



Redwood County

www.co.redwood.mn.us

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

Permit #: 16-17 Date: 10-30-17

Location of the Extraction:

Address: 10109 County Hwy. 32 City: Milroy State: MN Zip: 56263
House # Street Name

Parcel #: 74-018-3010 Township: Westline Section: 18 Twp #: III Range: 39

Legal Description:

West Half of Southwest Quarter of Section 18 Westline Township of Redwood County, Minnesota

Information about the Extraction:

Zoning District: Redwood County

Soil Type 1: Amiret - Swailake loams 2 to 6 % slopes

Soil Type 2: _____

Type Of Extraction: Mechanical If other, please explain: Dozer, loader, Excavator

General description of the extraction:

lowering Elevation of over to lessen erosion & for ease of farming practices

Total acres in the parcel: 80 Ac. Number of acres to be extracted: 73 Ac.

Type of Road: County Highway Right-of-Way Footage: _____

Setbacks: (Please enter in feet)

Setback from the Center of the Road: 1800'

Side Yard Setback 900' Direction: West

Side Yard Setback: 50' Direction: East

Rear Yard Setback: 500' Direction: South

Starting Date: 6/1/17 Estimated Date of Completion: 5/31/27

Life Expectancy of Operation: 3 to 5 Years / less than 10 Yrs. (maximum 10 years)

Drainage Plan:

Natural surface water drainage. No pumping.

Landscape and screening plans:

Leaving 10' sod strip around excavated area.

Water plan (estimated water use):

None

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

Very minimal / Smaller Equipment + Truck Traffic

Reclamation plan:

Stockpile Topsoil, Remove material + then Replace Topsoil after elevation has been lowered will either be farmed, or re-seeded.

Estimated Cost of Reclamation: \$7500⁰⁰

General Contractor:

Name: Lolu Labat City: Milvau State: MN

Applicant Information:

First Name: Lolu Last Name: Labat

Business: Labat Farms LLC

Address: 2634 County Rd. 11 City: Milvau State: MN Zip: 56263

Home Phone: N/A Cell Phone: 507-828-0409

Land Owner Information:

First Name: Gary Last Name: Bitker

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: Gary M Bitker Date: 11-14-17

Please attach the following information:

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

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

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

Extraction Fee: \$700.00 Receipt #: 486801 Date Approved: _____

Commission Action:

County Board Action:

Approved: _____ Date: _____ Approved: _____ Date: _____

Disapproved: _____ Date: _____ Disapproved: _____ Date: _____





United States Department of Agriculture
Farm Service Agency

WESTLINE
18-111-39



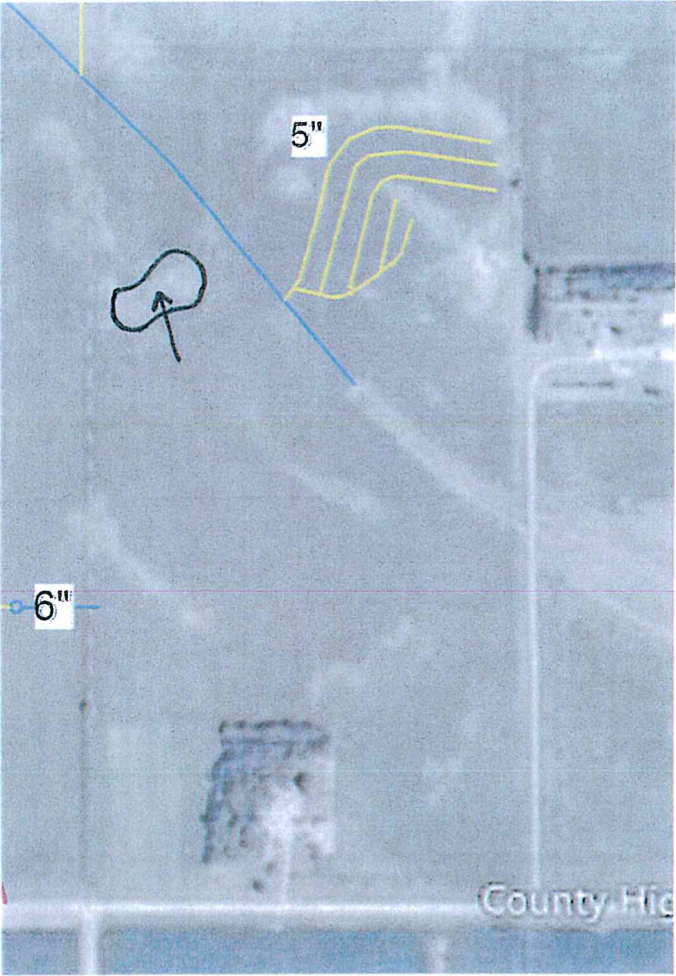
Redwood County

July 10, 2002

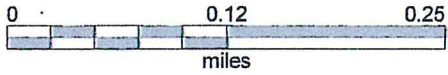
1991 Digital Orthophotography - Not To Scale

- Wetland Points
- Tract Boundary
- Field Boundary
- Section Boundary



SCHLEMMER TILING



County High



GARY BITKER 4/10/12
WESTKNE18 SW
PLASTIC - YELLOW
EXISTING CEMENT - BLUE

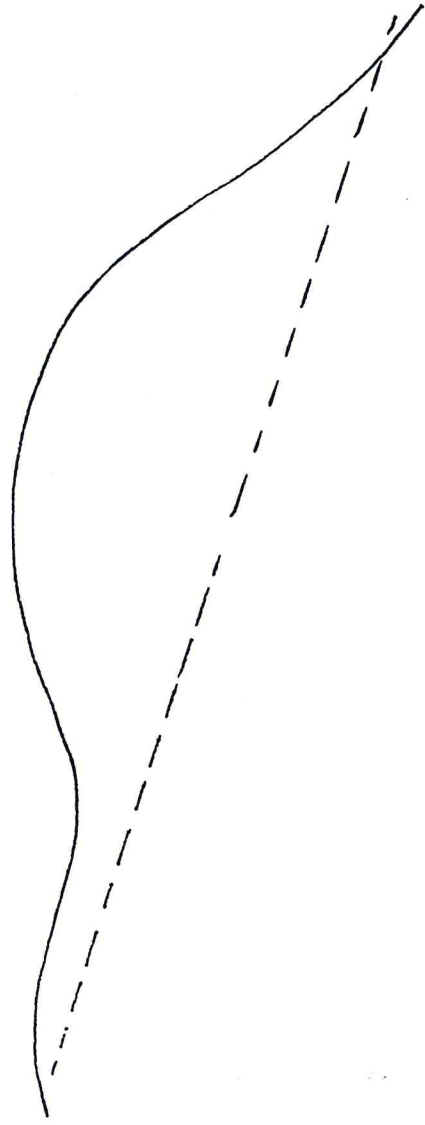
-  Above 27004
-  Below 27005





SIDE VIEW of EXTRACTION SITE

Solid line = existing grade
Dotted line = proposed grade



Conditions Permit No. 16-17 (Gary Bitker/John Labat)

1. The permit holder shall comply with all applicable laws, rules, and regulations, including but not limited to Redwood County Zoning Ordinance, as hereafter amended from time to time. The permit holder shall abide by all MSHA requirements. The permit holder shall comply with all federal, state and local laws.
2. The permit holder shall allow the Redwood County Environmental Office to inspect the site for all purposes permitted by law whenever deemed necessary by the Redwood County Environmental Office.
3. The permit holder shall have proper warning signs posted along CSAH 32 during times of continuous hauling of material 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. 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.
5. Hours of operation shall be 7:00 am to 8:00 pm.
6. The permit holder shall take appropriate and reasonable measures to assure that all surface water runoff satisfies all applicable local, state, and federal discharge standards. The permit holder shall not allow the conditional use to cause increased surface water runoff onto neighboring properties.
7. The conditional use shall not be allowed to damage any county drainage tile or reduce the flow capacity thereof.
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 permit holder shall not allow the conditional use to cause any sloughing or erosion on neighboring properties.
9. The maximum depth of the excavated area shall not be deeper than the average elevation of the surrounding agricultural fields (1104 feet above sea level per Redwood County Zoning Maps).
10. The completion date of this *Extraction Conditional Use Permit* will be May 31st, 2027.
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 and sloped to a 3:1 or flatter slope 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 \$10,000.00. Further, the bond, cash deposit, irrevocable letter of credit, or other security shall remain in full force and effect for a minimum of one year beyond the completion date of *Extraction Conditional Use Permit*.
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

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

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

REDWOOD COUNTY PLANNING COMMISSION

Gary Bitker

Conditional Use Permit Application #16-17

November 27, 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: _____