



Redwood County

www.co.redwood.mn.us

### Application for Extraction Interim Use Permit

**Location of the Extraction:**

Permit #: 8-22 Date: 4/25/22

Address:   City: \_\_\_\_\_ State: MN Zip: \_\_\_\_\_  
House # Street Name

Parcel #: 53-013-2020 Township: Gales Section: 13 Twp #: T.110-N Range: R-39-W

**Legal Description:**

Nw 1/4 of Section 13

**Information about the Extraction:**

Zoning District: Agricultural

Soil Type 1: \_\_\_\_\_

Soil Type 2: \_\_\_\_\_

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

General gravel/aggregate mining for private business/township uses.  
Lower volume crushing/screening operation

Number of acres to be extracted: 12.9 Acres

Type of Road: \_\_\_\_\_ Right-of-Way width measured from centerline \_\_\_\_\_

**Setbacks:** (Please enter in feet)

Setback from the Center of the Road: 200ft ft - 1700 ft

Side Yard Setback: 1100 ft Direction: West

Side Yard Setback: 520 ft Direction: East

Rear Yard Setback: 150 ft Direction: South

Starting Date: 2022 Date of Completion: 2032 (maximum 10 years)

**Drainage Plan:**

All disturbed areas landscaped both during + after processing to drain as naturally draining now.

**Landscape and screening plans:**

Re-seed + reshape disturbed areas when complete. Pond to be extended/repaired.

**Water plan (estimated water use):**

None - no plans for wash plant.

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

Processing site in remote area. No issues anticipated. If necessary dust control measures can be taken on 20th St 91 Per township

Reclamation plan: (Attach Map)

Excavated area to increase existing pond / pit area with banks sloped / seeded as necessary after completion. Rest of site to return to grass.

Estimated Cost of Reclamation: 15,000

Applicant Information:

First Name: Jared Last Name: Maas

Business Name: Maas Construction Co

Address: 14499 U.S. Hwy 14 City: Walnut Grove State: MN Zip: 56182

Home Phone: - Cell Phone: 507-828-4609 Email: maasj67@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: John Last Name: Zwach

Address: 805 Eagle Run City: Dell Rapids State: SD Zip: 57022

Home Phone: Cell Phone: 507-530-2855 Email: johnzwach@hotmail.com

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: John Zwach Date: 4-25-2022

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

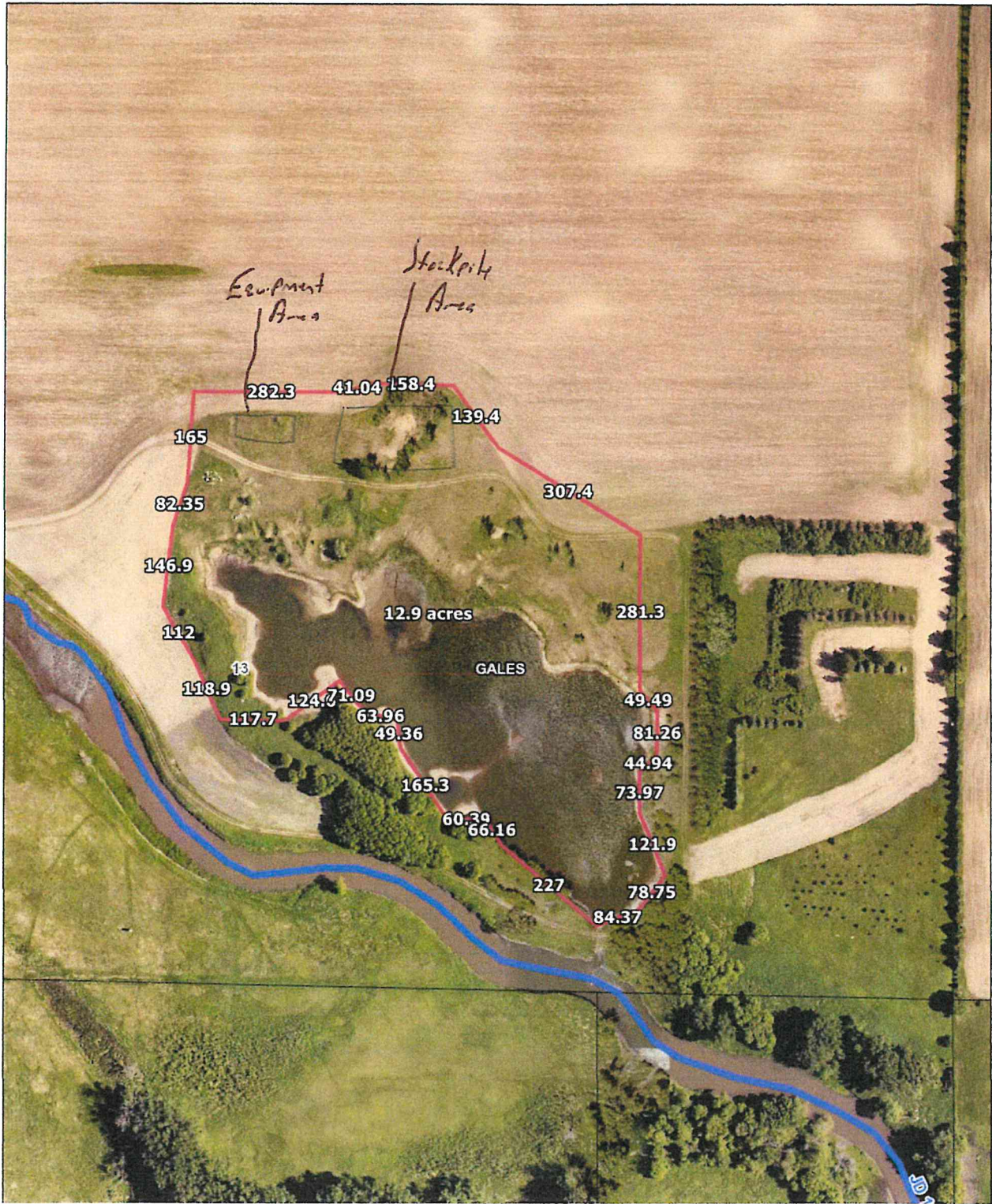
Extraction Fee: \$700.00 Receipt #: 27035 Date Approved:

Application Received: 4/25/22

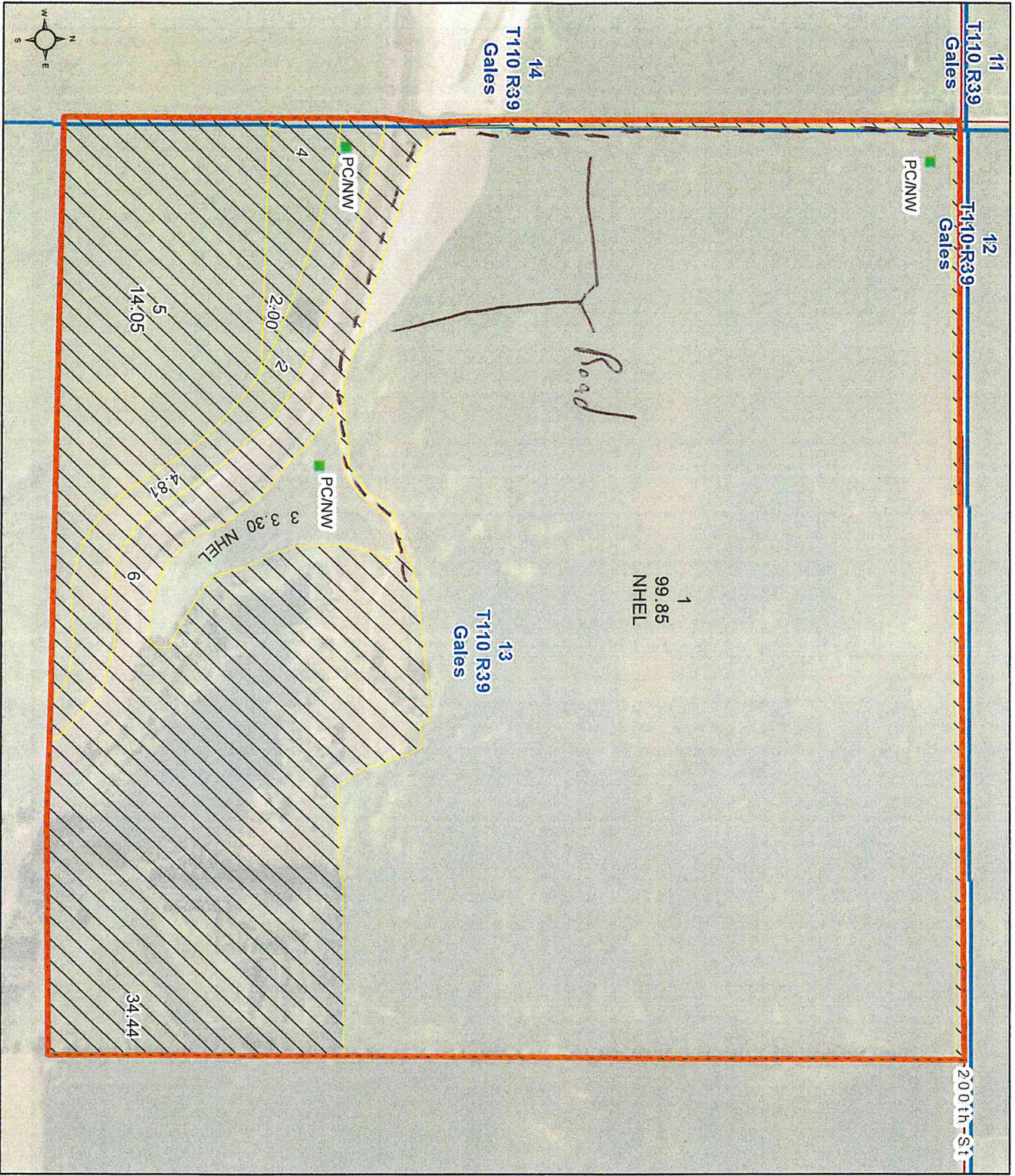
Commission Action: County Board Action:

Approved: Date: Approved: Date:

Disapproved: Date: Disapproved: Date:







**Farm 6152**





**Tract 1014**




**2021 Program Year**

Map Created April 13, 2021



- Unless otherwise noted:  
 Shares are 100% operator  
 Crops are non-irrigated  
 Corn = yellow for grain  
 Soybeans = common soybeans for grain  
 Wheat = HRS, HRW = Grain  
 Sunflower = Oil, Non-Oil = Grain  
 Oats and Barley = Spring for grain  
 Rye = for grain  
 Peas = process  
 Alfalfa, Mixed Forage AGM, GMA, IGS = for forage  
 Beans = Dry Edible  
 MAG = for GZ  
 Canola = Spring for seed

- Common Land Unit**
-  Non-Cropland
  -  Cropland
  -  Tract Boundary
  -  Minnesota\_Transparency\_Polygon\_02142019

- Wetland Determination Identifiers**
-  Restricted Use
  -  Limited Restrictions
  -  Exempt from Provisions
  -  Compliance Provisions

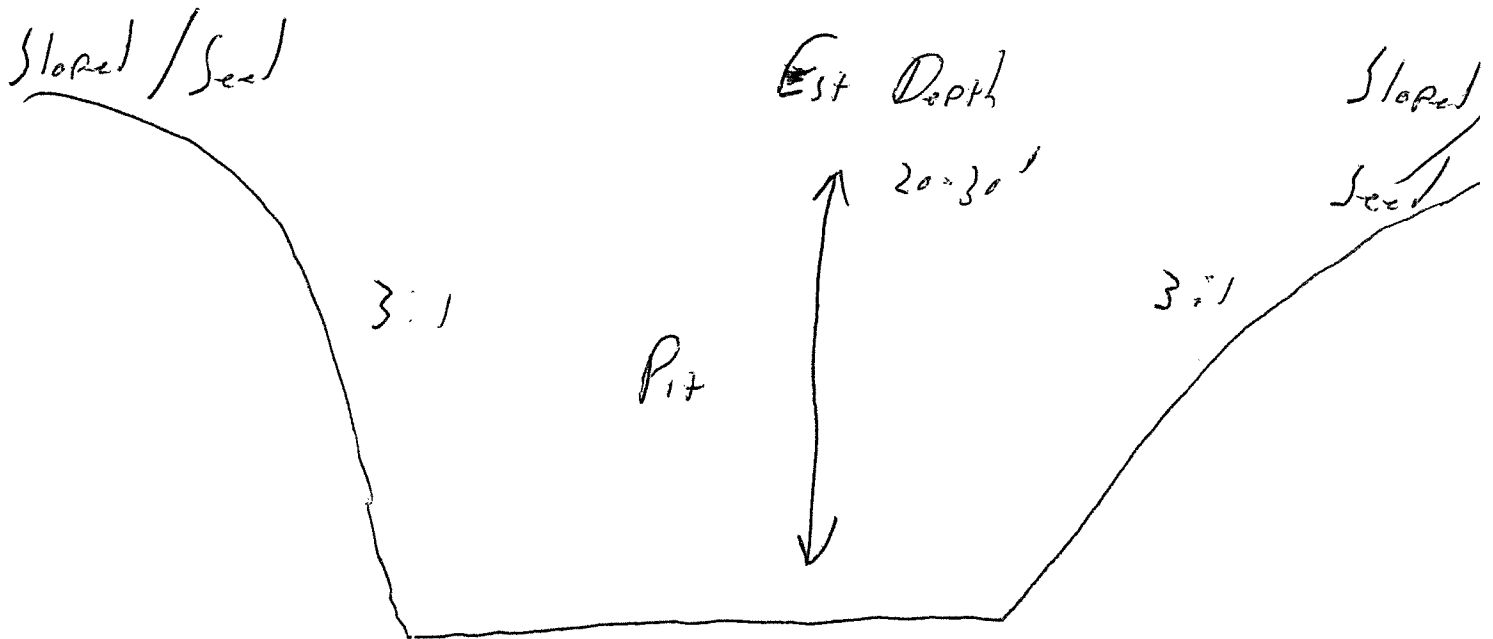
Tract Cropland Total: 103.15 acres

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership, rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data as is and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS). This map displays the 2019 NAIP imagery.



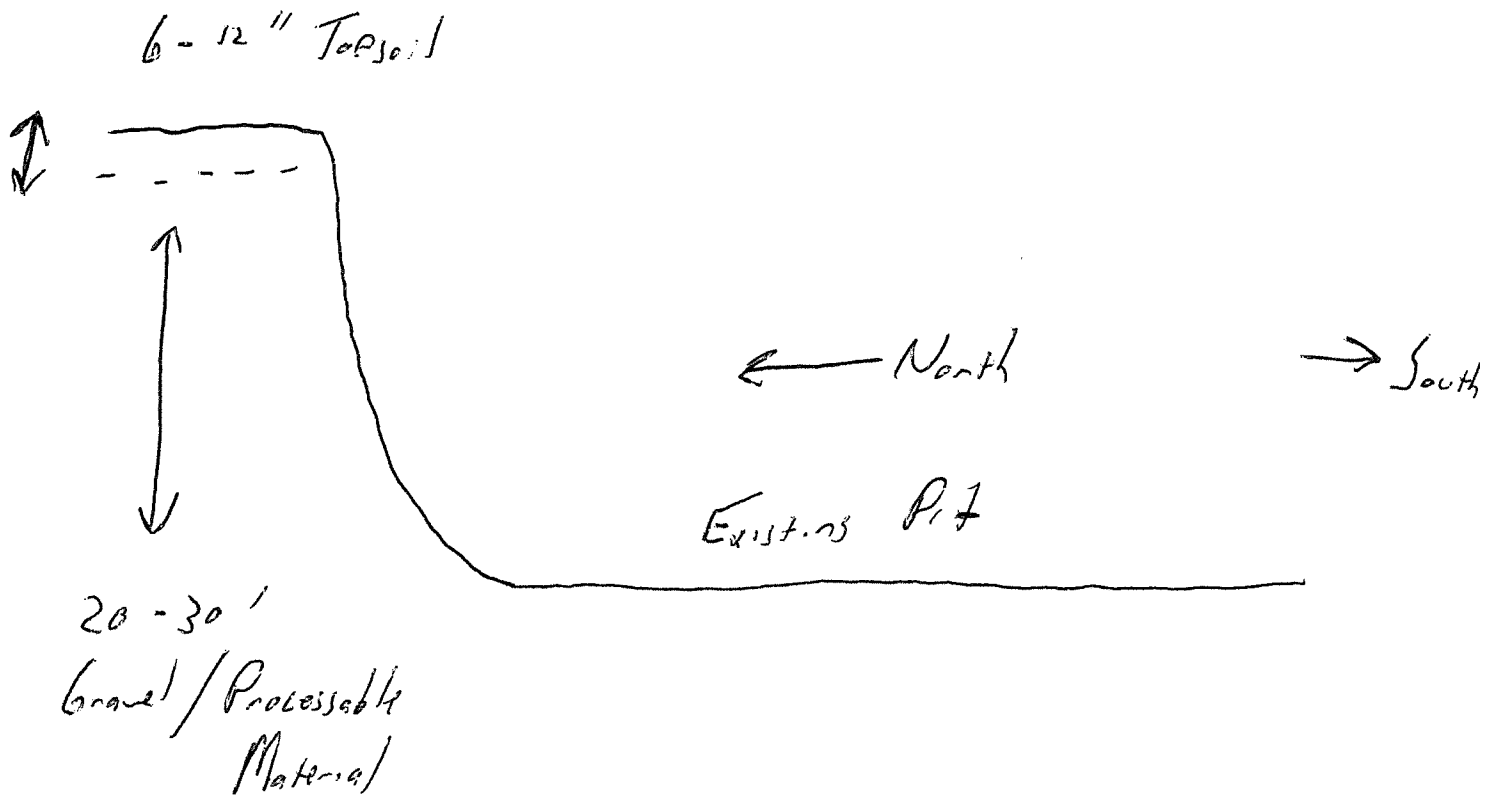
# Finished / Reclamation Plan

- Existing Pit to have been extended. Pond / Pit to remain, sides sloped 3:1, landscaped for proper drainage / seeded as necessary. Any other areas to return to original / starting condition.



# Operation Map

- Continued mining of existing Pit area with movement / extending North.



1. Estimated Amount of material to be mined;

100,000 Lb. yds  
- 150,000

2. Planned Hours of Operation

7:00 - 5:00 in Season

3. Outline of area to be mined  
(see Map)

4. (see maps/drawings)

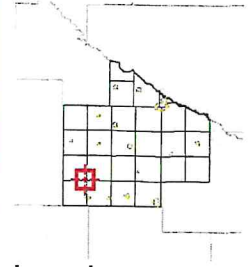
5. (see Map)

(see maps)

# Zwach Neighborhood Map



## Overview



## Legend

- County Boundary
- Municipal Boundaries
- Surrounding Counties
- Townships
- Address Points
- Parcels
- Major Roads**
  - County/Twp/City
  - State/Federal
  - County
  - Minor Roads

Date created: 5/25/2022  
 Last Data Uploaded: 5/24/2022 9:56:07 PM

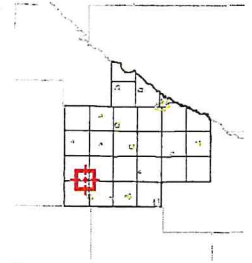
Developed by Schneider  
 GEOSPATIAL



# Zwach Site Map



## Overview



## Legend

-  County Boundary
-  Municipal Boundaries
-  Surrounding Counties
-  Townships
-  Address Points
-  Parcels
- Major Roads**
  -  County/Twp/City
  -  State/Federal
  -  County
  -  Minor Roads

Date created: 5/25/2022  
Last Data Uploaded: 5/24/2022 9:56:07 PM

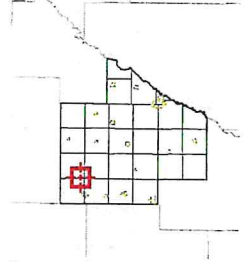
Developed by  Schneider  
GEO SPATIAL



# Zwach Site Map



## Overview



## Legend

- County Boundary
- Municipal Boundaries
- Surrounding Counties
- Townships
- Open Ditch
- Drain Tile
- Lakes
- Rivers
- Address Points
- Parcels
- Major Roads**
  - County/Twp/City
  - State/Federal
  - County
  - Minor Roads

Date created: 5/25/2022  
 Last Data Uploaded: 5/24/2022 9:56:07 PM

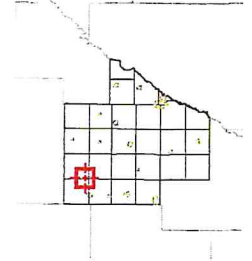
Developed by Schneider  
 GEOSPATIAL



# Zwach Shoreland Map



## Overview



## Legend

- County Boundary
- Municipal Boundaries
- Surrounding Counties
- Townships
- Address Points
- Parcels
- Shoreland**
  - <all other values>
  - 150 ft
  - 300 ft
  - 300 ft L W
  - 1000 ft
  - FloodPlain
- Major Roads**
  - County/Twp/City
  - State/Federal
  - County
  - Minor Roads

Date created: 5/25/2022  
 Last Data Uploaded: 5/24/2022 9:56:07 PM

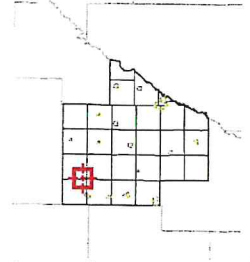
Developed by  **Schneider**  
 GEOSPATIAL



# Zwach Floodplain Map



## Overview



## Legend

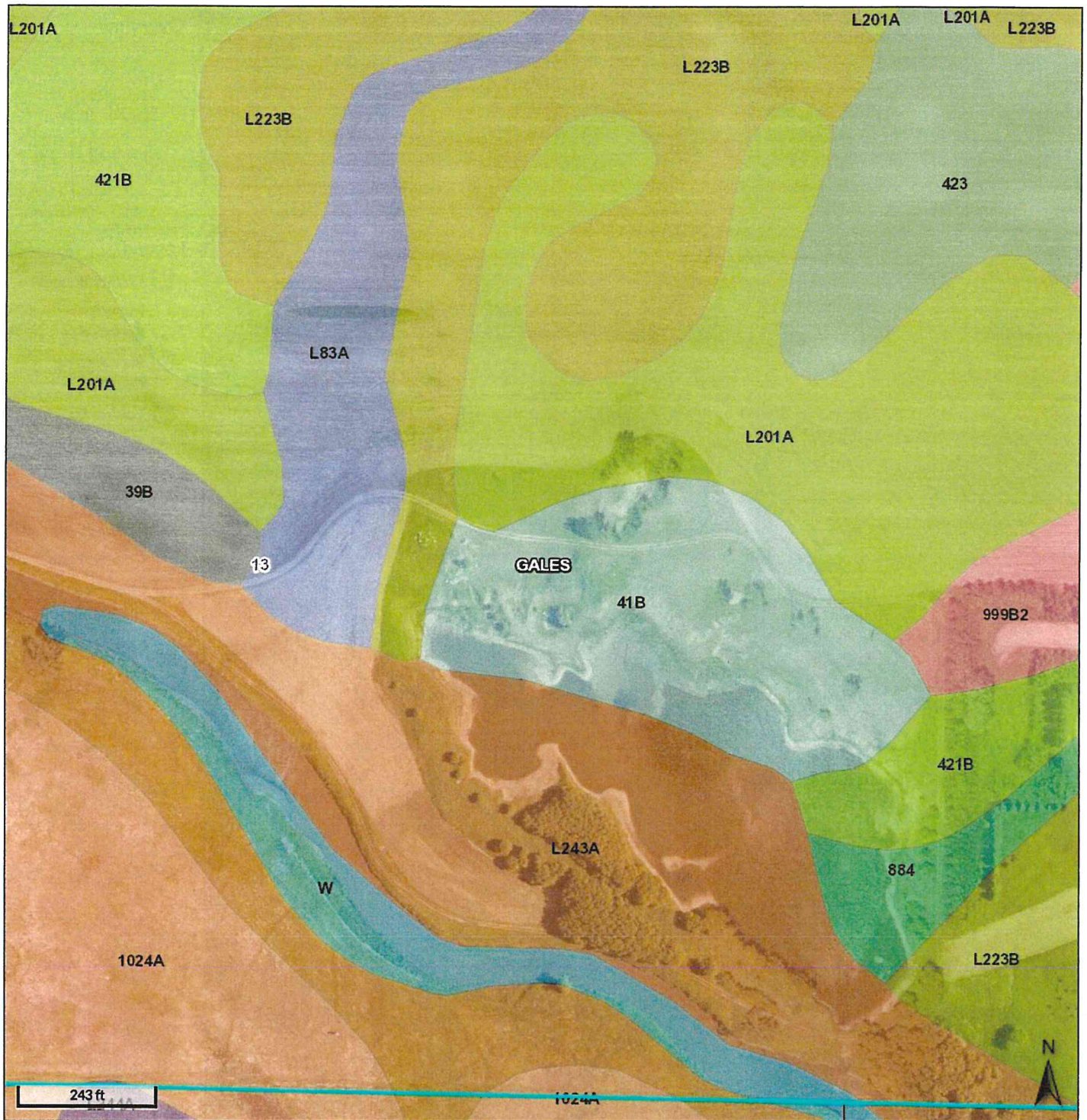
- County Boundary
- Municipal Boundaries
- Surrounding Counties
- Townships
- Address Points
- Parcels
- Floodplain
- Major Roads
  - County/Twp/City
  - State/Federal
  - County
  - Minor Roads

Date created: 5/25/2022  
Last Data Uploaded: 5/24/2022 9:56:07 PM

Developed by  Schneider  
GEOSPATIAL



# Zwach Soil Map



Date created: 5/25/2022  
Last Data Uploaded: 5/24/2022 9:56:07 PM

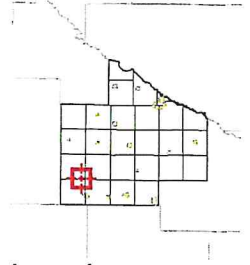
Developed by  Schneider  
GEO SPATIAL



# Zwach Elevation Map



## Overview



## Legend

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

Date created: 5/25/2022  
Last Data Uploaded: 5/24/2022 9:56:07 PM

Developed by  Schneider  
GEOSPATIAL



**Conditions Permit No. 8-22 (Jared Maas – Zwach 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.
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 5 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 6 am to 8 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 June 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), and planted with approved grass seed mix.
13. The permit holder shall post a bond, cash deposit, irrevocable letter of credit, or other security in the amount of \$26,000.00. 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*.
14. 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.
15. If requested by the Gales Township Board of Supervisors, the permit holder shall enter into and abide by a road maintenance agreement with the Gales Township Board of Supervisors regarding repair and maintenance of 200<sup>th</sup> Street.
16. All storage and stockpiling shall be located outside of the floodplain.
17. 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**

**Jared Maas – Zwach Pit – Extraction  
Interim Use Permit Application #8-22  
May 31, 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?

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- 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?

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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?

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

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

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NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

**TO:** Whom It May Concern

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



**DATE:** May 20, 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 Jared Maas on behalf of landowner John Zwach Revocable Living Trust et al, pursuant to Redwood County Code of Ordinances, Title XV, Sections 153.420 and 153.283. Mr. Maas is proposing to extract gravel material from/on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

The Northwest Quarter (NW1/4) of Section 13, Township 110 North, Range 39  
West, Gales 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 31<sup>st</sup> day of May, 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](mailto: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: Jared Maas (w/encl.)  
John Zwach Revocable Living Trust et al (w/encl)



## NOTICE OF PUBLIC HEARING

An *Application for Extraction Interim Use Permit* has been filed by Jared Maas on behalf of landowner John Zwach Revocable Living Trust et al, pursuant to Redwood County Code of Ordinances, Title XV, Sections 153.420 and 153.283. Mr. Maas is proposing to extract gravel material from/on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

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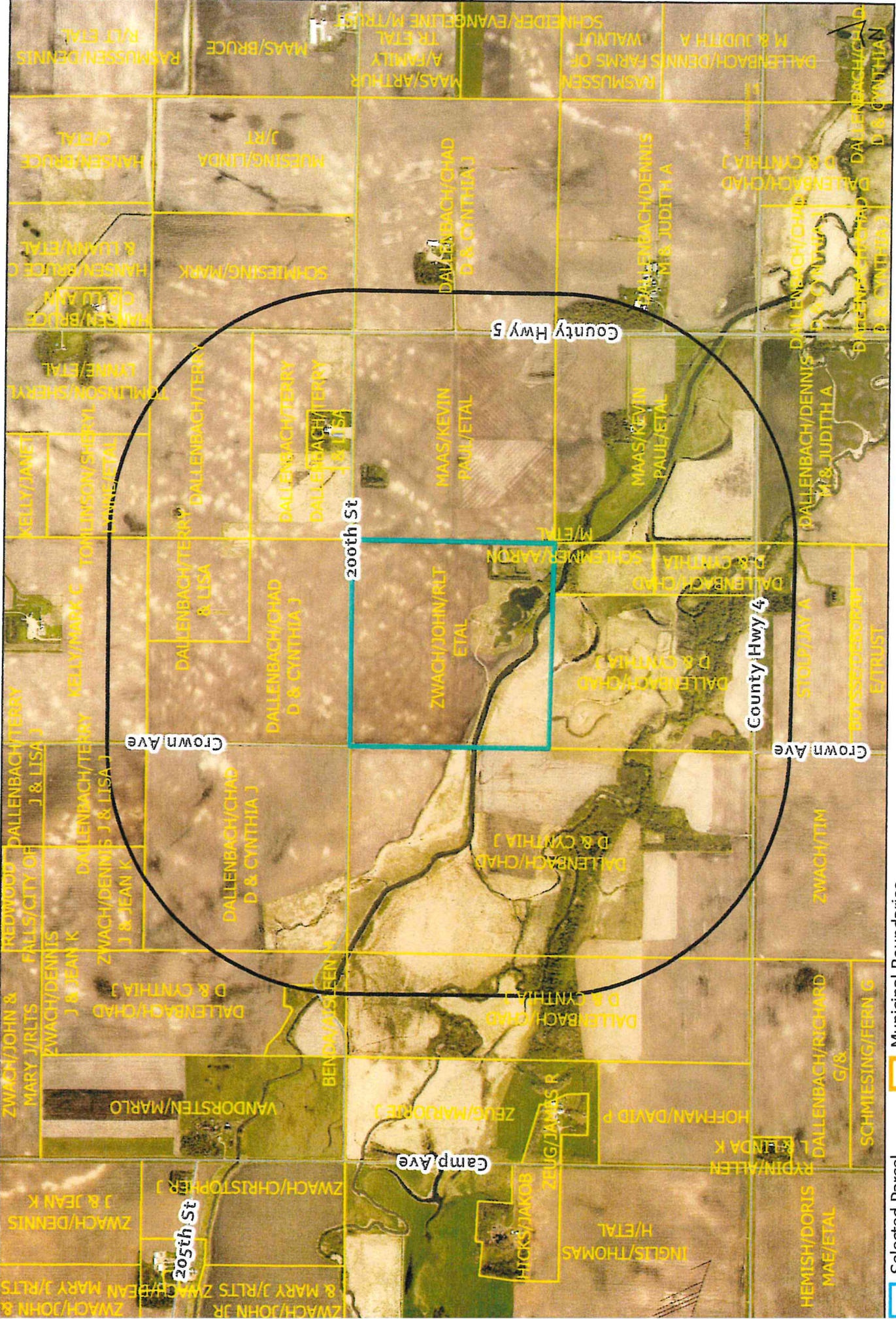
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DATED: May 16, 2022

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





Parcel ID: 53-013-2020

**IUP Area: 0.6 miles from selected parcel**

0 0.13 0.25 0.5 Miles

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



## PROOF OF PUBLICATION

See Proof on Next Page

AFFIDAVIT OF PUBLICATION: #164230

STATE OF MINNESOTA, COUNTY OF REDWOOD


The Redwood Falls Gazette has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspapers' known office of issue is located in Brown, Chippewa, Lyon, Polk, Redwood, Watonwan & Yellow Medicine counties. The newspapers comply with the conditions in §580.033, subd. 1, clause (1) or (2). If the newspaper known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

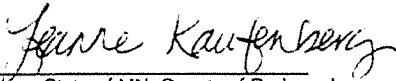
The affixed notice appeared in said newspaper on the following issues:

05/19/2022

Sworn to and subscribed before on 05/19/2022.



Authorized Agent



Notary, State of MN, County of Redwood  
Commission expires January 31, 2025

Publication Cost: \$88.24

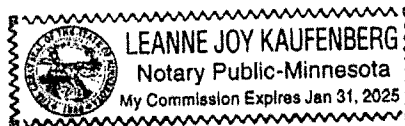
Order No: 164230

PO #:

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

RECEIVED  
MAY 25 2022  
REDWOOD COUNTY  
ENVIRONMENTAL OFFICE



NOTICE OF  
PUBLIC HEARING  
An Application for Ex-  
traction Interim Use  
Permit has been filed by  
Jared Maas on behalf of  
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Revocable Living Trust  
et al, pursuant to Red-  
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dinances, Title XV, Sec-  
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1:00 o'clock p.m. on Tues-  
day, the 31st day of May,  
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of the Redwood County  
Government Center lo-  
cated at 403 South Will  
Street, Redwood Falls,  
MN 56283.  
If you have any com-  
ments or questions re-  
garding this matter,  
please contact the Red-  
wood County Environ-  
mental Office by tele-  
phone at (507) 637-4023,  
via email at Environ-  
mental@co.redwood.  
mn.us, or in writing at  
Redwood County Envi-  
ronmental Office, P.O.  
Box 130, Redwood Falls,  
MN 56283.  
DATE: May 16, 2022  
Nicholas W. Brozek  
Land Use and  
Zoning Supervisor  
Redwood County  
Environmental Office  
May 19, 2022  
164230



# Affidavit of Publication

State of Minnesota )  
 ) SS.  
County of Renville)

RECEIVED  
MAY 23 2022  
REDWOOD COUNTY  
ENVIRONMENTAL OFFICE

## NOTICE OF PUBLIC HEARING

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DATED: May 16, 2022  
Nicholas W. Brozek  
Land Use and Zoning  
Supervisor  
Redwood County  
Environmental Office

14

Denise Bonsack, being first duly sworn, on oath states as follows:

1. I am the publisher of the Standard-Gazette & Messenger, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.

2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows:

Wed, May 18, 2022

4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows:

\$ 7.50

5. Mortgage Foreclosure Notices [Effective 7/1/15]. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Renville County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SATH NOT.

Denise Bonsack  
[Signature]

Subscribed and sworn to before me on  
this 18 day of May 2022.

Chris Jandl  
Notary Public

