



Application for Extraction Interim Use Permit

www.co.redwood.mn.us

Location of the Extraction:

Permit #: 11-11 Date: 10/20/21

Address: 36119 County HWY 17 City: Redwood Falls State: MN Zip: 56283
House # Street Name

Parcel #: 52-023-4040 Township: Delhi Section: 23 Twp #: T-113-N Range: R-36-W

Legal Description:

W 1/2 SE 1/4 ; 80 acres

Information about the Extraction:

Zoning District: Agriculture

Soil Type 1: Dickman sandy loam, 0-2%; ~~Yes loam 1-4%~~ proposed max depth: 8' Typical profile

Soil Type 2: Dickman sandy loam, 2-6%

General description of the extraction: NOTICE: Change of land use may affect your property taxes. Sandy loam 0-19" loamy sand 19-33" Sand 33-79"

Extract, process, stockpile sand + gravel on site; Temporary equip storage; No buildings; operation hours 7:00 AM - 7:00 PM; CSAH 17 will be used for hauling; Typical cut & cover open pit; Applicant has right by/through lease to mine/reclaim sand at issue.

Number of acres to be extracted: 12.75 acres Estimated amount of material to be mined: 40,000 yards total

Type of Road: County Right-of-Way width measured from centerline 50

Setbacks: (Please enter in feet)

Setback from the Center of the Road: 572

Side Yard Setback: 52 Direction: North

Side Yard Setback: 1858 Direction: South

Rear Yard Setback: 462 Direction: East

Top soil to be pushed along East boundary into a berm. Berms then will be pushed back over pit during reclamation.

Starting Date: 7-1-2021 Date of Completion: 7-1-2031 (maximum 10 years)

Drainage Plan:

Connect to existing tile west of site - done

Landscape and screening plans:

Pit located behind a tree grove

Water plan (estimated water use):

N/A

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

N/A

Reclamation plan: (Attach Map)

gradual side slopes 3:1, covered w/ reserve topsoil, Estimated cost @ \$3,600.00/acre

Estimated Cost of Reclamation: ~~\$18,000~~ ~~\$28,800~~ \$43,200

Applicant Information:

First Name: Jeff Last Name: Schmidt

Business Name: Schmidt Construction Inc

Address: 20103 US Hwy 71 City: Redwood Falls State: MN Zip: 56283

Home Phone: ~~507-430~~ Cell Phone: 507-644-5596 Email: Schmidtconstructioninc@yahoo.com

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: Charles & Julie Last Name: Chmelar

Address: 36119 CO Hwy 17 City: Redwood Falls State: MN Zip: 56283

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: Charles Chmelar Julie Chmelar Date: 10/15/21

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 #: 573541 Date Approved:

Application Received: 10/20/21

Commission Action: County Board Action:

Approved: Date: Approved: Date:

Disapproved: Date: Disapproved: Date:

6

Existing
Pit
↓

4 acre
future

topsoil berm

sand
pile

3 acre

topsoil berm

DELLI

22

23

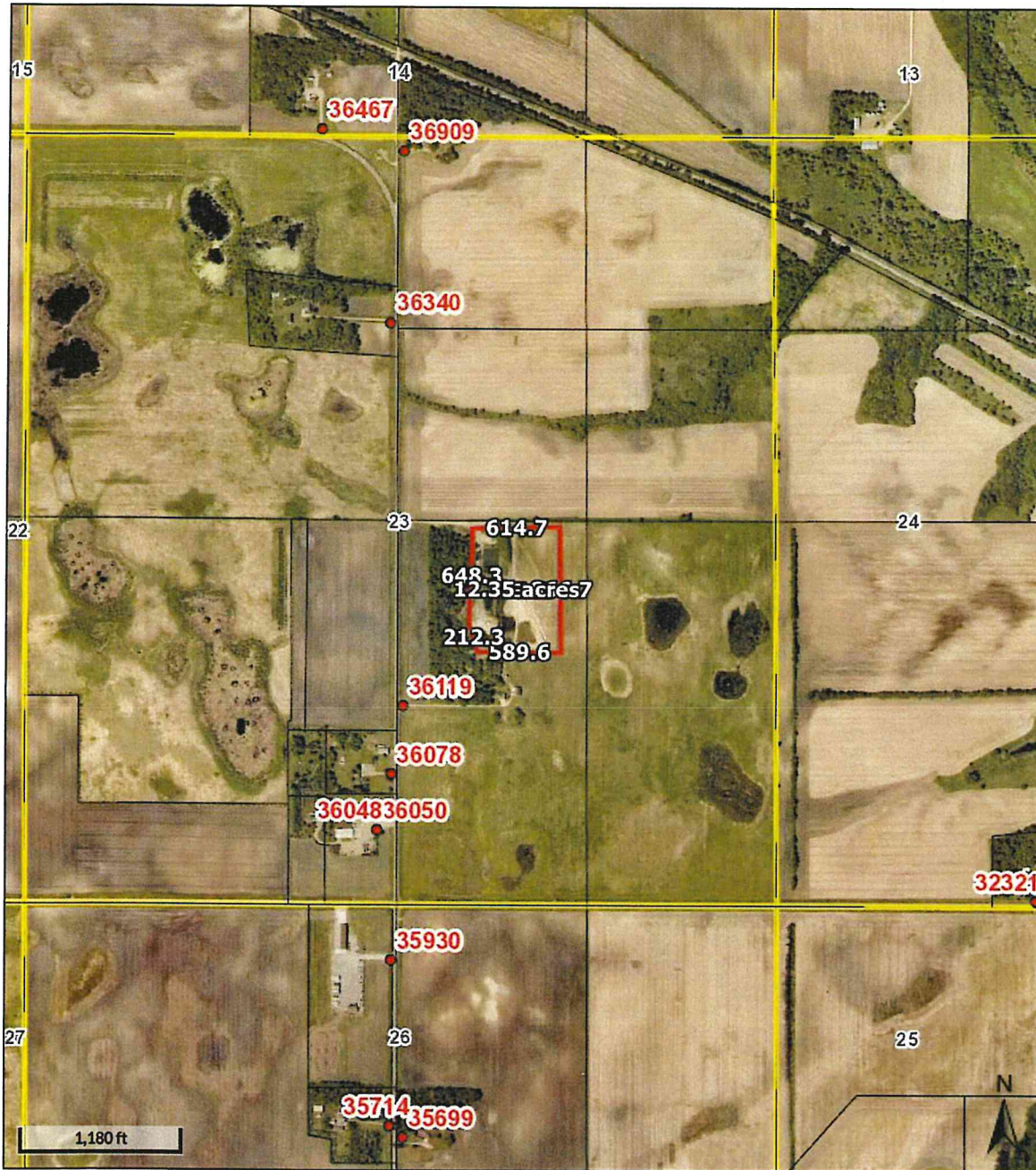
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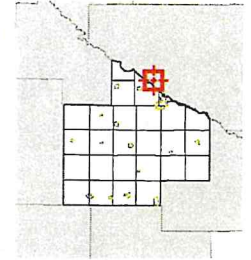
36078

243 ft



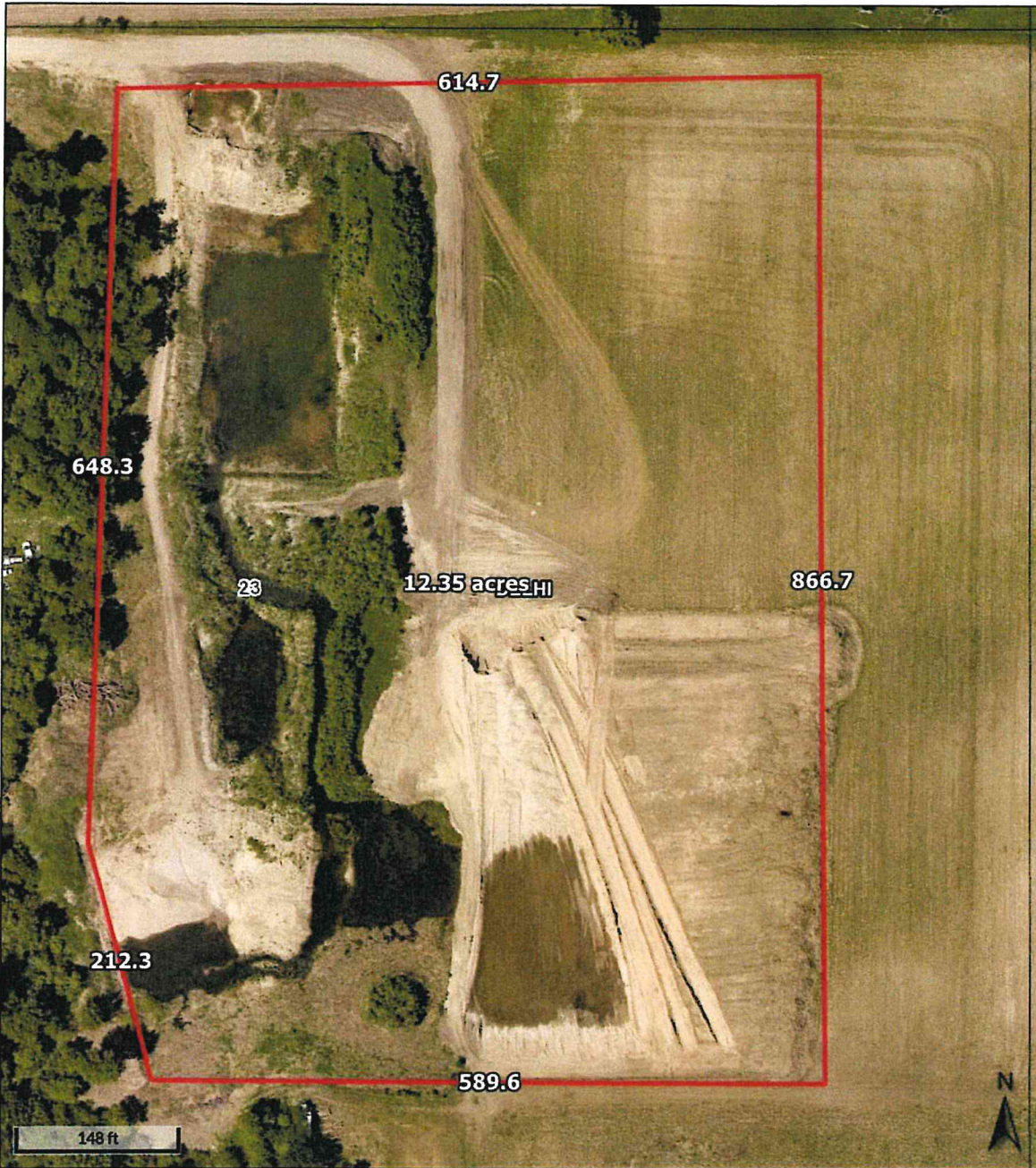


Overview

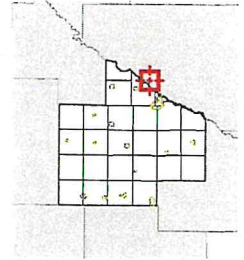


Legend

- County Boundary
- Municipal Boundaries
- Townships
- Address Points
- Parcels



Overview



Legend

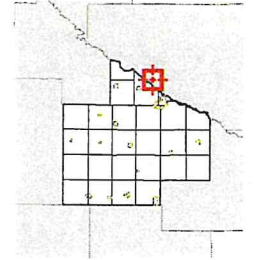
-  Townships
-  Open Ditch
-  Drain Tile
-  Address Points
-  Parcels
- Major Roads**
-  County/Twp/City
-  State/Federal
-  County
-  Minor Roads

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Developed by  **Schneider**
 GEOSPATIAL



Overview



Legend

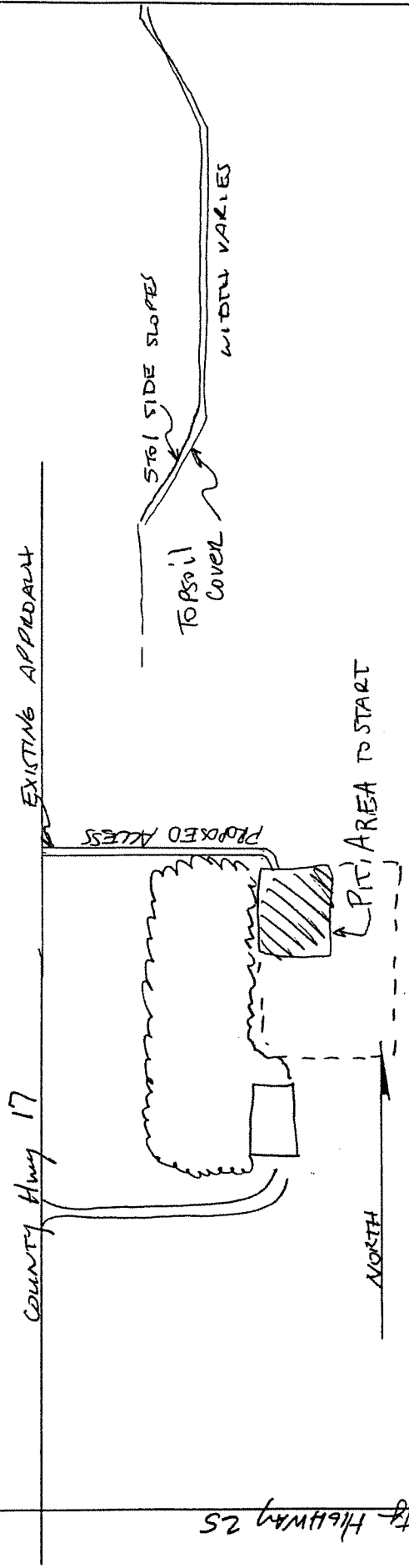
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Date created: 11/22/2021
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Developed by  **Schneider**
GEOSPATIAL

CHMELAR SOIL MAP





- EXISTING SOIL
- 1 1/2' TOPSOIL
 - 6-8' SAND
 - SITE IS FLAT
 - NO EXISTING STRUCTURES

JOB CHARLIE OTHMELAR

SHEET NO. _____ OF _____

CALCULATED BY _____ DATE 6-26-11

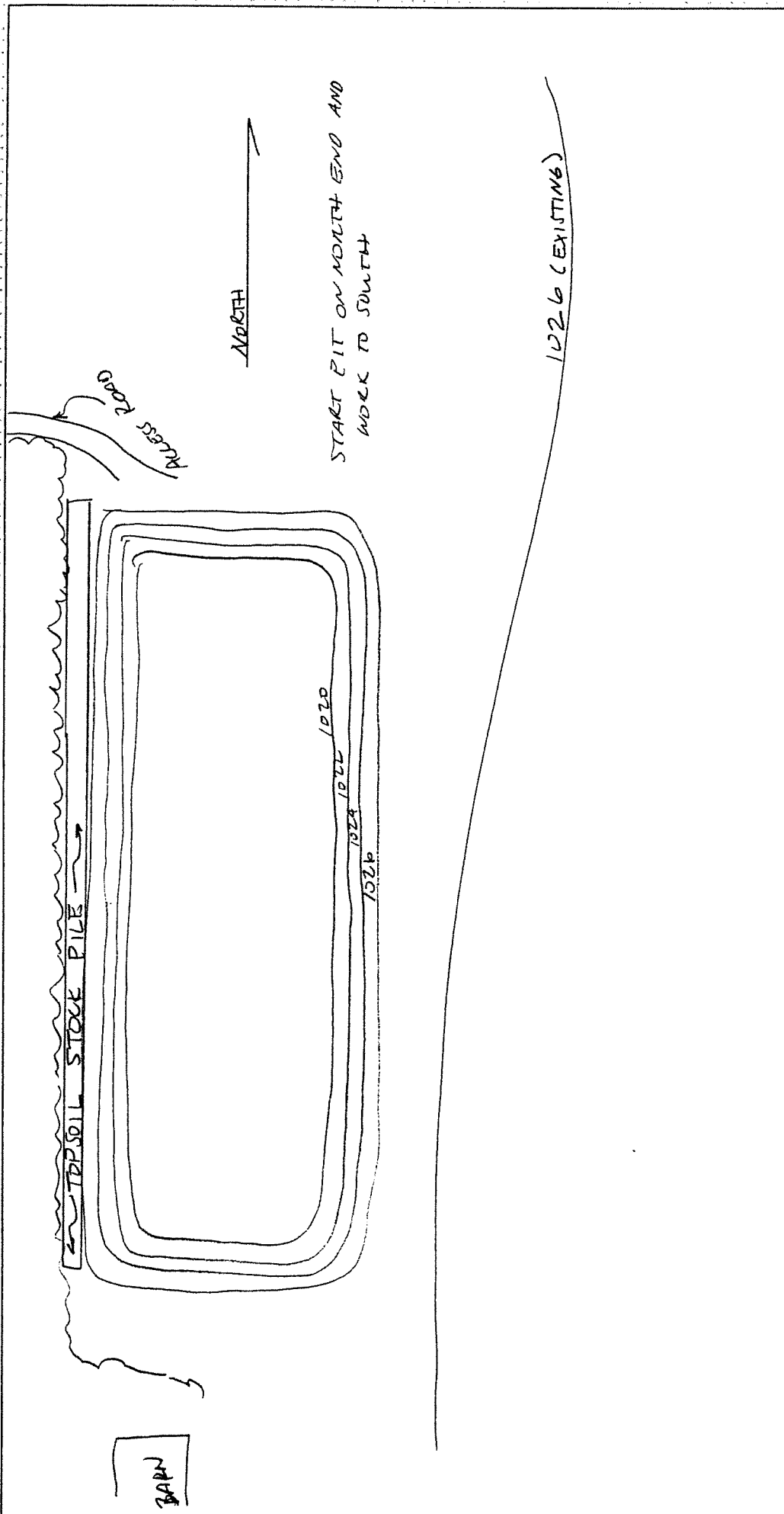
CHECKED BY _____ DATE _____

SCALE _____

SCHMIDT CONSTRUCTION
 RR 1 Box 192
 REDWOOD FALLS, MINNESOTA 56283
 Phone (507) 644-5596
 FAX (507) 644-5907

2011 Permit Map

DATE PLOTTED: 6/26/11 10:45 AM



JOB _____

SHEET NO. _____ OF _____

CALCULATED BY _____ DATE _____

CHECKED BY _____ DATE _____

SCALE _____

SCHMIDT CONSTRUCTION
 RR 1 Box 192
 REDWOOD FALLS, MINNESOTA 56283
 Phone (507) 644-5596
 FAX (507) 644-5307

DATE PLOTTED: 11/15/01 11:58 AM

2011 Permit Map

AFFIDAVIT OF SERVICE VIA U.S. MAIL

STATE OF MINNESOTA)
) ss
COUNTY OF REDWOOD)

RE: *Application for Extraction Interim Use Permit* submitted by Jeff Schmidt and Schmidt Construction Inc., on behalf of landowner Charles & Julie Chmelar; Permit Application No. 15-21

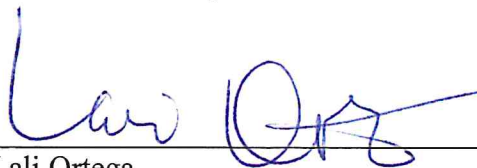
I, Lali Ortega, a person not less than eighteen (18) years of age, being first duly sworn upon oath, hereby state a copy of the following:

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

was duly served upon:

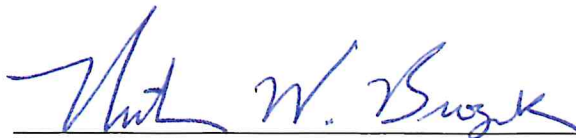
- See Attached -

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 November, 2021.

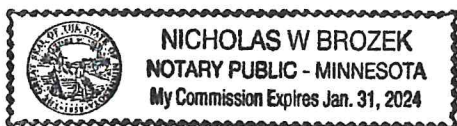


Lali Ortega
Administrative Assistant
Environmental Office

Subscribed and sworn to before me, a Notary Public, on this 17th day of November, 2021, by Lali Ortega.




Notary Public



Parcel	Owner	C/O	Address	Address 2	City	State	ZIP
520262020	NELSON/DONALD D & BARBARA L		35714 CO HWY 17		REDWOOD FALLS	MN	56283
520261040	LECHNER/DOUGLAS J & AURELIA A		35699 CO HWY 17		REDWOOD FALLS	MN	56283
520233040	TAYLOR/JOE L & MICHELLE L		PO BOX 118		REDWOOD FALLS	MN	56283-0118
520233030	FARMERS UNION INDUSTRIES LLC	220 PONDEROSA RD	PO BOX 319		REDWOOD FALLS	MN	56283
520234040	CHMELAR/CHARLES & JULIE		36119 CO HWY 17		REDWOOD FALLS	MN	56283
520234020	GALLANT/NYLA		21681 ELMWOOD CIR		NEVIS	MN	56467-5015
520233020	GILK/TIMOTHY H & JENNIFER L J		229 E OAK ST		REDWOOD FALLS	MN	56283
520231070	DANIELS/MARY ANN/ETAL		4940 ACORN RIDGE RD		MINNETONKA	MN	55345-3104
520232040	MILLER/KEVIN D & NANCY K		36340 CO HWY 17		REDWOOD FALLS	MN	56283
520262010	KRAMER/RICKY/& RYAN KRAMER		36048 CO HWY 17		REDWOOD FALLS	MN	56283
520262040	MORITZ/JENNIFER A		PO BOX 233		REDWOOD FALLS	MN	56283
520261030	REDWOOD COTTONWOOD RIVERS	% BRUCE KAARDAL, CONSERVATOR	1424 E COLLEGE DR STE 300		MARSHALL	MN	56258
	DELHI TOWNSHIP BOARD OF SUPERVISORS	CONTROL AREA			REDWOOD FALLS	MN	56283
	CITY OF REDWOOD FALLS	% CARRIE WERNER, CLERK	36898 CO HWY 6		REDWOOD FALLS	MN	56283
	SCHMIDT CONSTRUCTION INC	% KEITH MUETZEL, CITY ADMINISTRATOR	PO BOX 526		REDWOOD FALLS	MN	56283
		% JEFF SCHMIDT	30103 US HWY 71		REDWOOD FALLS	MN	56283

TO: Whom It May Concern

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

COPY



DATE: November 16, 2021

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 Jeff Schmidt of Schmidt Construction Inc., on behalf of landowner Charles & Julie Chmelar, pursuant to Redwood County Code of Ordinances, Title XV, Sections 153.420 and 153.283. Schmidt is proposing to extract, process, and stockpile sand & gravel material from/on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

The West Half of the Southeast Quarter (W1/2 SE1/4) of Section 23, Township 113 North, Range 36 West, Delhi 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 Tuesday, the 30th day of November, 2021, 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: Jeff Schmidt (w/encl.)
Charles & Julie Chmelar (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



NOTICE OF PUBLIC HEARING

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DATED: November 15, 2021

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

COPY



Parcel ID: 52-023-4040
IUP Notification Area: 0.25 miles from selected parcel



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
Schmidt Construction – Chmelar Gravel Pit – Extraction
Interim Use Permit Application #15-21
November 30, 2021**

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: _____

Conditions for Extraction Interim Use Permit No. 15-21 (Chmelar 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. 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 7/1/2031.
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 provide, for the purpose of retaining impounded waters, a container of sufficient strength and durability, and maintain such container in safe and property condition.
7. 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 overburden/topsoil will be spread on the slopes and the area will be returned to agricultural use or to a natural wildlife area. The site shall be clean and free of all debris, including stockpiles, when the *Extraction Interim Use Permit* reaches its completion date.
8. The permit holder shall post a bond or irrevocable letter of credit in the amount of \$54,000.00. Further, the bond or irrevocable letter of credit shall remain in full force and effect for a minimum of one year beyond the ending date of *Extraction Interim Use Permit*.

9. 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.
10. The hours of operation of the pit shall be limited to 7:00 am through 7:00 pm.
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 have proper warning signs posted on CSAH 17 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. Any gravel deposited onto CSAH 17 during hauling shall be immediately cleaned up and removed.
13. 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.