



Redwood County

www.co.redwood.mn.us

Application for Extraction Interim Use Permit

Location of the Extraction: 37449 Permit #: 3-22 Date: 3/8/22

Address: [] 340th ST House # City: Redwood Falls State: MN Zip: 56283

Parcel #: 62-003-1040 Township: Paxton Section: 3 Twp #: 112 Range: 35

Legal Description:
NFR 1/2 NE 1/4 EX TRS, 29.56A

Information about the Extraction:
Zoning District: Agricultural
Soil Type 1: Dickman Sandy loam
Soil Type 2:
General description of the extraction: NOTICE: Change of land use may affect your property taxes.
Removal of ~ 30,000 yards of fill for Veteran's Cemetery.

Number of acres to be extracted: 4
Type of Road: County Right-of-Way width measured from centerline 50

Setbacks: (Please enter in feet)
Setback from the Center of the Road: 200
Side Yard Setback: 200 **Direction:** East
Side Yard Setback: 80 **Direction:** South
Rear Yard Setback: 80 **Direction:** NORTH
Starting Date: 5-1-22 **Date of Completion:** 1-1-23 (maximum 10 years)

Drainage Plan:
Wildlife pond
Landscape and screening plans:
Not visible from road field, trees, topography
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)

Wildlife Pond ~ 2 acre, 10' deep gradual slope 3:1
Recover w/ topsoil around perimeter

Estimated Cost of Reclamation: \$ 3,000

Applicant Information:

First Name: Self Last Name: Schmidt

Business Name: Schmidt Construction Inc

Address: 30103 US Hwy 71 City: Redwood Falls State: MN Zip: 56283

Home Phone: 507-644-5596 Cell Phone: _____ Email: Schmidt construction inc@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: William & Norma Last Name: Schmidt

Address: 30103 US Hwy 71 City: Redwood Falls State: MN Zip: 56283

Home Phone: 507-644-5596 Cell Phone: _____ Email: Schmidt construction inc@yahoo.com

I affirm that the foregoing 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: William Schmidt Date: 3/8/2022

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

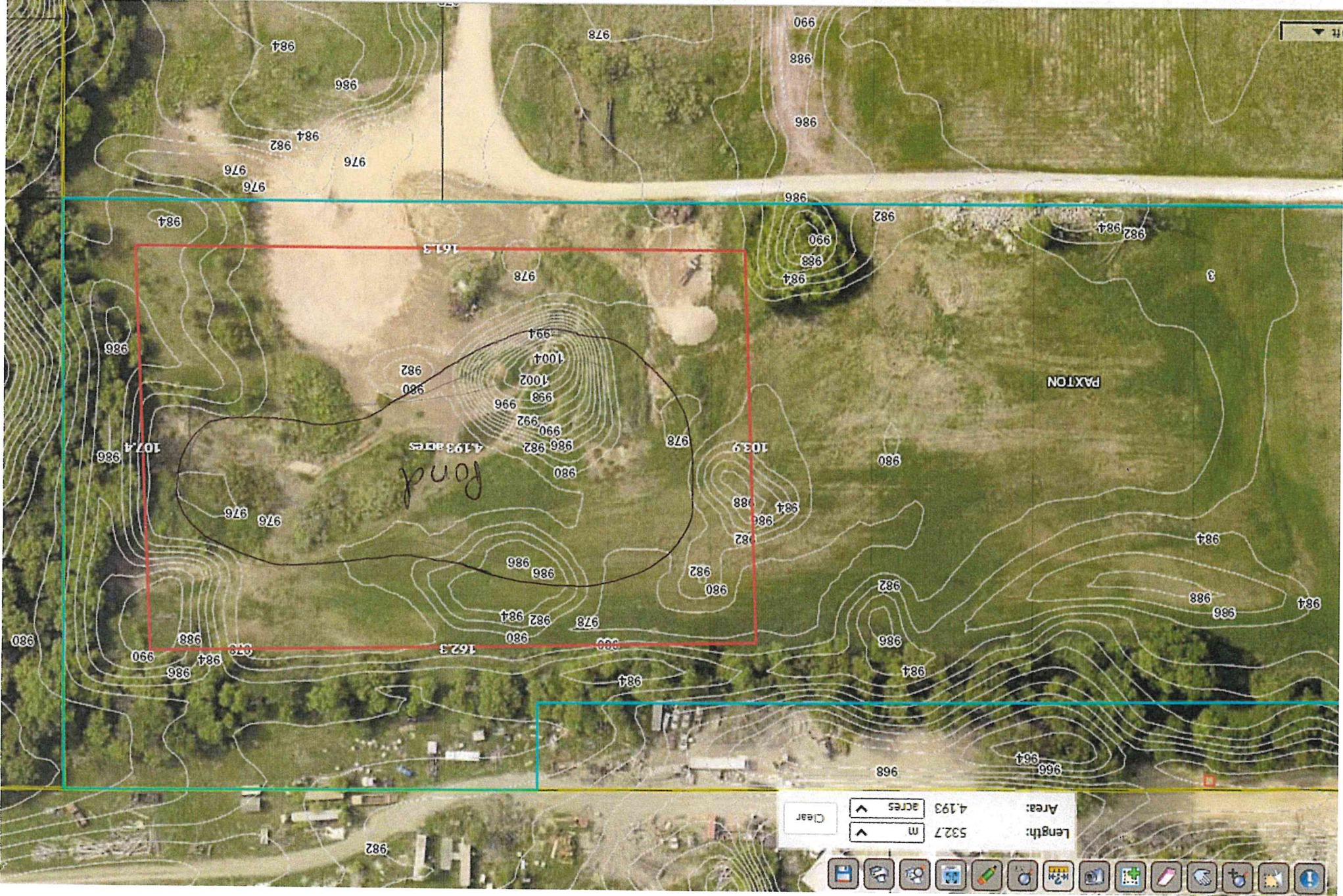
Extraction Fee: \$700.00 Receipt #: 573597 Date Approved: _____

Application Received: 3/8/22

Commission Action: _____ County Board Action: _____

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

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



Owner Address SCHMIDT/WILLIAM & NO
 30103 US HWY 71
 REDWOOD FALLS MN 56

Alternate ID n/a
 Class AGRICULTURE
 Acreage 29.56

62-003-1040
 Rng 3-112-35
 Address 37449 340 ST RWF
 56283

Description

n/a
 NFR1/2 NE1/4 EX TRS, 29.56A
 (Note: Not to be used on legal documents)

Schmidt Pond

20-30 acre watershed

Legend

Proposed Pond

Grass Overflow Channel

2015 Aerial Image

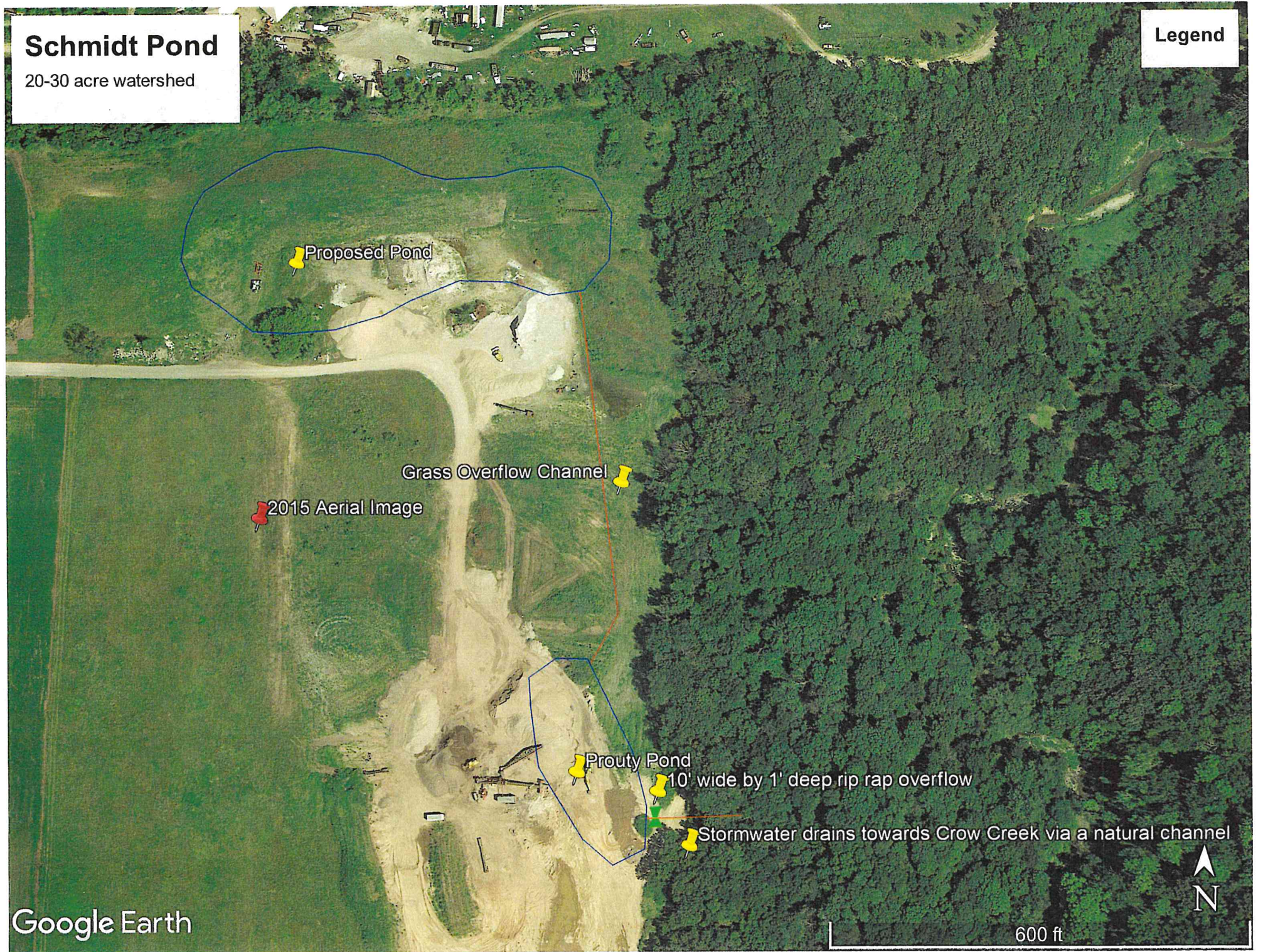
Prouty Pond

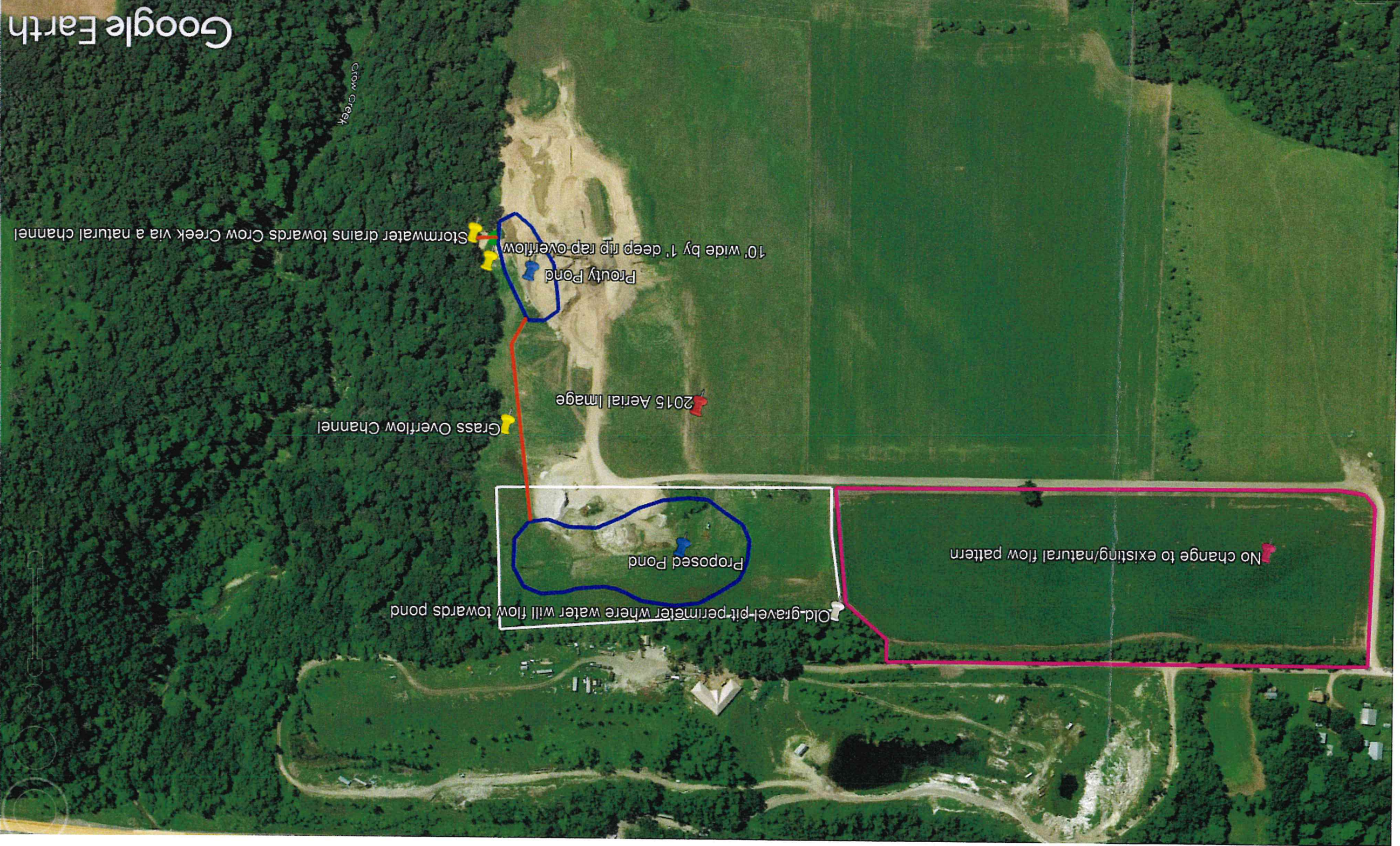
10' wide by 1' deep rip rap overflow

Stormwater drains towards Crow Creek via a natural channel

Google Earth

600 ft





10' wide by 1' deep rip rap overflow

Prouty Pond

Grass Overflow Channel

2015 Aerial Image

Proposed Pond

No change to existing/natural flow pattern

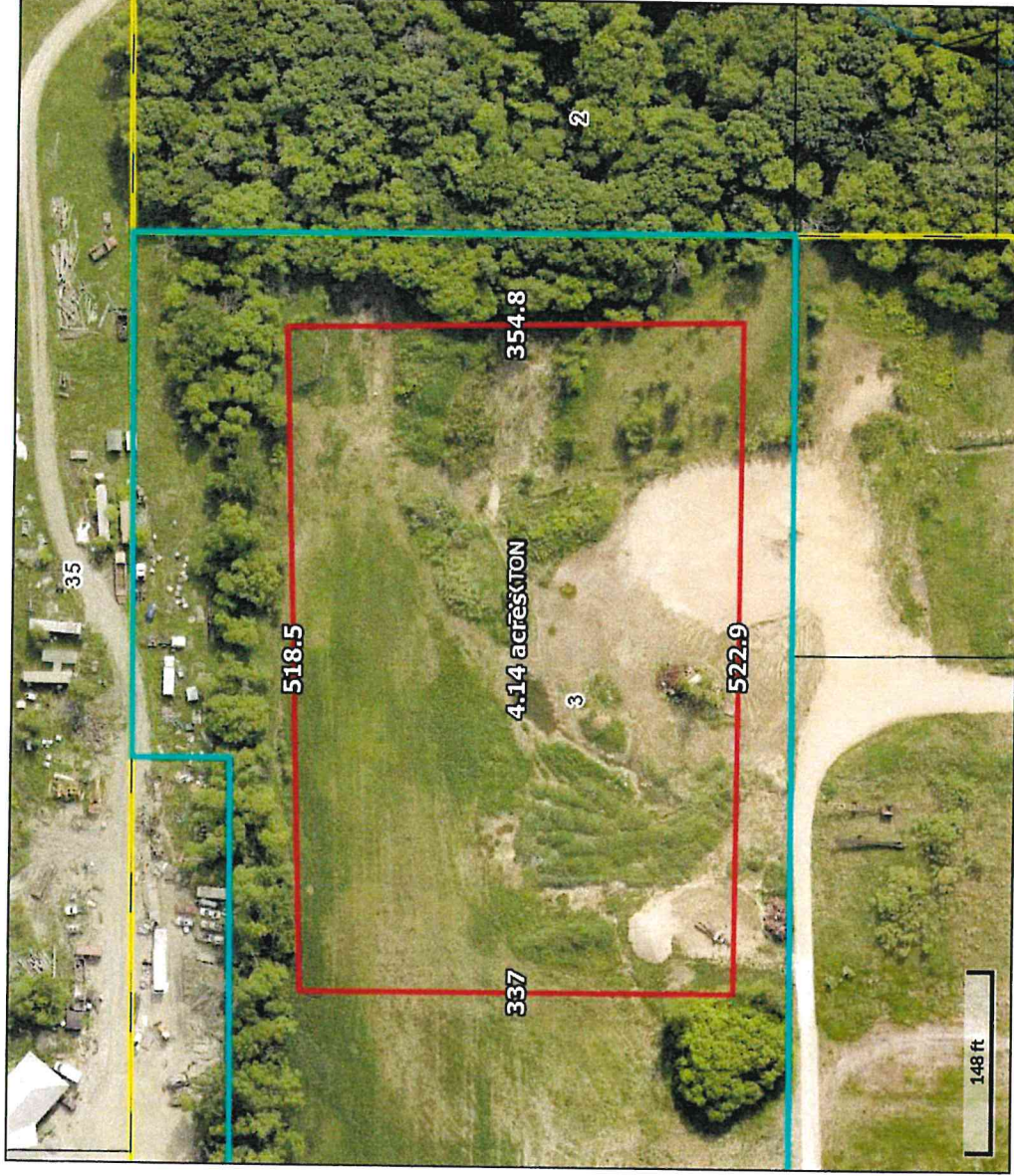
Old gravel-pit perimeter where water will flow towards pond

Crow Creek

Stormwater drains towards Crow Creek via a natural channel



Permitted Area Map - Schmidt #3-22



Legend

- Municipal Boundaries
- Townships
- Open Ditch
- Drain Tile
- Lakes
- Rivers
- Address Points
- Parcels
- Shoreland
- <all other values >
- 150 ft
- 300 ft
- 300 ft L W
- 1000 ft
- FloodPlain
- Floodplain
- Major Roads
- County/Twp/City
- State/Federal
- County
- Minor Roads

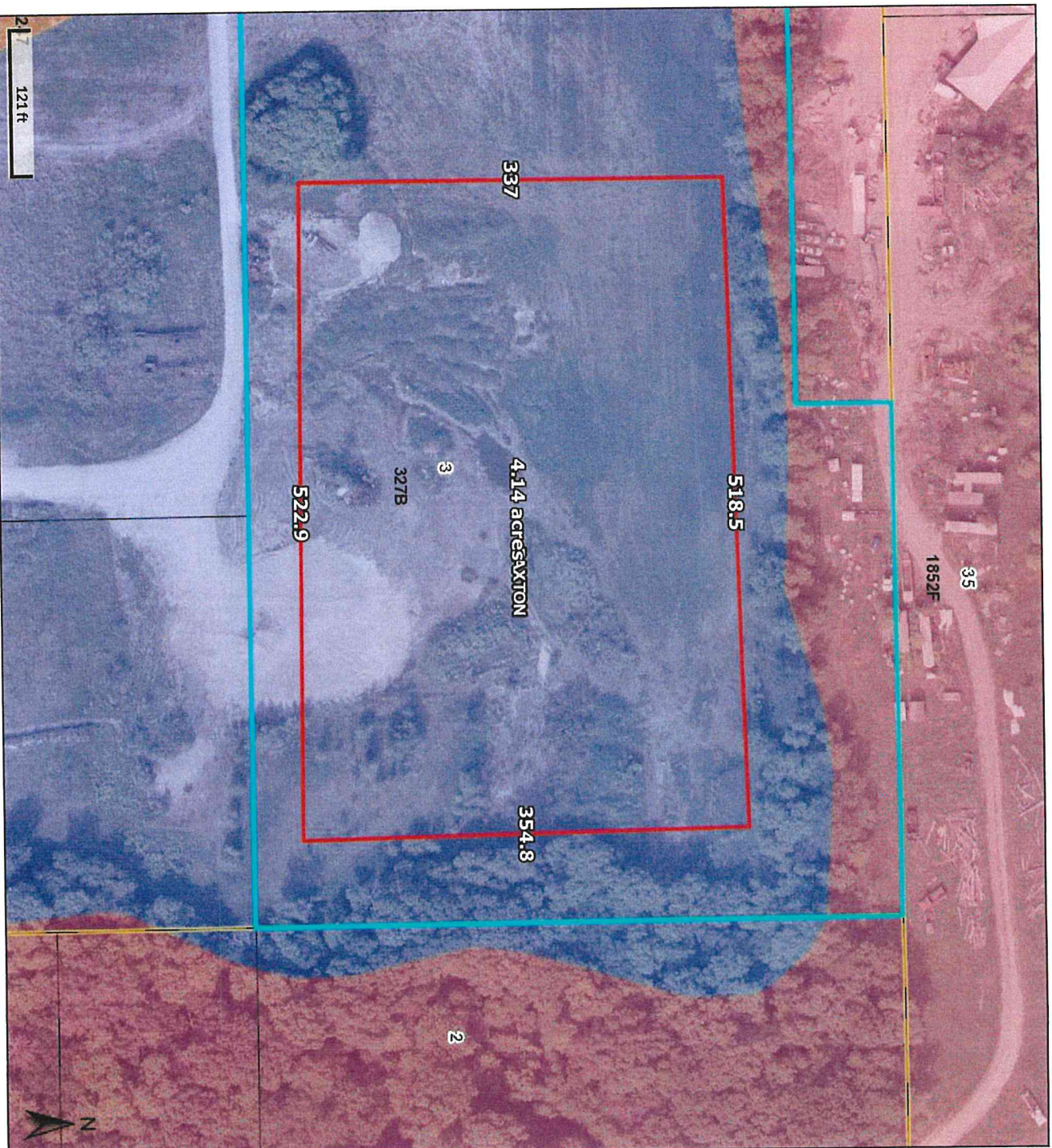
Parcel ID 62-003-1040 Alternate ID n/a Owner Address SCHMIDT/WILLIAM & NORMA
 Sec/Twp/Rng 3-112-35 Class AGRICULTURE 30103 US HWY 71
 Property Address 37449 340 ST RWF Acreege 29.56 REDWOOD FALLS MN 56283
 56283

District n/a
 Brief Tax Description NFR 1/2 NE 1/4 EX TRS, 29.56A
 (Note: Not to be used on legal documents)

Date created: 3/24/2022
 Last Data Uploaded: 3/23/2022 9:37:15 PM

Developed by **Schneider**
 GEOSPATIAL

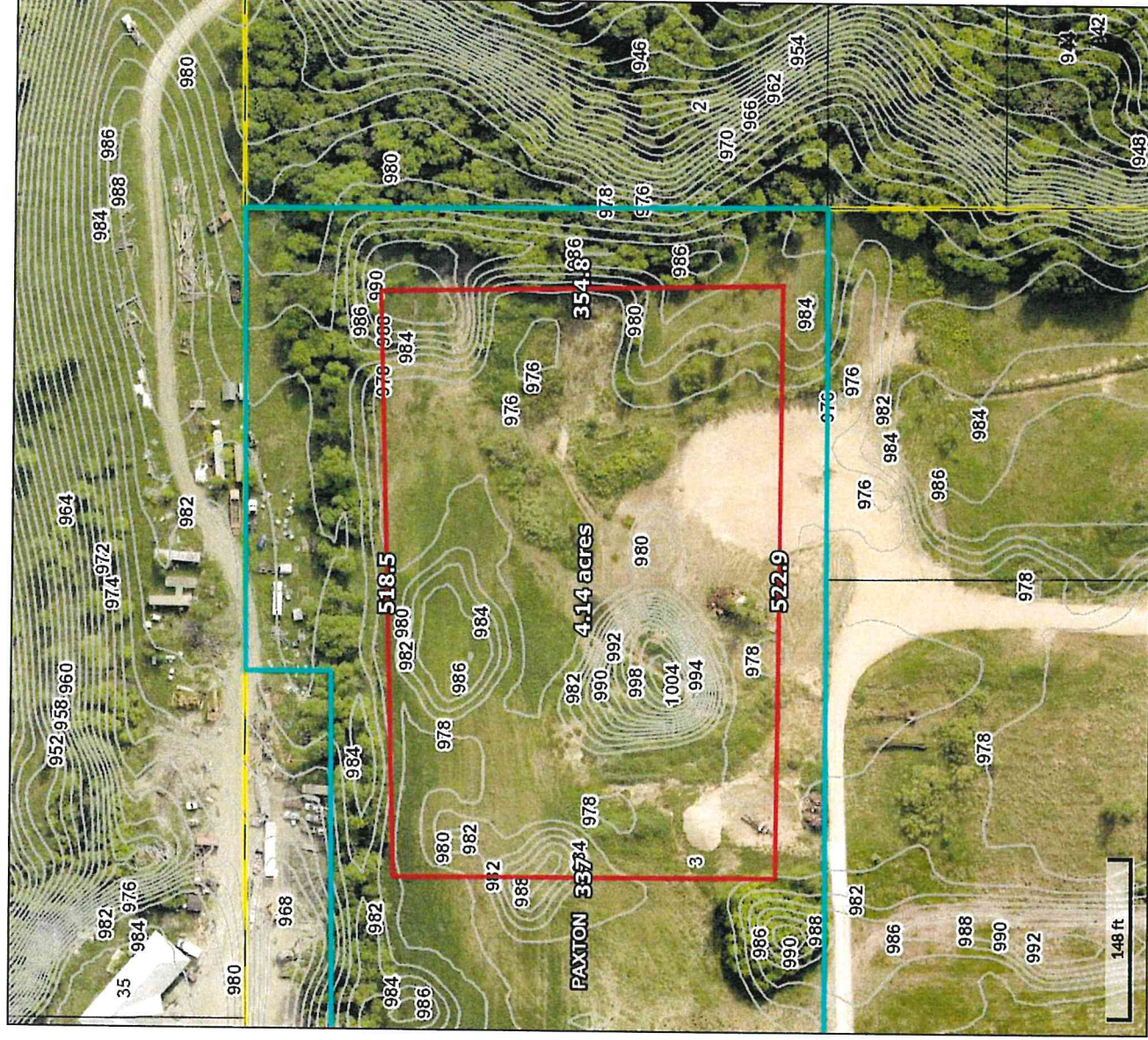
Soils Map - Schmidt #3-22



Date created: 3/24/2022
Last Data Uploaded: 3/23/2022 9:37:15 PM

Developed by  Schneider
GEOSPATIAL

Elevation Map - Schmidt #3-22



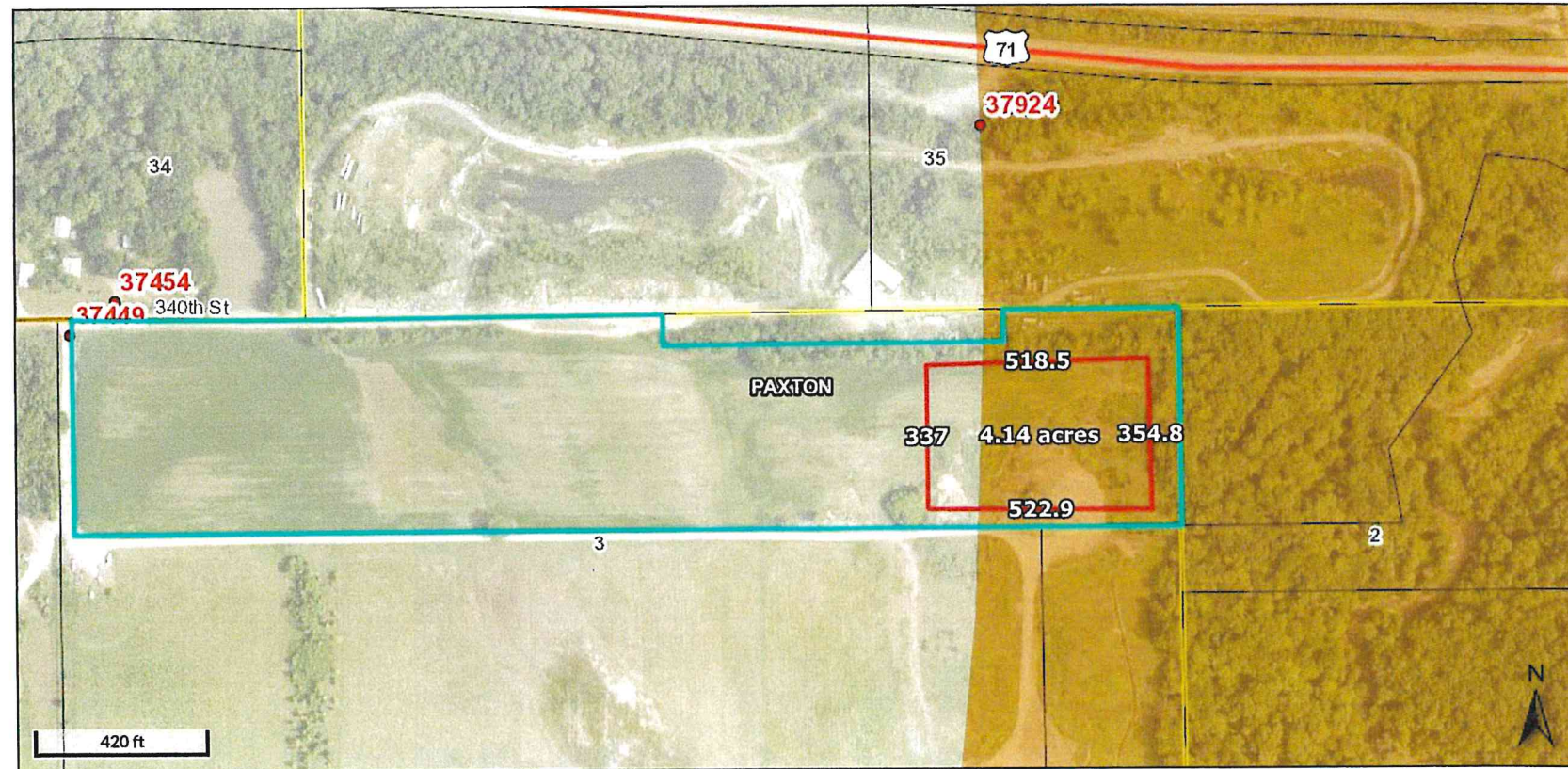
Legend

- Municipal Boundaries
- Townships
- Contours
- Address Points
- Parcels
- Major Roads
- County/Twp/City
- State/Federal
- County
- Minor Roads

Date created: 3/24/2022
Last Data Uploaded: 3/23/2022 9:37:15 PM

Developed by **Schneider**
GEOSPATIAL

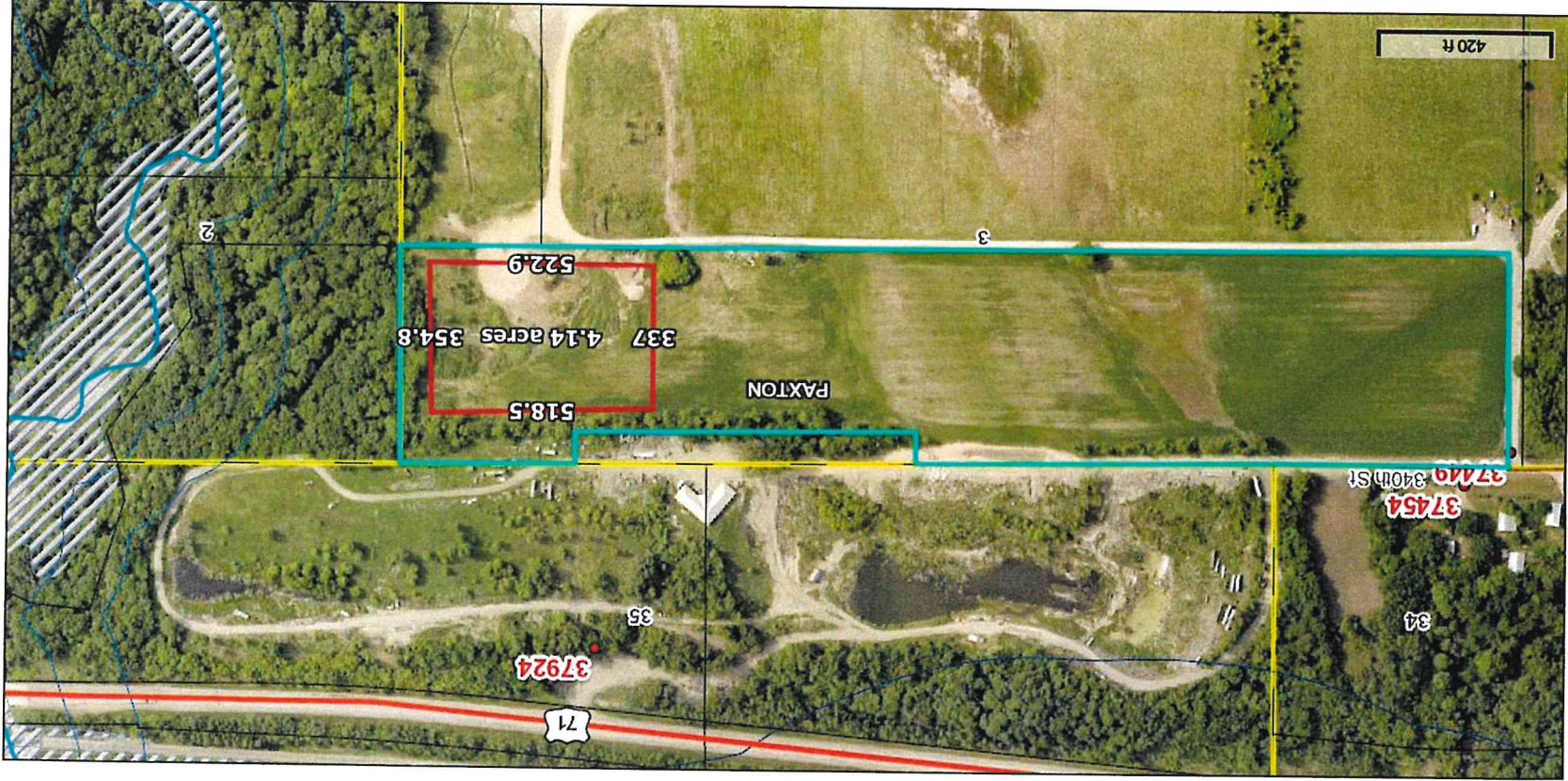
County Zoning Map - Schmidt #3-22



- Legend**
- Municipal Boundaries
 - Townships
 - Address Points
 - Parcels
- County Zoning**
- B1
 - I1
 - R1
 - S
 - UE
 - 2M
 - AG
- Major Roads**
- County/Twp/City
 - State/Federal
 - County
 - Minor Roads

Date created: 3/24/2022
 Last Data Uploaded: 3/23/2022 9:37:15 PM

Developed by **Schneider**
 GEOSPATIAL



- Legend
- Municipal Boundaries
 - Townships
 - Open Ditch
 - Drain Tile
 - Lakes
 - Rivers
 - Address Points
 - Parcels
 - Shoreland
 - <all other values>
 - 150 ft
 - 300 ft
 - 300 ft L W
 - 1000 ft
 - Floodplain
 - Floodplain
 - Major Roads
 - County/Twp/City
 - State/Federal
 - County
 - Minor Roads

Date created: 3/24/2022

Last Data Uploaded: 3/23/2022 9:37:15 PM

Developed by **Schneider** GEOSPATIAL

Conditions Permit No. 3-22 (Schmidt Construction)

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 US Hwy 71 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 interim 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 interim 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 interim 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 7 am to 7 pm., Monday through Saturday.
8. 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 January 1, 2023.
9. If any other equipment (i.e. hotmix plant, bag house, etc.) other than excavation and aggregate processing equipment used at the site shall require a new interim use permit. The excavation site shall not be used for a demolition site unless the permit holder obtains the proper permits from the State of 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 Interim Use Permit*, reserved topsoil 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 Interim Use Permit* reaches its completion date.
12. All slopes will be flattened and/or graded to a maximum slope of 3:1 (run to rise).
13. The pond will have a grass overflow channel outletting and flowing to the south, into a second existing pond. From there, the water will flow east via a natural channel into Crow Creek.
14. 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 Interim Use Permit*.
15. 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.
16. The Redwood County Planning Commission shall review the interim use permit and shall be authorized to take any and all necessary action(s), including but not limited to revoking the interim use permit and/or requiring the permit holder to reapply for a interim 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 interim 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 interim 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

Schmidt Construction – Extraction
Interim Use Permit Application #3-22
April 5, 2022

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: _____

COPIES



TO: Whom It May Concern

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

DATE: March 22, 2022

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 landowners William & Norma Schmidt, pursuant to Redwood County Code of Ordinances, Title XV, Sections 153.420 and 153.283. Schmidt Construction Inc. is proposing to extract clay fill material from/on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

The North Fractional Half (NFR1/2) of the Northeast Quarter (NE1/4), except tracts, 29.56 acres, in Section 3, 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 Tuesday, the 5th day of April, 2022, at the Board Room of the Redwood County Government Center located at 403 South Mill Street, Redwood Falls, MN 56283.

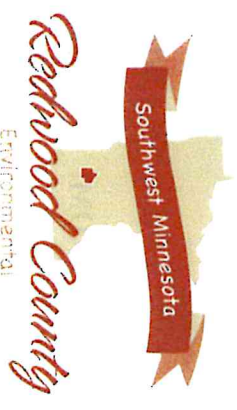
Pursuant to Redwood County Zoning Ordinance, all property owners of record within five hundred (500) feet of the incorporated areas and/or one-quarter (1/4) of a mile of the affected property or the ten (10) properties nearest to the affected property, whichever would provide notice to the greatest number 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: Schmidt Construction (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

An *Application for Extraction Interim Use Permit* has been filed by Jeff Schmidt of Schmidt Construction Inc., on behalf of landowners William & Norma Schmidt, pursuant to Redwood County Code of Ordinances, Title XV, Sections 153.420 and 153.283. Schmidt Construction Inc. is proposing to extract clay fill material from/on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

The North Fractional Half (NFR1/2) of the Northeast Quarter (NE1/4), except tracts, 29.56 acres, in Section 3, 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 Tuesday, the 5th day of April, 2022, at the Board Room of the Redwood County Government Center located at 403 South Mill Street, Redwood Falls, MN 56283.

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 in writing at *Redwood County Environmental Office, P.O. Box 130, Redwood Falls, MN 56283*.

DATED: March 14, 2022

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

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



Selected Parcel
 Notification Area
 Municipal Boundaries
 Sections
 Roads
 Parcels

CUP Notification Area: 0.25 miles from selected parcel

Parcel ID: 62-003-1040

0 330 660 1,320 Feet



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; Permit Application No. 3-22

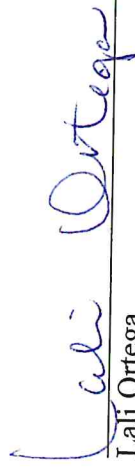
I, Lali Ortega, a person not less than eighteen (18) years of age, being first duly sworn upon oath, hereby state a copy of the following:

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

was duly served upon:

-SEE ATTACHED-

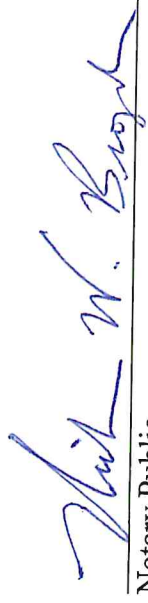
by enclosing a copy of the same in an envelope, with postage prepaid, and depositing said envelope in a United States Postal Service mailbox located at Redwood Falls, Minnesota on the 22nd day of March, 2022.



Lali Ortega
Administrative Assistant
Environmental Office

Subscribed and sworn to before me, a Notary Public, on this 22nd day of March, 2022, by Lali Ortega.





Notary Public

Parcel ID	OWNAME	C/O	Address	Address 2	CITY	STAT	ZIP
621351020	DEPT OF NATURAL RESOURCES	ATTN: TAX SPECIALIST	PO BOX 45		ST PAUL	MN	55155
621344030	DNR-REAL ESTATE MGT	ATTN: TAX SPECIALIST	500 LAFAYETTE RD		ST PAUL	MN	55155-4030
621354040	GUGGISBERG/JULIEANNA/ETAL		29176 CO HWY 13		MORGAN	MN	56266-1304
620022040	GUGGISBERG/LEE H/TRUST B UWT	% JULIEANNA GUGGISBERG	29176 CO HWY 13		MORGAN	MN	56266-1304
621354060	HELMER/STEVEN ROBERT		410 S 10 ST		OLIVIA	MN	56277
620032050	LINSMEIER/ERIC		37132 337 ST		REDWOOD FALLS	MN	56283
626250120	MAURER/CAMERON/&	GINA MEYER	33453 OAK RIDGE AVE		REDWOOD FALLS	MN	56283
621343000	MINNESOTA/STATE OF	TRANSPORTATION BUILDING	395 JOHN IRELAND BLVD		ST PAUL	MN	55155
629960040	MN VALLEY REGIONAL RAIL AUTH		200 S MILL ST		REDWOOD FALLS	MN	56283
626250140	PRESCHER/GREGORY S		33503 OAK RIDGE AVE		REDWOOD FALLS	MN	56283
620032080	PROUTY PROPERTIES LLC		33375 OAK RIDGE AVE		REDWOOD FALLS	MN	56283
626250080	PROUTY/BRENT J & CATHERINE L		33375 OAK RIDGE AVE		REDWOOD FALLS	MN	56283
621353020	RASMUSSEN/MICHAEL R/&	TRACY L	37924 US HWY 71		REDWOOD FALLS	MN	56283
620032020	REBSTOCK/ROBERT D & LORI A		37407 340 ST		REDWOOD FALLS	MN	56283
626250160	RUHR/CHAD/&	JACQUELINE RECK	603 E WYOMING ST		REDWOOD FALLS	MN	56283
626250100	SCHABLIN/DOUGLAS A & CINDY LOU		33405 OAK RIDGE AVE		REDWOOD FALLS	MN	56283
620031040	SCHMIDT/WILLIAM & NORMA		30103 US HWY 71		REDWOOD FALLS	MN	56283
	PAXTON TOWNSHIP BOARD OF SUPERVISORS	% TAMMY HOULE, CLERK	36235 US HWY 71		REDWOOD FALLS	MN	56283
	CITY OF REDWOOD FALLS	% KEITH MUETZEL, ADMINISTRATOR	PO BOX 526		REDWOOD FALLS	MN	56283
	CITY OF MORTON	% PAM RING, CLERK	PO BOX 127		MORTON	MN	56270