



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

MINUTES

Meeting Date: April 5, 2022

A meeting of the Redwood County Planning Commission convened on Tuesday, the 5th day of April, 2022, at the Redwood County Government Center.

The following members of the Redwood County Planning Commission were present: DeVonna Zeug, Mike Kaufenberg, Mike Scheffler, Mark Madsen, Jeff Huseby, and County Commissioner Dave Forkrud. Also present were the following individuals: Jeff Schmidt, Rick Morris, Mike Rasmussen, Roger Pabst, Bradley Lund, Jim Lux, Dean Guggisberg, Jerry Raddatz, and Zoning Administrator Scott Wold.

At 1:00 p.m. April 5th, 2022 the 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.

Chair Zeug called to order a public hearing on Application for Extraction Interim Use Permit #2-22, submitted by Brad Lund.

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

1. Brad Lund is seeking to re-permit an existing granite quarry located in Section 24, Sherman Township. The site is currently operated under a permit issued in 2012 (CUP #5-12), for the extraction of nine acres of the property, which expires this spring. The current application seeks to permit the same 9-acre extraction area for an additional 10 years.
2. This site is immediately adjacent to the granite quarry now operated by L&S Construction, on land owned by the Morgan Sportsmen's Club and the Munsell family, which was re-permitted and expanded in January of this year. Though under separate ownership, previously, both the Lund and L&S quarries were operated by TNT Construction.
3. The site is located in the Agriculture District, in which mining is an Interim Use. No part of the permitted area is located in the Floodplain District.

4. Mining activity on the site will consist of the extraction (blasting), processing, and stockpiling of crushed granite material. Equipment will be stored on site. No buildings will be erected or used in the extraction area.
5. Mining activity will continue on the current site, where there are existing berms in place as noise barriers. To date, the mining activity has not encompassed the entire 9-acre permitted area. In order to utilize and mine the remainder of the 9 acres, mining activity will move to the north and west from the currently mined area. In addition, the bottom of the quarry will be lowered to allow for the creation of a permanent pond as part of the reclamation process.
6. If water needs to be pumped to remove material from the quarry bottom, it will be pumped into L&S's holding ponds, by agreement with L&S.
7. The mining activity has resulted in steep rock slopes along the north and west sides of the site. These will be lowered by removing additional material. During reclamation, remaining steep slopes will be backfilled with concrete and overburden to create a 3:1 slope, and will be seeded to prevent erosion. Mining along the north property line will be done by agreement with the neighboring owner (Gary Kerkhoff). A 180' setback will be maintained from the west property line.
8. The site is accessed from 305th Street, which will be used to haul material out to CSAH 11, which is about ¼ of a mile west of the site.
9. The proposed hours of operation are 7:00 am through 7:00 pm. Monday through Saturday.
10. Per ordinance, the minimum reclamation bond for a 9-acre site is \$18,000.
11. The closest third-party dwellings to the site are as follows: (1) 30903 CSAH 11, about 2400 feet southwest of the site; (2) 30815 CSAH 11, about 350 feet north of the site; and (3) 30463 CSAH 11, about 1700 feet southwest of the site.
12. There is no county tile or open ditch near the site. However, there is a private drainage ditch south of the current site, on the opposite side of 305th Street, which drains underneath 305th.
13. Soils present on the site consists of Rock outcrop-Copaston complex, 2 to 40 percent slopes.
14. A copy of the Extraction Interim Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Brad Lund was present at the hearing and presented the project to the Planning Commission. He made the following statements to the Commission:

- He is seeking to blast and process granite material for road projects and construction.
- The site is already being mined, since before he purchased it.
- He is continuing mining under the previous plan, in the same area and acreage.
- Lund is not a big operator, so it will take him some time to use up the remaining material.

- There is about 1 acre left to mine of the 9 acres that were originally permitted, and will be re-permitted.
- He will lower the hill on the north side of the site and lower the quarry floor to create a pond.
- His understanding is that a wetland was removed by previous operators and so the pond is required to replace said wetland.
- Most of the remaining acre is on the west end of the site. He has to be careful to avoid an elevated wetland there.

The Planning Commissioners had the following comments and questions:

- Is the excavation area being moved to the north?

Lund provided the following response:

- The north edge of the site is within the permitted area. Excavation will proceed to the north somewhat, but Gary Kerkhoff, the neighbor to the north, wants to keep a barrier between his house and the pit. Lund will more than meet a 30' setback from Kerkhoff's property. It will be more like 50'.

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. The following individuals made statements.

Jerry Raddatz:

- Is the pit floor going to be lowered near the township road?
- He believes the pit floor is already too low there.

Lund made the following replies to the public comments:

- The pit floor will not be lowered near the road. The part to be lowered and turned into a pond is on the north side.

Chair Zeug closed the public meeting at 1:10 pm.

The Commissioners discussed conditions requiring Lund to enter into a road maintenance agreement with the Township Board and keep the private ditch on the south side of the road cleaned out.

Chair Zeug asked Wold to lead the Commissioners through the Findings of Fact questions.

Scheffler made a motion to approve Application for Extraction Interim Use Permit #2-22 subject to the proposed conditions, and additional conditions discussed. The motion was seconded by Huseby and passed unanimously.

At 1:17 p.m. Chair Zeug called to order a public hearing on Application for Extraction Interim Use Permit #3-22, submitted by Schmidt Construction.

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

1. Schmidt Construction is seeking to re-permit a former gravel pit site in order to remove 30,000 cubic yards of clay fill material for use at the Veterans Cemetery site. The former pit site is located in Section 3 of Paxton Township. The most recent permit for the site expired in 2017 and the site was substantially reclaimed.
2. Schmidt proposes to remove the material from a 4-acre area over the course of a year. The end result will be the creation of a 2-acre wildlife pond. The bottom of the pond will have a maximum slope of 3:1 and a depth of 10' at its deepest point.
3. An overflow will allow excess water to flow out of the pond to the south, into a second existing pond on the Brent Prouty gravel pit site. From there the water will flow in a natural channel east toward Crow Creek.
4. The site is located in the Agriculture District, in which mining is an Interim Use.
5. Mining activity on the site will consist of the extraction of clay fill material. Equipment will be stored on site. No buildings will be erected or used in the extraction area.
6. The site is accessed from 340th Street, which will be used to haul material out to US Hwy 71.
7. At the end of the permit term, the extraction area will be reclaimed by flattening all slopes greater than 3:1 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.
8. The estimated cost of reclamation is \$3,000. Per ordinance, the minimum reclamation bond is \$10,000.
9. The closest third-party dwellings to the site are as follows: (1) 37924 US Hwy 71, about 175 feet north of the site; (2) 37454 340th Street, about 1800 feet west of the site; and (3) 37407 340th Street, about 2600 feet west of the site.
10. There is no county tile or open ditch near the site.
11. Soils present on the site include Dickman sandy loam, 2 to 6 percent slopes. However, most of the sandy soil was removed during previous permit phases. The remaining soil is primarily clay.
12. A copy of the Extraction Interim Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Jeff Schmidt was present at the hearing and presented the project to the Planning Commission. He made the following statements to the Commission:

- Schmidt Construction is doing the site work for the Veterans Cemetery. They need dirt fill material on that site.

- To obtain the required material, he wants to excavate a pond on a Schmidt-owned property that is a formerly permitted gravel pit.

The Planning Commissioners had the following comments and questions:

- What will the maximum depth of the pond be?
- Will there be an overflow pipe out of the pond?
- Has he spoken to Brent Prouty about the project? Prouty is the neighbor to the south.
- Has engineering been done on the pond design?
- Will additional water be made to flow onto the site?
- Will the pond construction be inspected?

Schmidt provided the following responses to the Commissioners:

- The deepest point of the pond will be 10' below the current grade.
- The pond will include a shallow shelf to promote growth of cattails.
- There will not be an overflow pipe. An overflow will be constructed in the form of an open swale, following the natural flow of water to the south.
- He spoke with Prouty this morning. Prouty thought Schmidt was installing a pipe to move water onto Prouty's property, which is not happening.
- No engineering has been done on the pond because the hydrology is not changing.
- The pond will be constructed in clay soil. The sandy soil was all removed under the previous mining permit. The clay soil will act as a liner to hold the water and prevent seepage.
- The only water going into the pond will be the surface rain water already naturally occurring. No additional water will be brought to the site.
- County staff are welcome to inspect the project.

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. The following individuals made statements.

Mike Rasmussen:

- He has some questions about the project.
- He owns the property north and east of the project site.
- He has no issue with the pond, and no issue with the Veterans Cemetery.
- The Schmidt site has always been a mine, since before Rasmussen bought his property.
- Previously, Schmidt's pit would fill with water.
- Rasmussen's property is prone to sloughing.
- Who is responsible when his property sloughs?
- In 2010 there was a lot of rain and the ground on both sides of Rasmussen's house sloughed.
- He knows Schmidt wouldn't cause problems for him on purpose, but what if more sloughing happens?
- The pond will be nice, Jeff will do a good job.
- Rasmussen supports the Veterans Cemetery.

Schmidt provided the following responses to the public comments:

- One thing they can do as part of the project to protect Rasmussen would be to over-excavate any sand layer they find, and replace it with clay. This will ensure the entire pond bottom is clay.

Scheffler stated that the clay material should contain the water.

Wold stated that it is difficult to prove the source of the ground water that has caused Rasmussen's saturation and sloughing problems. However, the County has the power to revoke Schmidt's permit if it is proven that they are causing harm to a neighbor.

Wold asked Rasmussen if he would be satisfied by a condition requiring the replacement of any sand with clay, and inspection of the project by the county. Rasmussen said yes. Schmidt also said he was fine with those conditions.

Chair Zeug closed the public meeting at 1:32 pm.

The Commissioners discussed conditions requiring Schmidt to enter into a road maintenance agreement with the Township Board.

Chair Zeug asked Wold to lead the Commissioners through the Findings of Fact questions.

Scheffler made a motion to approve Application for Extraction Interim Use Permit #3-22 subject to the proposed conditions, and additional conditions discussed. The motion was seconded by Madsen and passed unanimously.

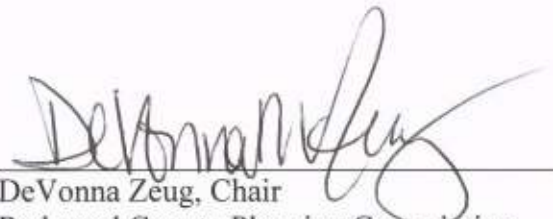
The Commissioners reviewed and discussed the minutes from the January 25, 2022 Planning Commission meeting.

Kaufenberg made a motion to approve the January 25, 2022 Planning Commission minutes as presented. Forkrud seconded the motion and it passed unanimously.

The meeting was adjourned at 1:46 p.m.



Nick Brozek
Land Use & Zoning Supervisor
Redwood County Environmental Office



DeVonna Zeug, Chair
Redwood County Planning Commission