultural

Soil Type 1: Estherake Sandy Loam

Soil Type 2: Nishna clay loam

Type Of Extraction: Gravel mining or crushing If other, please explain: _____

General description of the extraction:

OVER Burden, if any will be stripped and piled
Water will most likely need to be pumped into nearby ditch
Gravel will be mined leaving a 4-1 slope Tapering from RIM Easement

Total acres in the parcel: 167.41 Number of acres to be extracted: 19.79

Type of Road: Township Right-of-Way Footage: 33 ft

Setbacks: (Please enter in feet)

Setback from the Center of the Road: 100 ft

Side Yard Setback: 10 ft Direction: South

Side Yard Setback: 325 Direction: North (to Hwy 16 ROW)

Rear Yard Setback: 3100 Direction: East

Starting Date: 8-15-2019 Estimated Date of Completion: 8-15-2027

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

Drainage Plan:

Water from site drain into pond and be pumped into nearby
Ditch

Landscape and screening plans:

No plans for this



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Zoning District: Agricultural

Soil Type 1: Estherville Sandy Loam

Soil Type 2: Nishna clay loam

Type Of Extraction: Gravel mining & crushing If other, please explain:

General description of the extraction:

OVER Burden, if any will be stripped and piled
Water will most likely need to be pumped into nearby ditch
Gravel will be mined leaving a 4-1 slope tapering from RIM Easement

Total acres in the parcel: 167.41 Number of acres to be extracted: 19.79

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Setbacks: (Please enter in feet)

Setback from the Center of the Road: 100 ft

Side Yard Setback: 10 ft Direction: South

Side Yard Setback: 325 Direction: North (to Hwy 14 ROW)

Rear Yard Setback: 3100 Direction: East

Starting Date: 8-15-2017 Estimated Date of Completion: 8-15-2027

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

Drainage Plan:

Water from site drain into pond and be pumped into nearby
Landscape and screening plans: Ditch

No plans for this

Water plan (estimated water use):

No plans of water use at this time

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

IF needed Road watering will be done. All equipment to have mufflers with exception of pumps. Hrs of operation to be during daylight

Reclamation plan:

Taper (4-1 slope) From RIM easement into wildlife Pond

Estimated Cost of Reclamation: \$ 15,000 (see attached)

General Contractor:

Name: T/B/D City: State:

Applicant Information:

First Name: Nancy Last Name: Baune

Business: ~~5602 NASON AVE NE~~

Address: 5602 NASON AVE NE City: St Michael State: MN Zip: 55376

Home Phone: 763-497-2122 Cell Phone: 612-201-8753 (Paul Baune)

Land Owner Information:

First Name: Nancy Last Name: Baune

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: Nancy Baune Date: 6-25-17

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 Receipt #: 381937/381938 Date Approved:

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

Owner Nancy Baune / Lori Carity Supplemental Needs Trust

Trustee Nancy Baune

2017 Conditional use permit application information.

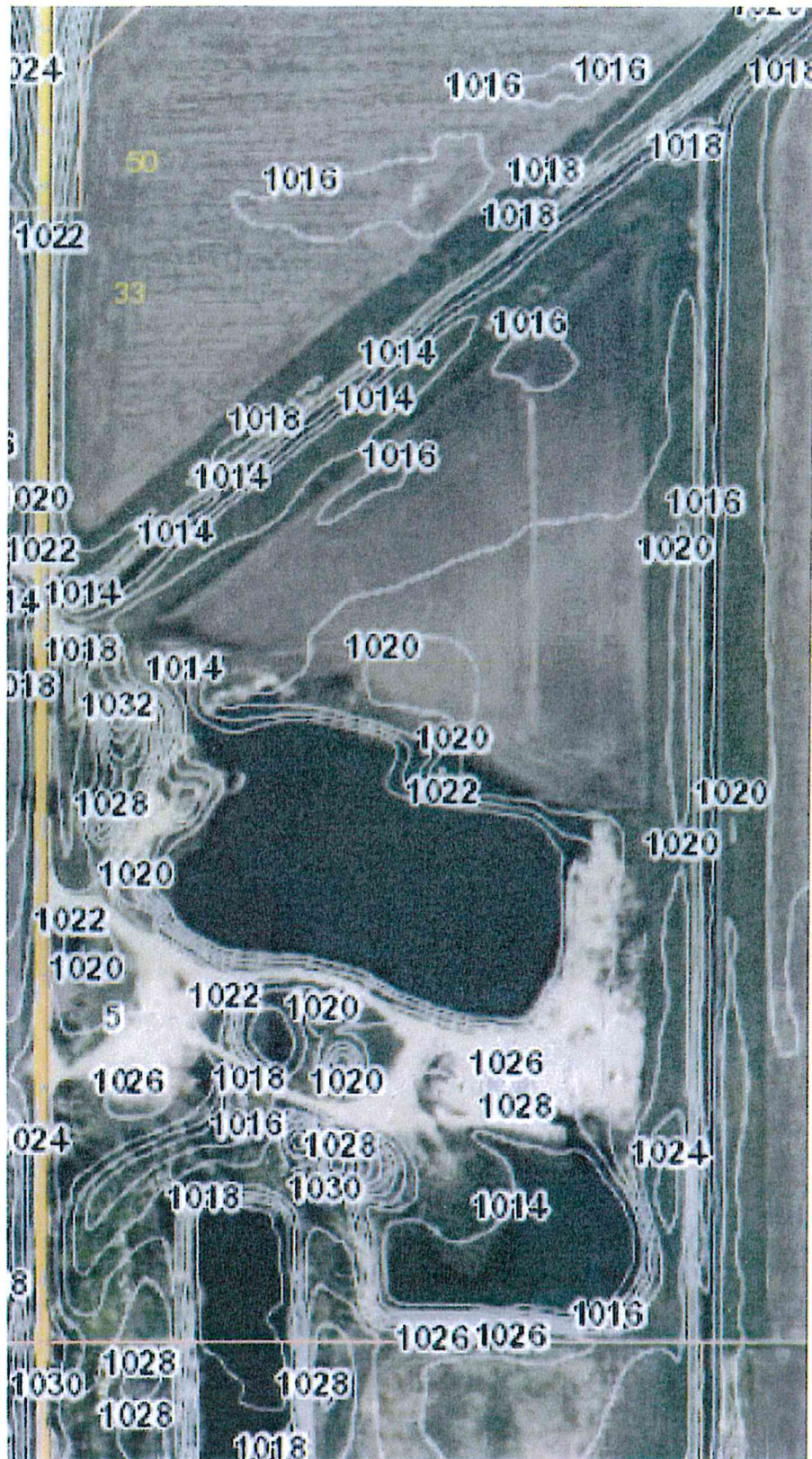
Description of planned activity.

- Total acres to be mined 19.79 is outlined in Red (below).
- Plan is to mine the remaining Gravel creating a 4-1 slope starting at the RIM easement and tapering down to the existing pond level.
- Pond will most likely need to be pumped to expose gravel beneath.
- Raw material will be stock piled for some time to allow dewatering.
- Raw material will then be crushed and stock piled for gravel sales.
- Rock may need to be added (trucked in) to produce the desired product.

- Closest neighbors approximately 1212



Topography Map with Imagery

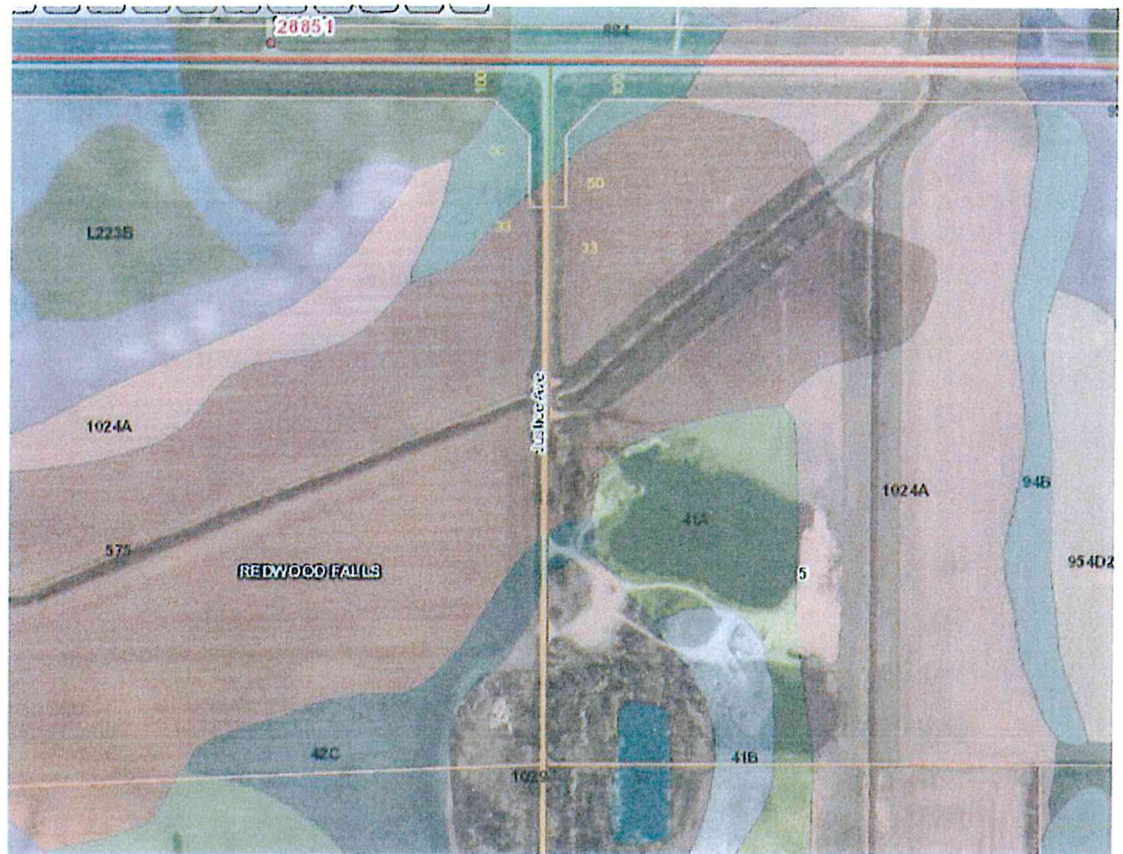


- Total acres to be mined approximately 19.79 is outlined in Red

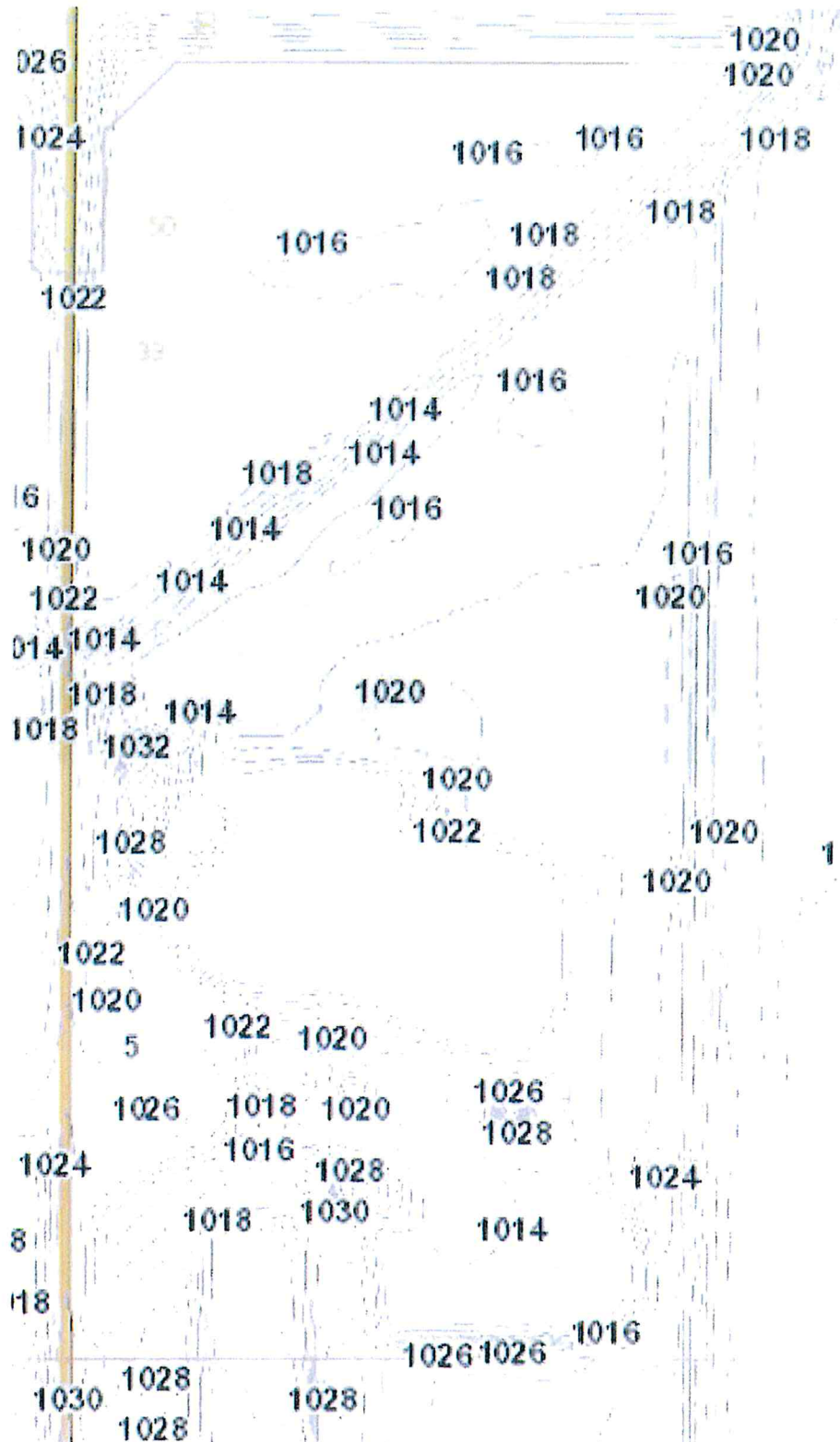


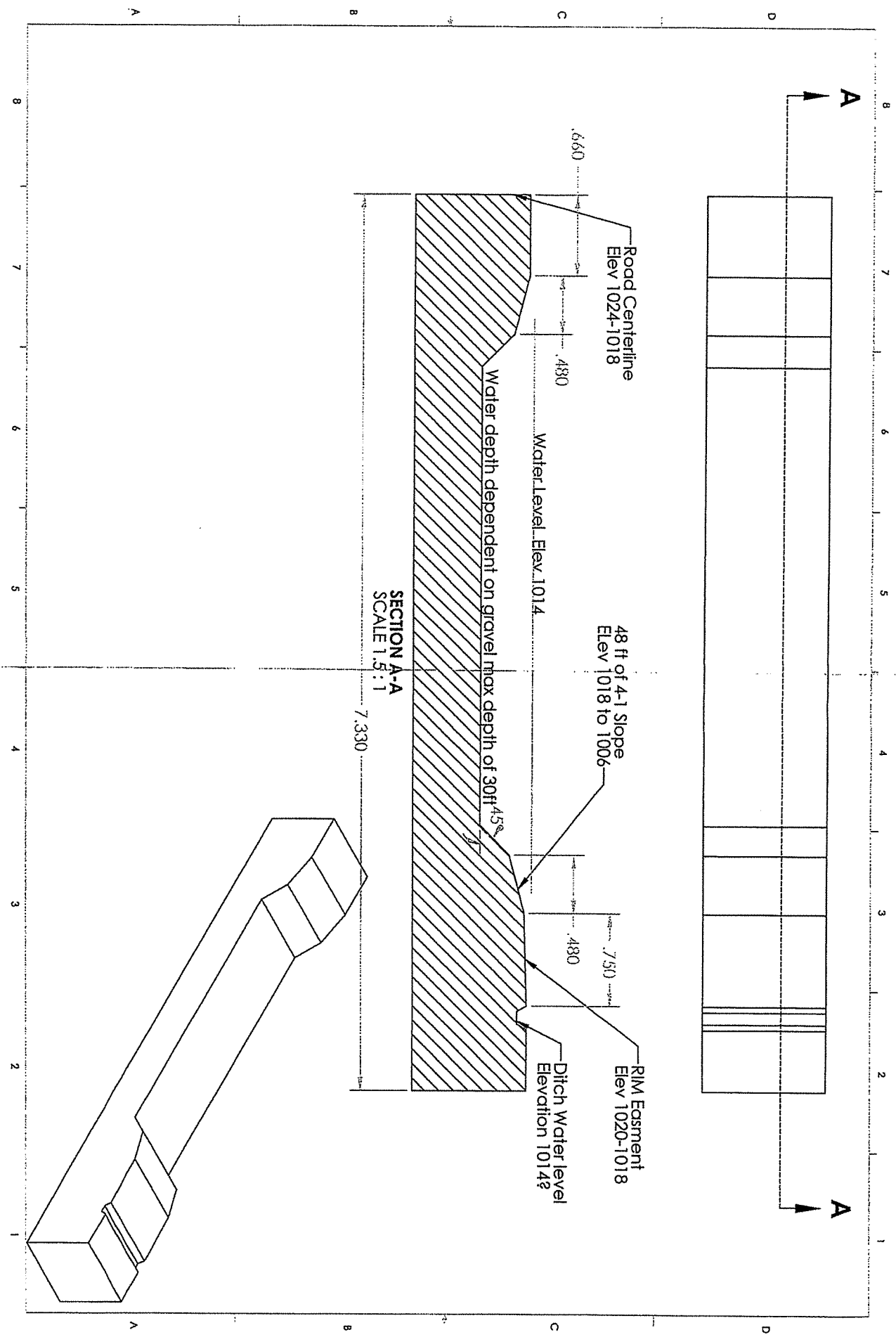


- Soil Type Map



- Topography Map without Imagery.

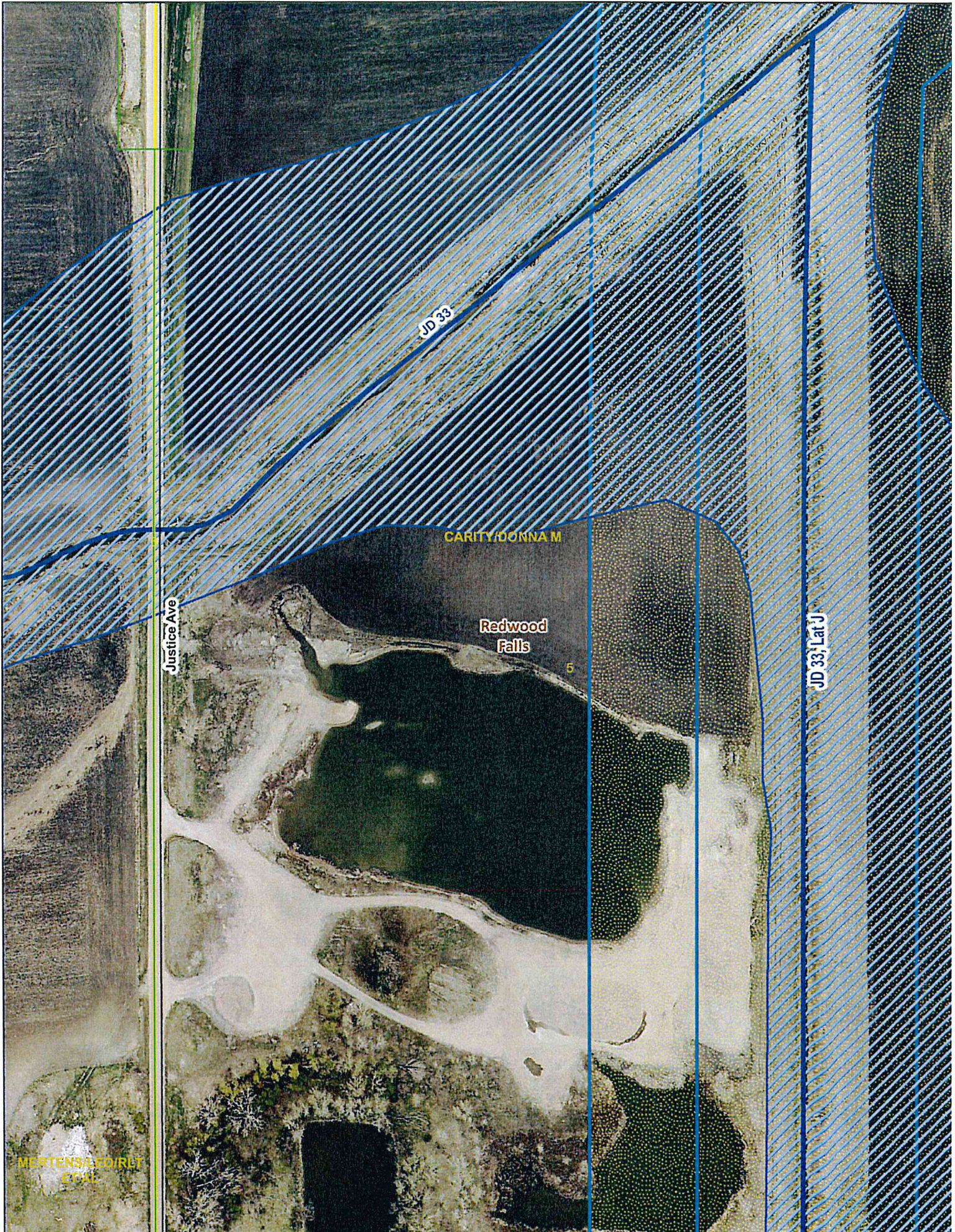




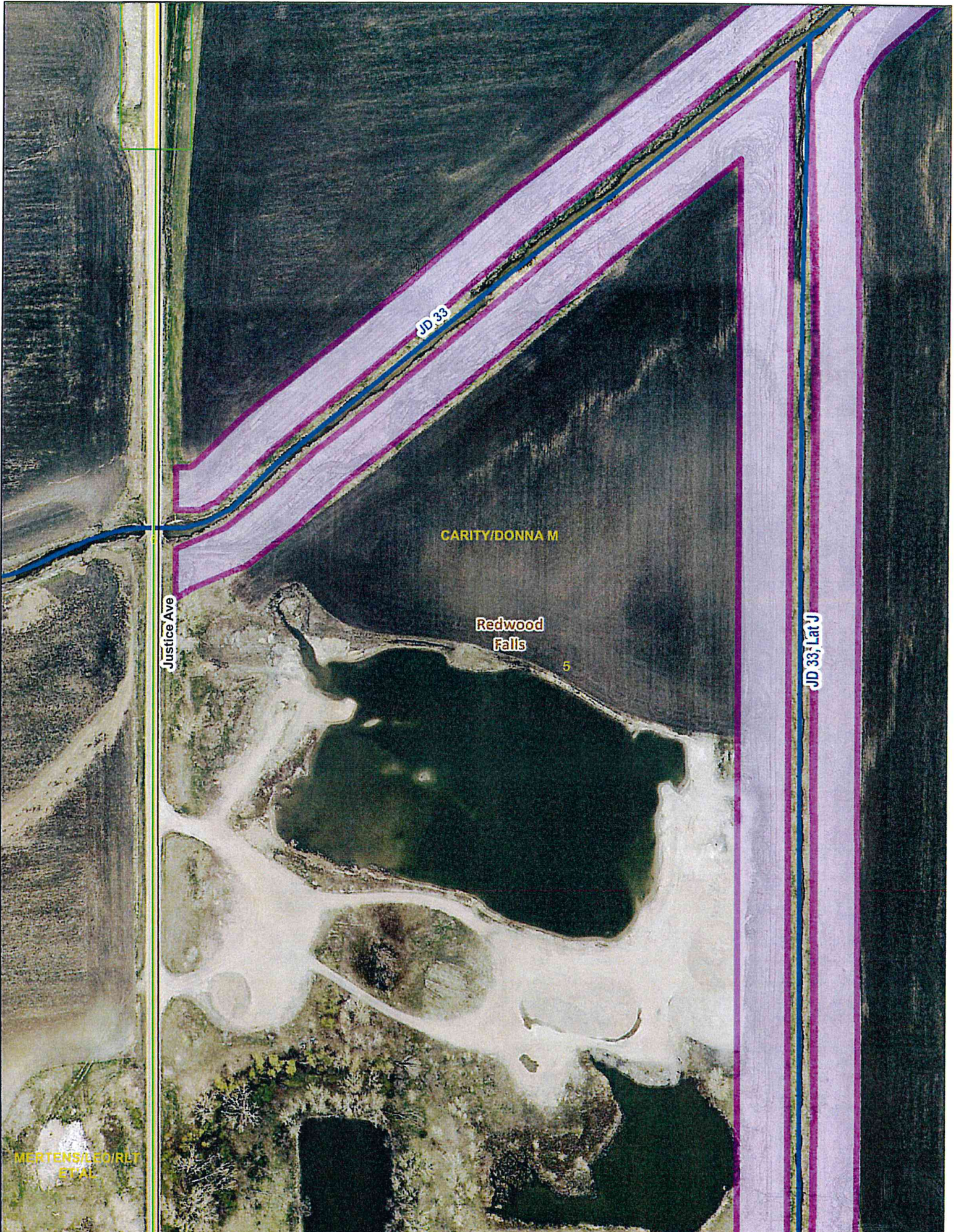
Elevations



FLOOD PLAIN & SHORELAND



RIM Easements



MERTENS/ED/RLT
ETAL

Conditions Permit No. 15-17 (Nancy Baune – Carity pit)

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 and rules regarding wetlands.
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 Justice Avenue and State Hwy 19 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 sun rise to sun set.
8. 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 15, 2027.
9. The excavation site shall not be used for a demolition site unless the permit holder obtains the proper permits from the State and Minnesota and Redwood County.
10. 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.

11. 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*: (1) the site will be graded to a 4:1 (run to rise) slope to 8 feet below the average water level of the pond; (2) reserved topsoil will be 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.
12. The permit holder shall post a bond, cash deposit, irrevocable letter of credit, or other security in the amount of \$39,500.00. 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*.
13. 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.
14. 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

**Baune – “Carity” pit
Conditional Use Permit Application #15-17
July 31, 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: _____



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REDWOOD COUNTY PLANNING COMMISSION

MINUTES

Meeting Date: June 26, 2017

A meeting of the Redwood County Planning Commission convened on Monday, the 26th day of June, 2017, at the Redwood County Government Center.

The following members of the Redwood County Planning Commission were present: Mike Scheffler, Dave Mattison, Mark Madsen, Mike Kaufenberg, and Commissioner Lon Walling. John Rohlik, Jr. was not present. Also present were the following individuals: Bill Lightfoot, Michael Beranek, Robert Plaetz, Jason VerSteeg, Matt Novak, Environmental Director Scott Wold, Land Use & Zoning Supervisor Nick Brozek, and Administrative Assistant Lali Ortega.

At approximately 1:00 p.m., Planning Commission Chair John Rohlik called the meeting to order. Chair Rohlik directed Brozek to read aloud the rules of the meeting.

At 1:03 p.m. Chair Mattison called to order a public hearing on a Conditional Use Permit submitted by the City of Lucan.

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

1. The City of Lucan is proposing to expand its existing wastewater treatment facility. The expansion project will be located in the East Half of the Northwest Quarter of Section 22, Granite Rock Township, east of Lucan. The purpose of the project is to provide additional wastewater treatment capacity. After completion of the project, the facility will function in the same manner as before, as a controlled discharge lagoon.
2. Section 18, Subd. 4 of the Redwood County Zoning Ordinance requires that a Conditional Use Permit be obtained for the construction of any major essential service structure or line. An essential service is defined in Section 22, Subd. 2, Paragraph 49, as “[a]ny surface, overhead or underground electric, gas transportation, hydro-carbon, steam, water, or refuse transmission, distribution or collection system operated by any utility company or government agency.” The project proposed by Lucan will consist of a surface and underground collection and transmission system for refuse and is therefore considered an essential service. A major, as opposed to minor, essential service structure or line is one which provides for more than simply a single user. The project proposed by Lucan will provide service to all the residents of the city, and so is a major essential service. Consequently, the City of Lucan was asked to apply for a Conditional Use Permit.
3. The project has been designed by DGR Engineering of Rock Rapids, Iowa.

4. The existing wastewater treatment facility consists of two lagoons, a 2.58 acre (2.5 million gallon effective storage volume) primary cell and a 1.43 acre (1.42 million gallon effective storage volume) secondary cell. Sewage is transferred from the City to the primary cell via force main. After treatment, the effluent is released via underground outfall line into Judicial Ditch 36, Lateral D.
5. The project will add a new 2.92 acre (3.84 million gallon effective storage volume) primary cell on the west side of the existing primary cell. The existing primary cell will be usable as either a primary or secondary cell, as needed. MPCA-required splitter structures will allow the City to bypass any of the lagoon cells, if needed. A borrow site for the project will be operated between the proposed new primary cell (to the south) and the outfall pipe (to the north).
6. That part of the existing force main crossing the proposed borrow site and entering into the existing primary cell will be abandoned. New force main will be installed from the existing force main into the proposed new primary cell.
7. Existing drain tile installed on the west side of the existing lagoons will be abandoned and removed, and new drain tile will be installed on the west side of the proposed lagoon.
8. The land on which the project is proposed to be constructed is currently a tilled agricultural field owned by Shaun Fennern. The City of Lucan provided copies of an option to purchase given by Fennern to Lucan. The option will be exercised after completion of the permitting process.
9. There are no natural bodies of water in the vicinity of the proposed wastewater ponds. However, Judicial Ditch 36, Lateral D is located about 1500 feet southwest of the project site and Judicial Ditch 36, Lateral H is located about 3500 feet east of the project site. County tile is located all around the site, including one tile shown on the tile maps running directly underneath the existing primary cell. Other than this, the closest county tile to the proposed new lagoon is located about 400 feet to the west and northwest.
10. The bottom of the new lagoon will be 9 feet lower than the top of the dike around the lagoon. Maximum high water in the new lagoon will be at a depth of 6 feet. The surrounding dike will be sloped 3:1 on the inside slopes and on the outside slopes. The inside slopes and bottom of the lagoon will have an 18" thick clay liner with a riprap layer on the slopes. The top inside slopes and outside slopes will have a 6" top soil dressing be mulched and seeded. The top of the dike will be 10 feet wide topped with 4" of compacted gravel.
11. Material to construct the lagoon and dike will be excavated from a borrow site proposed to be located north of the new lagoon.
12. The ponds and accessory structures will be enclosed by a woven wire fence topped with barbed wire. The fence will be located 10 feet from the north, east, and south property lines, and 67 feet from the right-of-way lines of State Hwy 67 and Ranch Avenue.
13. The planned accessory structures to the pond include a small storage building, perimeter fence, force main, two in-ground lift stations, and four in-ground control structures.
14. The existing cells will be refurbished as part of this project. Cell #2 will receive a new 18" clay liner and riprap and a boat ramp will be installed
15. The existing access road from 250th Street will be used to access the site.

16. The south end of the site of the new lagoon is a hill rising about 16 feet above the surrounding average grade.
17. The closest rural residence to the proposed pond is about 1600 feet from the proposed wastewater ponds. The three closest rural dwellings to the proposed pond location are as follows:

1.	Jared & Andrea Strand	24343 County Hwy 10	1600' south
2.	Kyle & Tonia Christensen	19426 250th Street	1700' north
3.	Shaun Fennern	19525 250 th Street	2100' north
18. In addition to the above listed dwellings, residential areas within the City of Lucan are located 1600 feet west of the proposed project site.
19. Section 7, Subd. 5 of Redwood County Ordinance requires that all buildings in the Agricultural District be set back at least 10' from the side and rear lot lines. Additionally, there must be a setback of 67' from the right-of-way of any public road. A "building" is defined in Section 22, Subd. 2, Paragraph 19 as "[a]ny structure for the shelter, support or enclosure of persons, animals, chattel or property of any kind." Additionally, a "structure" is defined in Paragraph 118 as "[a]nything constructed or erected on the ground or attached to the ground or on-site utilities..." Lucan's proposed wastewater lagoon will be constructed on the ground and will enclose sewage wastewater. The water is generated by the dwellings, businesses, and other establishments in the City of Lucan and is removed from said establishments under contract with the public utility. Therefore, the sewage is the property of the City of Lucan. Consequently the proposed wastewater lagoon is a structure to which the setback requirements apply according to the ordinance.
20. The new lagoon will be enclosed within the perimeter fence, which is also a structure subject to the required 10' property line setback.
21. The proposed conditions for the Application for Conditional Use Permit submitted by the City of Lucan are attached hereto.

Matt Novak, Lucan City Attorney, and Bob Plaetz, Council member, were present to explain the project. Novak made the following statements to the Planning Commission:

- Lucan plans to expand its existing wastewater treatment facility (WWTF).
- The old WWTF cells are 40 years old and are due for improvement.
- Lucan has exercised a purchase option for land neighboring the existing WWTF, conditioned on the project proceeding.
- Easements are in place for the buried lines.
- Preliminary work should start in the summer and proceed through fall. The lagoons will be constructed next year (2018).
- DGR Engineering will be overseeing the project.

The Planning Commissioners had the following questions and comments:

- Will the project replace the existing lagoons, or will it be in addition to the existing lagoons?
- Will there be fencing around the perimeter of the site and will it meet the setback?
- Does this project a matter of maintenance, or has Lucan outgrown the existing WWTF?

Novak and Plaetz provided the following responses to the Commissioners:

- The new WWTF cell will be in addition to the existing two cells, which will remain in use.
- The fencing will meet the 10' setback from property lines.

- Lucan has outgrown its existing WWTF. The new cell will provide additional capacity, and the two existing cells will be cleaned out and refurbished.

Walling commented that most WWTF are now designed with three cells.

Chair Mattison inquired if anyone was present to support the project. No one came forward.

Chair Mattison inquired if anyone was present to oppose the project. No one came forward.

Chair Mattison directed Brozek to lead the Planning Commission through filling out the Commissioner's individual finding of facts worksheets (attached).

Scheffler made a motion to recommend approval of Conditional Use Permit application #12-17, subject to the conditions proposed by staff. Kaufenberg seconded the motion and it passed unanimously.

At 1:16 p.m. Chair Mattison called to order a public hearing on an Extraction Conditional Use Permit submitted by Duinck Inc.

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

1. Duinicks is seeking to reopen a gravel pit and hotmix asphalt plant on an old, partially reclaimed, gravel pit site in Section 14 of Underwood Township. Specifically, the gravel pit will be located in the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) and the Westerly 10 acres of the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4).
2. The site is located in the Agriculture District. Mining is a Conditional Use in said District.
3. The proposed permitted area comprises 48 acres, 44 of which will be used for mining purposes, including 24 acres of new mining and 20 acres of storage and processing. The topsoil will be stripped off and stockpiled for reclamation. The gravel material will be mined as needed for regional projects. Duinicks is seeking a 10 year permit.
4. 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.” At 48-acres, this site requires a \$96,000.00 surety.
5. 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.
6. The nearest county tile and open ditch is 625 feet north of the site, on the opposite side of CSAH 30.

7. The three closest residential dwellings to the site are as follows: Ruth Rust, 13895 CSAH 30, about 1750' northwest of the site; Burton Mock, 31976 Crown Avenue, about 2700' northeast of the site; and Neil Cole, 14369 305th Street, about 3700' south of the site.
8. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed. See Duininck's written application for more information.

Jason VerSteeg was present to explain the project. Madsen made the following statements to the Planning Commission:

- VerSteeg is an engineer employed by Duininck. Duininck is seeking a CUP for gravel extraction and operation of an asphalt hotmix plant.
- Duininck last permitted the site between 2000 and 2005. Prior to that the site was permitted by others.
- Since 2005 the site has not been used for extraction purposes, but has been used for other permitted uses.
- The hotmix plant will be used for the State Hwy 19 project from Marshall to Vesta.
- Will excavate additional acreage to the east of the existing site (up to ten acres).
- This is the former "M&M" site.
- Use of the site will be based on need. The term requested for the permit is 10 years.

The Planning Commissioners had the following questions and comments:

- How will dust be controlled?
- What haul routes will be used? The CSAH 8 bridge is limited to 12 tons gross weight.
- Will CO. Rd 59 be used for hauling instead of CSAH 8?
- Will Duininck enter into an agreement regarding dust control on haul routes?
- When and how will the extraction site be reclaimed?
- Do the proposed hours of operation include warm up time for the hotmix plant?

VerSteeg provided the following responses to the Commissioners:

- CSAH 30 is paved, so no dust will be created upon entering and existing the site.
- VerSteeg will have to discuss a haul route and maintenance agreement with his supervisors.
- To reclaim the site, it will be graded to 4:1 slope and 4" topsoil replaced, where available. Some ponds will be created in low areas of the pit. Soil will be seeded with DNR-approved grass mix comparable to SWCD recommended mixes.
- Will start warming up plant and equipment at 5:30 am and will start hauling around 6:30 or 7 am.
- The south part of the property will be left as is, unexcavated.

Chair Mattison inquired if anyone was present to support the project. No one came forward.

Chair Mattison inquired if anyone was present to oppose the project. Bill Lightfoot came forward to speak, making the following statements:

- Lightfoot is on the Underwood Township Board of Supervisors.
- Lightfoot wants to see the Hwy 19 project completed as soon as possible.
- The Township is concerned about its roads. They would like to see a haul route map, proof of liability insurance.
- CSAH 30 is gravel to the west of CSAH 8.

VerSteeg discussed changes to the proposed conditions regarding staged reclamation. He was concerned that the requirement that 9 acres be reclaimed within the first three years would require Duininck to reclaim a significant amount of the pit even if they didn't end up opening up any additional land for excavation. The Commissioners discussed this and determined to change the condition to allow no more than 39 acres of the pit to be open at any one time.

Wold and Brozek discussed court cases and laws regarding Environmental Assessment Worksheet requirements. Lower courts have required EAWs whenever more than 40 acres are permitted, even if some is already in use and permitted. Staff does not agree with this and believes the “no more than 39 acre” requirement is in conformity with the State statutes governing EAWs, under which the County is the deciding authority for gravel extraction purposes.

Chair Mattison directed Brozek to lead the Planning Commission through filling out the Commissioner’s individual finding of facts worksheets (attached).

Walling made a motion to recommend approval of Extraction Conditional Use Permit application #13-17, subject to the conditions proposed by staff, with the following changes and additions: (1) amend proposed condition 6 to include dust control both on site and on haul roads; (2) change hours of operation from sun-up to sundown and allow routine normal maintenance during non-operating times; (3) change proposed condition 14 to remove the requirement to reclaim 9 acres in the first three years and include a requirement to have no more than 39 acres open and unreclaimed at any given time; (4) add a condition requiring the permit holder to enter into any abide by agreements with the County and the Township regarding road maintenance. Scheffler seconded the motion and it passed unanimously.

At 2:05 p.m. Chair Mattison called to order a public hearing on a Conditional Use Permit submitted by Mike Beranek.

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

1. Mr. Beranek is seeking to open a meat cutting business in his residence. He will receive USDA-inspected primal cuts and break them down into portion sizes and package them for sale to customers.
2. Beranek plans to remodel part of his basement for use as a state-certified meat fabrication facility. He is working with the Dept. of Agriculture for licensing for the facility. Additionally, he will use a portion of the ground floor of the house as a business office. The basement facility will be 20’ x 20’ and the office will be 8’ x 12’.
3. At first Mr. Beranek will open his business as needed by appointment in order to take orders and offer them to be picked up by customers. Eventually, as the business grows he may construct an outbuilding on the property and move the business into it.
4. Section 7 of Redwood County Ordinance states that “[a]ny agricultural related business whose primary purpose is animal processing” is a conditional use in the Agricultural District. Consequently, Mr. Beranek was asked to apply for a Conditional Use Permit.
5. The three closest neighboring dwellings to the site are as follows: Joseph Rohlik, 29267 CSAH 4, 1650 feet west of the site; Arthur Rohlik, 29324 CSAH 4, 2000 feet southwest of the site; and Kenneth Kruse, 19684 Kenwood Avenue; 2600 feet northeast of the site.
6. In addition to the above residences, the site is about 2400 feet west of County Ditch 68, Lateral A, and about 3200 feet east of the Wanda Cemetery.
7. The proposed conditions for the *Application for Conditional Use Permit* submitted by Mike Beranek are attached hereto.

Mike Beranek was present to explain the project. Beranek made the following statements to the Planning Commission:

- Proposes to refinish part of his basement for use as a meat cutting facility for a business. Will receive USDA graded primal cuts of meat, weighing 10 to 60 pounds each, and cut and package in individual portions, for sale to customers.
- His product will be similar to meat sold in grocery stores, except it will be better quality than is often available.
- Basement has separate access so customers do not need to enter through the house.
- An office in the front entryway of the house will be used for the business. This is where the applicant will interact with customers, who will not generally enter the food preparation area.
- Basement refinish will include cold storage (cooler/freezer).

The Planning Commissioners had the following questions and comments:

- Is the office on the main floor of the house?
- Is the permit request for the business or for the remodeling?
- How will the applicant communicate with customers? Will there be a sign?
- How will product be delivered to the premises?
- Will the business have handicapped access?
- What is the applicant's previous experience in this business?
- What products will be offered?
- Has the applicant read the conditions?

Beranek provided the following responses to the Commissioners:

- The office is on the main floor.
- The permit request is for both the business and the remodeling project.
- Will communicate with customers online and by phone.
- No signage will be installed now, but maybe later.
- Product will be delivered to the premises via truck, as needed. Might receive two trucks per week.
- Applicant was a chef for 10 years and went to culinary school. Through that experience, he knows that quality meat is available and this is a way to provide that service locally. He moved back to Redwood County to start farming.
- He will offer beef, pork, chicken, and seafood.
- Beranek read the conditions and is fine with them.

Brozek stated that handicapped accessibility is not required to use the applicant's dwelling for the business, but in the event an outbuilding is used for the business, it will need to be handicapped accessible.

Brozek further stated that the intend behind the proposed permit is that Beranek can someday expand into an outbuilding on the property without needing to come in for a new permit, so long as the use stays within the scope of use described in the application. Any outbuilding will need to be handicapped accessible and inspected at applicant's cost. Also, a septic system will need to be installed for the business in the outbuilding.

Wold and Brozek discussed the current septic system. A condition is proposed allowing the use of the existing system as long as it tests at residential waste levels.

Chair Mattison inquired if anyone was present to support the project. No one came forward.

Chair Mattison inquired if anyone was present to oppose the project. No one came forward.

Chair Mattison directed Brozek to lead the Planning Commission through filling out the Commissioner's individual finding of facts worksheets (attached).

Scheffler made a motion to recommend approval of Conditional Use Permit application #14-17, subject to the conditions proposed by staff. Kaufenberg seconded the motion and it passed unanimously.

The Commissioners reviewed and discussed the minutes from the May 22nd Planning Commission meeting. On a motion by Kaufenberg seconded by Madsen the minutes from the May 22nd Planning Commission meeting were unanimously approved.

The meeting was adjourned at 2:32 p.m.

Nick Brozek
Land Use & Zoning Supervisor
Redwood County Environmental Office

Dave Mattison, Vice-Chair
Redwood County Planning Commission