



REDWOOD COUNTY ENVIRONMENTAL OFFICE

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

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REDWOOD COUNTY PLANNING COMMISSION

MINUTES

Meeting Date: May 31, 2022

A meeting of the Redwood County Planning Commission convened on Tuesday, the 31st day of May, 2022, at the Redwood County Government Center.

The following members of the Redwood County Planning Commission were present: DeVonna Zeug, Jeff Huseby, Mike Kaufenberg, Mike Scheffler, Mark Madsen, and County Commissioner Dave Forkrud. Also present were the following individuals: Kevin Shoenburg, Celsie Piehl, Joe Piehl, Lisa Dallenbach, William Richards, Bob Zwach, Dane Schmiesing, Jared B. Maas, Mark Kelly, and Land Use & Zoning Supervisor Nick Brozek.

At 1:00 p.m. the May 31st, 2022 Redwood County Planning Commission meeting was called to order by Chair Zeug.

Chair Zeug then read the Planning Commission rules and procedures. Printed copies were available to the public.

At 1:04 pm Chair Zeug called to order a public hearing on Application for Conditional Use Permit #5-22, submitted by Celsie Piehl.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the matter:

1. Celsie Piehl is seeking a Conditional Use Permit for a dog boarding and breeding kennel on her home property located at 42901 160th Street, in Section 33 of Brookville Township.
2. The property is located in the Agricultural District. In said district, any private or commercial dog kennel is a Conditional Use (see Redwood County Code of Ordinances Section 153.142(A)(2)). A kennel is defined in Section 153.007(B) as “a place where three or more of any type of domestic animals, over four months of age, are boarded, bred, or offered for sale.”
3. The boarding facility will be in an existing 30’x40’ insulated building, with heat and running water. The building has both individual kennel enclosures and group enclosures. A non-porous floor covering will be installed, with a cleanable floor drain. A protective wallboard will be installed. The building will also feature a dog cleaning station. There will be an outdoor play area

for the dogs, to be constructed in 2022 or 2023. The kennel will be designed to house up to 20-25 dogs, for both day and overnight boarding.

4. The dogs will have 24-7 supervision. Proof of vaccination is required.
5. A solution of hypochlorous acid (similar to chlorine) will be used to disinfect and clean the facility. All dog waste will be collected, composted, and field applied on site.
6. The breeding side of the operation will happen exclusively in the Piehl's residence on the site. The breeding dogs and litters will not interact with the boarded dogs. The applicant has three breeding dogs – one male and two females, with a total of three litters spread throughout the year.
7. The site is accessed from 160th Street, a gravel township road. A concrete pad will be poured to accommodate two parked cars near the kennel building. There is an existing gravel parking area east of the house for additional parking, if needed.
8. The applicant estimates that there will be an average of 6 visits to the site each day. Drop-off and pick-up hours will be between 8am and 8pm.
9. The site is 400 feet from JD36 R&B (Sleepy Eye Creek), and is 325 feet from the Floodplain.
10. The closest third-party dwellings to the site are as follows: (1) 43253 160th Street, about 1860 feet east of the site; (2) 16627 Ridge Avenue, about 3140 feet north of the site; and (3) 21377 370th Street, about 3270 feet south of the site.
11. There is no county tile near the site.
12. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Celsie Piehl presented the project to the Planning Commission. She made the following statements to the Commission:

- She lives in the southeast corner of Redwood County
- She is starting a dog boarding and breeding business on her home site.
- She has an existing 30' x40' building being remodeled for use as the boarding building.
- The boarding building will be heated and cooled.
- Some trees will be removed to make room for an outdoor play area for the dogs.
- Vaccinations are required for boarding, per the state requirements for veterinarians.
- The boarded dogs and the breeding dogs will be kept apart.
- The breeding dogs will be kept in the house.
- She breeds Labradors.
- Dog waste will be composted on site. EPA/USDA guidelines for composting dog waste will be followed. It will be mixed with cow manure, also on site.
- The compost will be spread on grass/wildflower land on the site. It will be tilled in within 5 minutes of application.
- The dogs will never be left unattended.

- An indoor area in the boarding building will also be available for dog exercise, during inclement weather.
- Each dog is walked each day.
- Additional windows will be installed in the boarding building for more natural light.
- A special non-porous floor covering will be installed.

The Planning Commissioners made the following comments:

- Is the special flooring required by state regulations?
- Is there a drain system in the boarding building?
- Will the drain system be pumped out?

Ms. Piehl responded to the Planning Commissioners' comments and questions as follows:

- The flooring is not required. She wants a non-porous floor to prevent odor and stains.
- The boarding building floor drain system is already existing. It will be converted into a catch basin.
- The catch basin will be pumped out. It will only be used occasionally.

Chair Zeug asked if anyone was present to speak in support of the project. Joe Piehl stated that he is Celsie's husband and he supports the project.

Chair Zeug asked if anyone was present to speak in opposition to the project. No one came forward.

Chair Zeug then closed the public meeting at 1:13 pm.

Chair Zeug directed Brozek to lead the Commissioners through the Findings of Fact Worksheet. The Planning Commissioners discussed the factors.

Forkrud made a motion to approve Application for Conditional Use Permit #5-22 subject to the conditions proposed by staff. The motion was seconded by Kaufenberg and passed unanimously.

At 1:24 pm Chair Zeug called to order a public hearing on Application for Extraction Interim Use Permit #6-22, submitted by Kevin Shoeburg of GWL Farms.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the matter:

1. GWL Farms is seeking to re-permit an existing gravel pit located in Johnsonville Township Section 29. The existing permit, which expires this month, was issued in August, 2012, and covers 18 acres.
2. The current application is to permit the site for a new 10 year term. Additionally, the site will be expanded to include approximately 22.5 un-mined acres. This is in addition to the existing 7.75-acre stockpiling area. Another 5-acres in the northeast corner of the property has been mined out and is labelled "pond or lake basin on the application.

3. The scope of the project will also be expanded to include asphalt reclamation and a possible temporary concrete batch plant.
4. The site is located in the Agricultural District. Portions of the site are also located within the Shoreland and Floodplain overlay Districts. Gravel mining is an Interim Use Permit in all three districts, pursuant to Redwood County Code of Ordinances Sections 153.143, 153.245(B)(2)(b), and 153.093(C)(2).
5. Mining activity on the site will consist of the extraction of gravel material. Equipment may be stored on site. No buildings will be erected or used in the extraction or stockpile areas.
6. The Shoreland and Floodplain Districts include heightened standards for mining operations, including, but not limited to, the following:
 - No fill, obstruction, storage of material or equipment.
 - Must submit a long-term site development plan including erosion and sedimentation prevention measures.
 - No storage of anything flammable, explosive, or potentially injurious.
 - Must keep bare, non-vegetated or un-mulched, land to a minimum.
 - Sediment controls must be in place and vegetation established as soon as possible.
 - No unstable slopes.
 - Must provide restoration plan.
7. The site is located along the Cottonwood River. A setback from the River must be established.
8. The site is accessed from 180th Street. From there it is 1 ½ miles north to CSAH 4, or 1 ½ miles east to CSAH10.
9. At the end of the permit term, the extraction area will be reclaimed by flattening all slopes greater than 3:1 (run to rise) and placing the reserved overburden (topsoil) back on the slopes around the perimeter of the pond. Grass will be planted around the perimeter of the pond.
10. The estimated cost of reclamation is \$5,000. Per ordinance, the minimum reclamation bond is \$70,000.
11. The closest third-party dwellings to the site are as follows: (1) 16388 180th Street, about 4000 feet west of the site; (2) 17698 CSAH4, about 4180 feet north of the site; and (3) 16871 Eagle Avenue, about 5600 feet south of the site. Additionally, there is a private recreational camp site located approximately 660 feet east of the site, in a former gravel pit.
12. There is no county tile or open ditch near the site.
13. Soils present on the site include Havelock-Zumbro complex, 0 to 3 percent slopes, frequently flooded; Du Page loam; Havelock clay loam, 0 to 2 percent slopes, occasionally flooded; Estherville sandy loam, 0 to 2 percent slopes; Wadena loam, 0 to 2 percent slopes; and historical pits, gravel.

14. A copy of the Extraction Interim Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Kevin Shoeburg presented the project to the Planning Commission on behalf of GWL Farms Inc. He made the following statements to the Commission:

- This is the third permit requested for the site.
- The site has been mined since 1986.
- 5 acres has been mined so far.
- A \$36,000 bond was posted for the previous permit.
- The pit will be reclaimed on an ongoing basis, as the mining is completed.
- Topsoil material is stockpiled along the river, for reclamation.
- There are large ponds everywhere in the area, where other gravel pits used to be.
- He wants the bond requirement reduced to reflect the minimal cost of reclaiming the pit as a pond.
- Redwood County Highway Dept. is his primary customer.
- He would like to see the pond created by his pit be combined with the neighboring ponds to create a community lake.

The Planning Commissioners made the following comments:

- Is the footprint of the pit expanding?
- Where did the \$5,000 reclamation estimate come from?

Mr. Shoeburg responded to the Planning Commissioners' comments and questions as follows:

- The pit will be on the same 40 acre parcel as last time it was permitted. It was permitted for 16 acres. It will now be permitted for 20-some acres.
- The reclamation estimate came from Sweetman, the contractor that runs the pit for him.

The Commissioners discussed the request to reduce the reclamation surety amount to \$5,000. Scheffler stated that on a typical mining project, even the \$2,000 per acre minimum required in the ordinance won't be enough to complete reclamation. However, reclaiming a sandy pit as a pond is easier and cheaper. He would be comfortable requiring \$10,000. Shoeburg stated he was fine with \$10,000 surety also. Shoeburg stated that the Ordinance gives the County Board of Commissioners discretion to reduce the surety amount.

Chair Zeug asked Brozek if the Commission can recommend a surety of \$10,000. Brozek stated that he was not sure the Ordinance does give the County Board of Commissioners the authority to reduce the surety below the stated minimum requirement. However, if it does, then the Planning Commission can recommend it.

Chair Zeug asked if anyone was present to speak in support of the project. The following individuals came forward.

Lisa Dallenbach made the following statements:

- She supports the project.
- She owned land next to the pit.
- She has seen positive reclamation on the GWL site.
- The berm of reserved topsoil has been a blessing for pheasant habitat.

- Ducks and geese love the pond.
- The reclamation of the area already mined is very nice along the township road.
- The contractor and the county have been great.
- She doesn't like the idea of a community lake. All the landowners prefer their privacy.
- The minimum surety bond amount required in the Ordinance is "obscene." For properties where the pit is going to be reclaimed as a pond.

Jared Maas made the following comments:

- He is seeking to permit a gravel pit in the same area and Mr. Shoeburg.
- If the reclamation surety is reduced for Shoeburg, Maas would like his reduced as well.

Chair Zeug asked if anyone was present to speak in opposition to the project. No one came forward.

Brozek stated that his office received an anonymous citizen comment about the project. The commenter stated they live by the pit, and is concerned about it being used for recycled asphalt, because chemicals could leach out and get into the river during floods. The commenter stated that the whole property is under water during big floods, such as 2018 and 2019.

In response to the citizen comment, Shoeburg stated that typically recycle material is brought in close to crushing, so it can be mixed into the gravel material. It doesn't sit around in the pit for long periods.

Scheffler stated that the State is more concerned about un-crushed asphalt and concrete. Before it is crushed, it can be piled for no more than 2 years. However, once it's crushed there is no time limit on how long it can be stockpiled.

Brozek informed the Commissioners that he received an email from the DNR with concerns about the project. He handed out copies of the email, which was discussed. Brozek commented on the DNR concerns as follows:

- The pit will be required to meet the 50-foot minimum setback from the Cottonwood River, so the project shouldn't affect the public waters.
- Dewatering will require a DNR water appropriation permit.
- The permit requested is only for the property on the north side of the river, so the RIM easement on the south side will not be impacted.
- The project does not exceed the statutory thresholds for mandatory EAW.
- The email includes a map of potential wetlands within the project site.

Shoeburg stated that he does not think there are any wetlands on the site.

Brozek stated that the county cannot permit someone to mine in a wetland.

Chair Zeug then closed the public meeting at 2:14 pm.

Chair Zeug directed Brozek to lead the Commissioners through the Findings of Fact Worksheet. The Planning Commissioners discussed the factors.

Madsen made a motion to approve Application for Extraction Interim Use Permit #6-22 subject to the conditions proposed by staff, with the following changes and additions:

- Change the reclamation surety amount to \$10,000.
- Add a 50-foot setback from the Cottonwood River.
- Add a condition noting that Shoeburg has been informed of the potential existence of wetlands on the site and he must work with the government authority that enforces wetland rules in order to make sure he does not impact any wetland on the site.

The motion was seconded by Scheffler and passed unanimously.

At 2:23 pm Chair Zeug called to order a public hearing on Application for Conditional Use Permit #7-22, submitted by William Richards of Wilder Pageant Inc.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the matter:

1. Bill Richards and Wilder Pageant Inc. are seeking to permit a two-night annual music and camping festival at the Wilder Pageant site in Section 25 of Springdale Township. The event is called Loose Gravel Music Festival.
2. The property is owned by Jeff Farber, who signed the permit application as the landowner. The site address is 11505 Crown Avenue.
3. There is currently no permit for the site. The Wilder Pageant has been operating for many years and is presumed to be "grandfathered" and therefore is able to operate without a permit. However, overnight camping and music festival represents an expansion of the scope of activity on the site, and consequently a permit is required. Redwood County Code of Ordinances Section 153.142(A)(1) states that "any commercial outdoor recreational area or outdoor event" is a conditional use in the Agricultural District.
4. The event is a 2-night music festival with optional overnight camping offered because there are not many overnight accommodations close by. The festival is open to dues-paying members and paying attendees. The event was started last year, without camping, and had 130 paying attendees. There will be 25-30 camp sites offering primitive camping. Each camp site will be 40' x 50' in area and will be reached via a 50' wide access road. There will be a 6-person limit per site.
5. Porta-potties, garbage containers, and recycling containers will be provided for the event. The porta-potties will be handicapped accessible. There will be three porta-potties in the stage area and 3 in the camping area. Additionally, attendees will also have access to the permanent bathrooms at the pageant site. Six trash containers and two recycling containers will be provided by Southwest Sanitation.
6. Potable water will be provided by the City of Walnut Grove.

7. A private security team will be hired for the event, similar to what is done currently for the pageant. The Walnut Grove ambulance service will be on site during the event. A first aid tent will be set up and staffed by an EMT. An air-conditioned space will be provided for those needing to cool off. Weather will be tracked by NWS. The control booth can hold up to 50 people in the event of inclement weather. If evacuation is necessary, people will be directed to shelter at Walnut Grove Public School, 1.5 miles away.
8. The site is accessed from Crown Avenue, a paved county road also called County Road 78.
9. Parking will be provided on site, consisting of eight double rows of parking indicated by temporary signs. There will be space for 500 vehicles. Three or four parking lot assistants will direct traffic. It is anticipated that this event will have less traffic than the pageant events. The total anticipated attendance is 500 people over the course of the two-day event.
10. The closest third-party dwelling to the site is located at 15302 CSAH20, about 1700 feet northeast of the site. Jeff Farber's residence is located 450 feet west of the site. Plum Creek
11. County Park is located 1300 feet south of the site. The city of Walnut Grove is 2400 feet east of the site. The Walnut Grove Cemetery is 25' southwest of the parking area.
12. There is no county tile or open ditch near the site.
13. Plum Creek lies on the east side of the site.
14. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

William Richards presented the project to the Planning Commission. He made the following statements to the Commission:

- Wilder Pageant Inc. has been doing the pageant for 45 years on this site.
- The pageant draws crowds of up to 12,000 people per weekend.
- The music festival is a new event. In order to remain viable, outdoor event locations have to branch out into different types of events.
- The music festival is an annual weekend event.
- Camping will be provided on site, since there are few overnight accommodations in the area.
- Alcoholic beverages will be served.
- This is a small event – “it’s not WE Fest.”
- It is a 2-day event, with a couple of bands on Friday and 6 bands on Saturday.
- The Wilder Pageant has lots of experience with crown control, providing medical assistance, and keeping in touch with the local authorities.

The Planning Commissioners made the following comments:

- How many camping spots will there be?
- Is Richards ok with the proposed conditions?
- IS a permit needed from the State of Minnesota?
- Have the neighbors ever complained?

- Are more additional events planned in the future?

Mr. Richards responded to the Planning Commissioners' comments and questions as follows:

- The site map shows 39 camp sites.
- He is ok with the proposed conditions.
- State campground rules do not require a permit for camping on a site for fewer than 4 days and as part of a dues-paying membership or club.
- The pageant has a 95-decibal noise limit.
- The neighbors have never complained.
- They pick up all trash and recycle.
- He would like to see more events on the site, but is limited by the number of available volunteers to work at them, so is not pursuing any other type of event.

Chair Zeug asked if anyone was present to speak in support of the project. No one came forward.

Chair Zeug asked if anyone was present to speak in opposition to the project. No one came forward.

Chair Zeug then closed the public meeting at 2:27 pm.

Chair Zeug directed Brozek to lead the Commissioners through the Findings of Fact Worksheet. The Planning Commissioners discussed the factors.

Huseby made a motion to approve Application for Conditional Use Permit #7-22 subject to the conditions proposed by staff. The motion was seconded by Madsen and passed unanimously.

At 2:34 pm Chair Zeug called to order a public hearing on Application for Extraction Interim Use Permit #8-22, submitted by Jared Maas.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the matter:

1. Jared Maas is seeking to permit a historic gravel site owned by John Zwach Trust in Gales Township Section 13. This is an old pit site that is not currently permitted.
2. The site is located in the Agricultural District, as well as partly in the Shoreland and Floodplain overlay districts. Gravel mining is an interim use in all three districts.
3. Maas intends to mine gravel and aggregate material for private construction projects and township uses.
4. The site is adjacent to an unnamed tributary of the Cottonwood River, also known as JD 12 R & L.
5. The Shoreland and Floodplain Districts include heightened standards for mining operations, including, but not limited to, the following:

No fill, obstruction, storage of material or equipment.
Must submit a long-term site development plan including erosion and sedimentation prevention measures.
No storage of anything flammable, explosive, or potentially injurious.
Must keep bare, non-vegetated or un-mulched, land to a minimum.
Sediment controls must be in place and vegetation established as soon as possible.
No unstable slopes.
Must provide restoration plan.

6. The site is accessed from 200th Street. From there is a 1 mile east to CSAH 5.
7. There is no county tile near the site.
8. The naturally existing surface drainage pattern will not be changed. There will be no wash plant on the site.
9. At the end of the permit term, the site will be graded and re-sloped and seeded. Part of the pit will be reclaimed as a pond.
10. No buildings will be erected or used in the extraction area.
11. The estimated cost of reclamation is \$15,000. Per ordinance, the minimum reclamation bond is \$26,000.
12. The closest third-party dwellings to the site are as follows: (1) 19322 CSAH 5, about 2200 feet southeast of the site; (2) 15757 200th Street, about 2950 feet northeast of the site; and (3) 19235 CSAH 5, about 3700 feet southeast of the site.
13. Soils present on the site include Estherville sandy loam, 2 to 6 percent slopes; Havelock-Zumbro complex, 0 to 3 percent slopes, frequently flooded; and Amiret-Swanlake loams, 2 to 6 percent slopes.
14. A copy of the Extraction Interim Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Jared Maas presented the project to the Planning Commission. He made the following statements to the Commission:

- The site is an existing pit that was originally permitted 20 or so years ago. It has not been in use recently.
- The existing access road is represented as a dotted line on the site map.
- Concern was raised about dust on the township road by Terry and Lisa Dallenbach.
- The plan is to extend the existing pit to the north, east and west, but not into the crop land.
- Maas would like to have his reclamation surety set in the same manner as GWL Farms.

The Planning Commissioners made the following comments:

- Are there any wetlands on the site?

- What is the setback from the river?

Brozek provided the following information to the Commissioners:

- The same 50' setback applies to this project as to the previous mining project.
- The DNR did not provide any information about there being wetlands in this project area.
- Most of the project area is already an existing pit.

Chair Zeug asked if anyone was present to speak in support of the project. Lisa Dallenbach made the following comments:

- Her concerns about the township road have been worked out with the Township.
- She understands that calcium chloride will be used for dust control.
- She would prefer there be no trucking of material on the road after a rain.
- She is willing to help the township work out any road issue.
- The road to the west is currently closed.

Chair Zeug asked if anyone was present to speak in opposition to the project. No one came forward.

Chair Zeug then closed the public meeting at 1:13 pm.

Chair Zeug directed Brozek to lead the Commissioners through the Findings of Fact Worksheet. The Planning Commissioners discussed the factors.

Scheffler made a motion to approve Application for Conditional Use Permit #8-22 subject to the conditions proposed by staff, with the following additions and changes:

- Recommend \$15,000 reclamation surety, based on Maas's estimate.
- Add 50' river setback.
- Fix typo in Condition #8.
- Allow work all days of the week.

The motion was seconded by Huseby and passed unanimously.

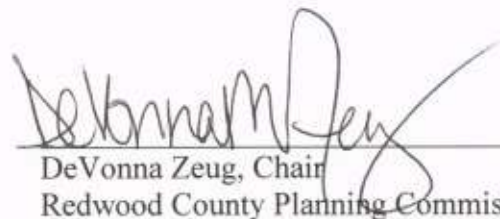
The Commissioners reviewed and discussed the minutes from the May 3, 2022 Planning Commission meeting.

Kaufenberg made a motion to approve the May 3, 2022 Planning Commission minutes as presented. Forkrud seconded the motion and it passed unanimously.

Kaufenberg made a motion to adjourn. The motion was seconded by Madsen, and passed unanimously. The meeting was adjourned at 3:03 p.m.



Nick Brozek
Land Use & Zoning Supervisor
Redwood County Environmental Office



DeVonna Zeug, Chair
Redwood County Planning Commission