



Redwood County

www.co.redwood.mn.us

Application for Extraction Interim Use Permit

Location of the Extraction:

Permit #: 9-20 Date: 9/8/20

Address: 139539 300th St. City: Morton State: MN Zip: 56270
House # Street Name

Parcel #: 62-025-102 Township: Paxton Section: 25 Twp #: 112 Range: 35

Legal Description:

North 200' East of County Ditch 64

Information about the Extraction:

Zoning District: A1

Soil Type 1: Storden-Ves loams 6-12% slopes

Soil Type 2: _____

General description of the extraction: NOTICE: Change of land use may affect your property taxes.

Remove top soil and extract clay/gravel from hills

Number of acres to be extracted: 5

Type of Road: Township Right-of-Way width measured from centerline 33'

Setbacks: (Please enter in feet)

Setback from the Center of the Road: 100'

Side Yard Setback: 150' west Direction: _____

Side Yard Setback: 1900' East Direction: _____

Rear Yard Setback: 10' South Direction: _____

Starting Date: 11-5-20 Date of Completion: 10 years (maximum 10 years)

Drainage Plan: 10-6-20?

none needed

Landscape and screening plans:

maintain right of way setback and top soil berm

Water plan (estimated water use):

none

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

maintain equipment. Daybreak to Sunset,
Dust Control as needed

Reclamation plan: (Attach Map)

Flatten slopes to 3:1 and replace top soil
and return to farm use

Estimated Cost of Reclamation: \$ 2500

Applicant Information:

First Name: Myron Last Name: Mathiowetz

Business Name:

Address: 39539 300th St. City: Morton State: MN Zip: 56270

Home Phone: 507-249-3906 Cell Phone: 507-430-2526 Email: mbmath@redred.co

Operator Information: (Complete only if different from Applicant)

First Name: Last Name:

Business Name:

Address: City: State: MN Zip:

Home Phone: Cell Phone: Email:

Land Owner Information: (Complete only if different from Applicant)

First Name: Last Name:

Address: City: State: Zip:

Home Phone: Cell Phone: Email:

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: Myron Mathiowetz Date: 9-3-20

Please attach the following information:

A detailed site map. This must include: soil types, topography, 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 and any signs being posted.

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

Extraction Fee: \$700.00 Receipt #: 217103 Date Approved:

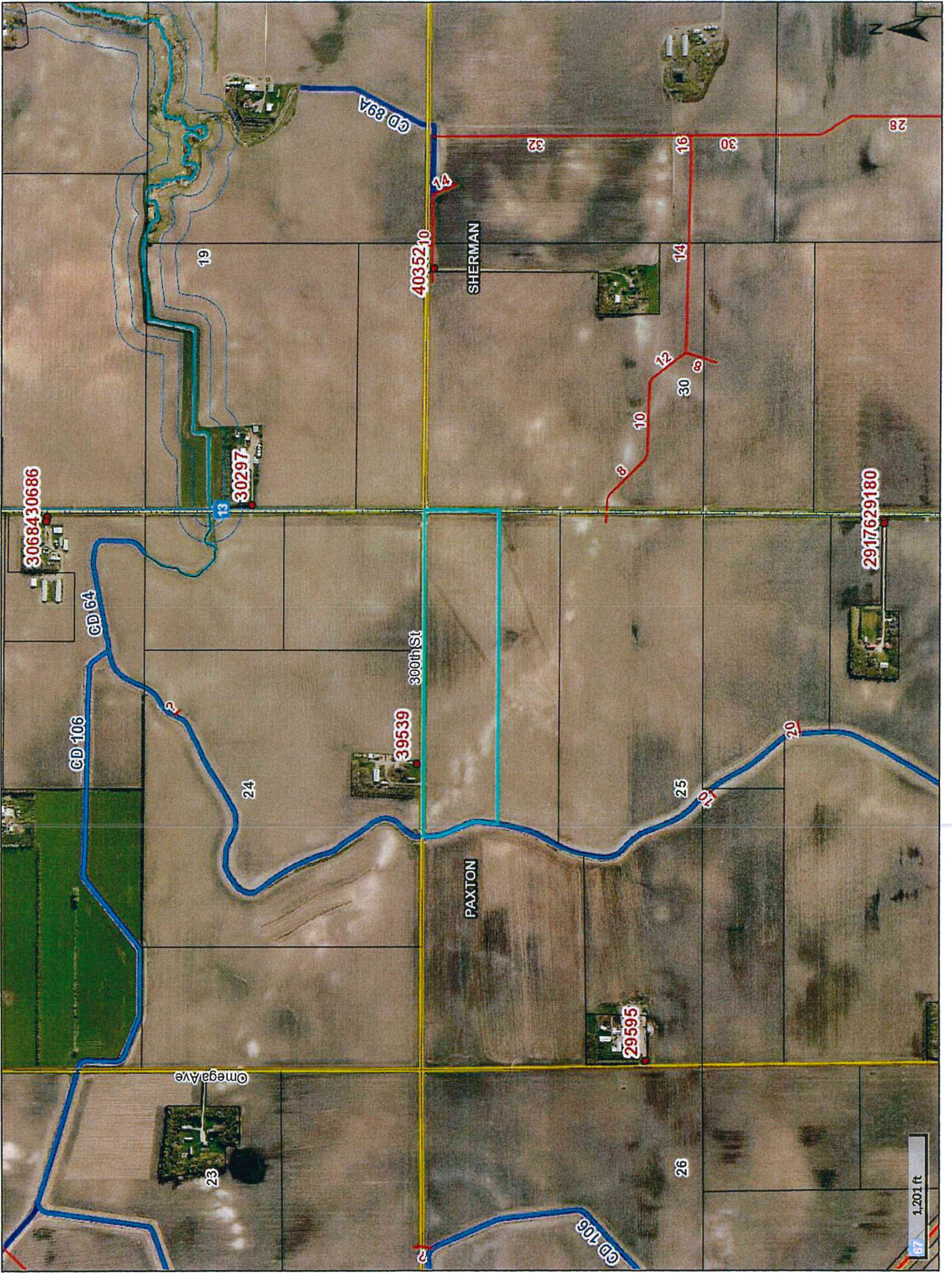
Application Received: 9/8/20

Commission Action: County Board Action:

Approved: Date: Approved: Date:

Disapproved: Date: Disapproved: Date:

MATHIOWETZ PARCEL



Conditions for Permit No. 9-20 (Myron Mathiowetz)

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. A copy of all required local, state, and federal permits and/or licenses shall be provided to the Redwood County Environmental Office upon request.
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 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.
4. The permit holder shall not exceed the boundary limits described and set forth in the *Application for Extraction Interim 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 Interim Use Permit* will be October 6, 2030.
5. 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.
6. 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 Interim Use Permit*: (1) the site will be graded to no steeper than a 3:1 (run to rise) slope; (2) the reserved topsoil will be spread on the non-pond areas and returned to agricultural use. The site shall be clean and free of all debris, including stockpiles, when the *Extraction Interim Use Permit* reaches its completion date.
7. 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 ending date of *Extraction Conditional Use Permit*.
8. The permit holder shall maintain bodily injury, property damage, and public liability insurance in the amount of at least \$1,500,000 per occurrence during the life of the extraction operation and shall provide proof of the same to the Redwood County Environmental Office.

9. The maximum depth of excavation shall be 1034 feet above sea level, per Redwood County Zoning Maps maintained by the Redwood County Environmental Office. In no event shall the excavation go deeper than required to level off the hills, compared to the surrounding ground.
10. The hours of operation of the pit shall be limited to daylight hours.
11. The excavation site shall not be used for a demolition site or hotmix plant, unless the permit holder obtains the proper permission and permits from the State of Minnesota and Redwood County.
12. The permit holder shall enter into and abide by a written agreement with the Paxton Township Board of Supervisors regarding repair and maintenance of 300th Street.
13. The County Board of Commissioners may at any time impose additional conditions requiring the permit holder to have proper warning signs posted along CSAH 13 during times of continuous hauling of material 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.
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

**Myron Mathiowetz – Extraction
Interim Use Permit Application #9-20
September 28, 2020**

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) What potential health safety and welfare impacts were raised at the hearing and why will they, or why won't they, impact the neighboring residents??

- 2) What potential impacts on area property uses were raised at the hearing and why will they, or why won't they, impact the property uses in the area?

3) What potential impacts on property values or future development were raised at the hearing, and why will they, or why won't they, impact the neighboring properties?

4) What infrastructure is needed to support the proposed use and how will it be provided?

5) How do the goals, purpose and policies of the Zoning Ordinance and Comprehensive Plan apply to the proposed project?

NAME: _____

DATE: _____

TO: Whom It May Concern

FROM: Nick Brozek 
Land Use and Zoning Supervisor
Redwood County Environmental Office

COPY



DATE: September 16, 2020

RE: Notice of Public Hearing on Application for Extraction Interim Use Permit

Please find enclosed a *Notice of Public Hearing* regarding an *Application for Extraction Interim Use Permit* submitted by Myron Mathiowetz, pursuant to Redwood County Code of Ordinances, Title XV, Sections 153.420 and 153.283. Mr. Mathiowetz is proposing to extract clay and gravel material from/on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

The north 700 feet of the Section lying east of County Ditch 64, Section 25, Township 112 North, Range 35 West, Paxton Township.

A public hearing thereon will be held before the Redwood County Planning Commission at the Planning Commission meeting scheduled at 1:00 o'clock p.m. on Monday, the 28th day of September, 2020, at the Board Room of the Redwood County Government Center located at 403 South Mill Street, Redwood Falls, MN 56283.

Pursuant to Redwood County Zoning Ordinance, all property owners of record within five hundred (500) feet of the incorporated areas and/or one-quarter (1/4) of a mile of the affected property or the ten (10) properties nearest to the affected property, whichever would provide notice to the greatest number of landowners in the unincorporated areas, the township in which the affected property is located, and all municipalities within two (2) miles of the property are required to be notified in writing of the time and place of the public hearing.

If you have any comments or questions regarding this matter, please contact the Redwood County Environmental Office by telephone at (507) 637-4023, via email at Environmental@co.redwood.mn.us, or by mail at *Redwood County Environmental Office, P.O. Box 130, Redwood Falls, MN 56283*, and/or attend the public hearing at the time and date set forth in the *Notice of Public Hearing*.

enclosure

Cc: Myron Mathiowetz (w/encl.)

Redwood County Government Center - Environmental Department
P.O Box 130 Redwood Falls, MN 56283
(507) 637-4023 redwoodcounty-mn.us Environmental@co.redwood.mn.us

2500



NOTICE OF PUBLIC HEARING

An *Application for Extraction Interim Use Permit* has been filed by Myron Mathiowetz, pursuant to Redwood County Code of Ordinances, Title XV, Sections 153.420 and 153.283. Mr. Mathiowetz is proposing to extract clay and gravel material from/on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

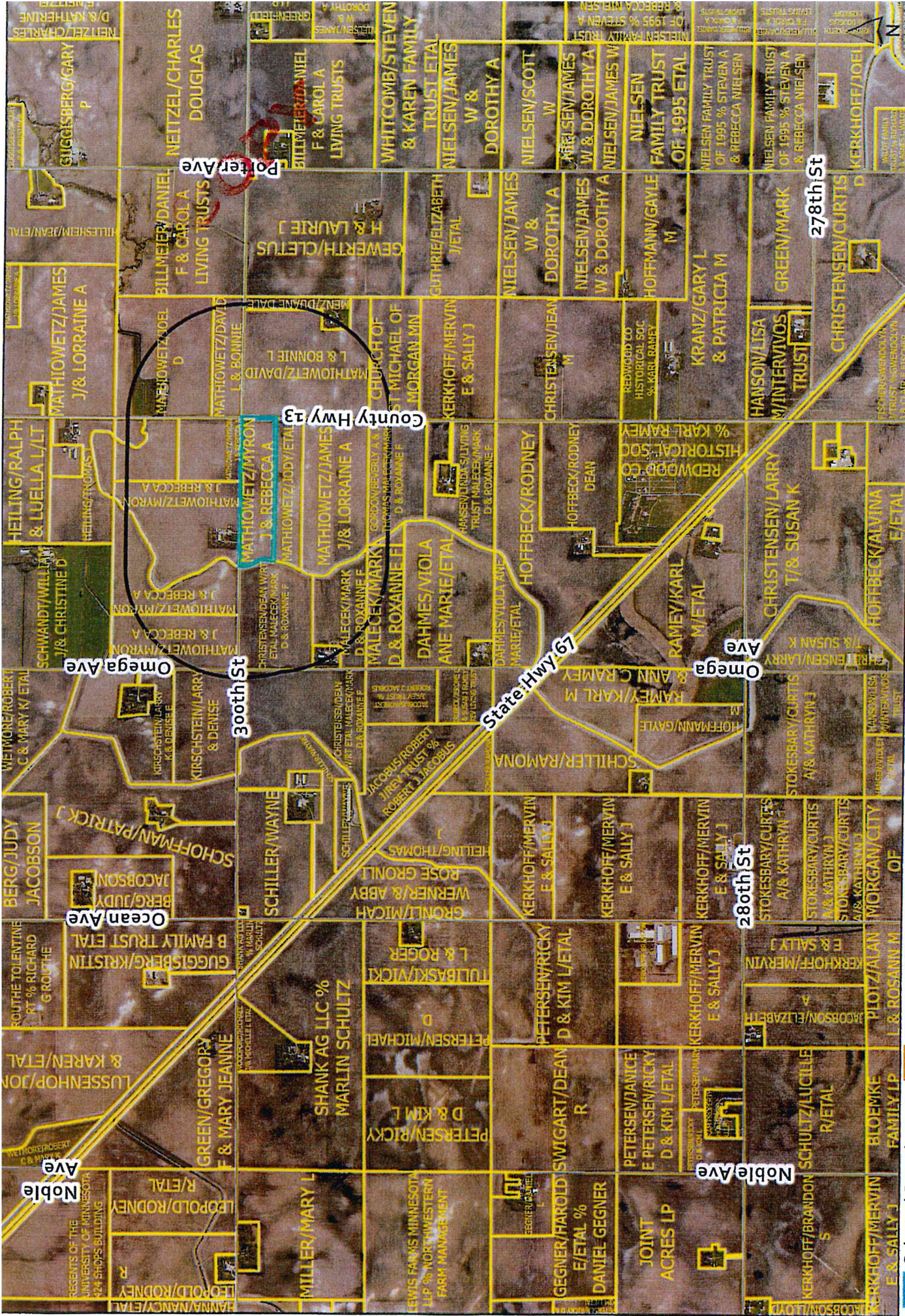
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DATED: September 14, 2020

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



Parcel ID: 62-025-1020

CUP Notification Area: 0.45 miles from selected parcel

0 1,250 2,500 5,000 Feet

- Selected Parcel
- Notification Area
- Parcels
- Municipal Boundaries
- Sections
- Roads

AFFIDAVIT OF SERVICE VIA U.S. MAIL

STATE OF MINNESOTA)
) ss
COUNTY OF REDWOOD)

RE: *Application for Extraction Interim Use Permit submitted by Myron Mathiowetz; Permit Application No. 9-20*

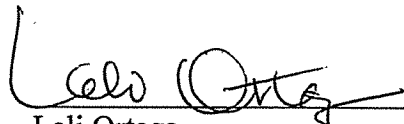
I, Lali Ortega, a person not less than eighteen (18) years of age, being first duly sworn upon oath, hereby state a copy of the following:

- 1. **Notice of Public Hearing on Application for Extraction Interim Use Permit; and**
- 2. **Notice of Public Hearing**

was duly served upon:

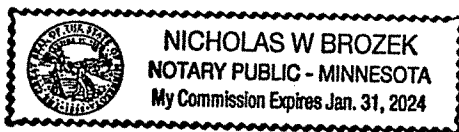
SEE ATTACHED

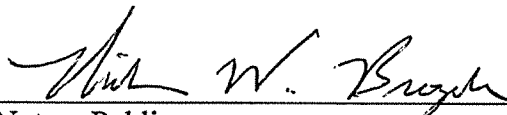
by enclosing a copy of the same in an envelope, with postage prepaid, and depositing said envelope in a United States Postal Service mailbox located at Redwood Falls, Minnesota on the 17th day of September, 2020.



Lali Ortega
Environmental Administrative Assistant

Subscribed and sworn to before me, a Notary Public, on this 17th day of September, 2020, by Lali Ortega.





Notary Public

Parcel ID	Name	c/o	Address	City	State	ZIP
650303020	MERVIN E & SALLY J KERKHOFF		38267 280 ST	REDWOOD FALLS	MN	56283
650303040	CHURCH OF ST MICHAEL OF		PO BOX 459	MORGAN	MN	56266
620251060	JAMES J & LORRAINE A MATHIOWETZ		109 UREN LN	REDWOOD FALLS	MN	56283-2272
650302040	DUANE DALE MENZ		40352 300 ST	MORGAN	MN	56266
650302020	DAVID L & BONNIE L MATHIOWETZ		415 LINDSEY AVE	MORGAN	MN	56266
620252020	MARK D & ROXANNE F MALECEK		29595 OMEGA AVE	REDWOOD FALLS	MN	56283
620244060	MYRON J & REBECCA A MATHIOWETZ		39539 300 ST	MORTON	MN	56270
620244010	THOMAS J HEILING		30684 CO HWY 13	MORTON	MN	56270
650193020	JOEL D MATHIOWETZ		30297 CO HWY 13	MORTON	MN	56270
650193040	DAVID L & BONNIE MATHIOWETZ		PO BOX 53	MORGAN	MN	56266
620251022	JODY MATHIOWETZ ETAL		3522 TIFFANY LN	SHOREVIEW	MN	55126
620234030	LARRY & DENISE KIRSCHSTEIN		33297 OCEAN AVE	REDWOOD FALLS	MN	56283
	PAXTON TOWNSHIP BOARD OF SUPERVISORS		36235 US HWY 71	REDWOOD FALLS	MN	56283
		% DEAN W CHRISTENSEN/RT ETAL				
		% TAMMY HOULE, CLERK				