



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: November 29, 2022

A meeting of the Redwood County Planning Commission convened on Tuesday, the 29th day of November, 2022, at the Redwood County Government Center.

The following members of the Redwood County Planning Commission were present: DeVonna Zeug, Mike Scheffler, Jeff Huseby, Mike Kaufenberg, Mark Madsen, and County Commissioner Dave Forkrud. Also present were the following individuals: Diana Veenstra, Gary Veenstra, Cooper Scheffler, Zoning Administrator Scott Wold, and Land Use & Zoning Supervisor Nick Brozek.

At 1:00 p.m. the November 29th, 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 1:01 pm Chair Zeug called to order a public hearing on Application for Extraction Interim Use Permit #13-22, submitted by Cooper Scheffler of L & S 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. L & S Construction is seeking a permit to continue mining activity at an existing gravel pit site located in Section 24 of Lamberton Township. The site was previously permitted in 2012, and that permit expires this year.
2. The site is owned by Darold & Sharon Coulter. It's located on the north side of 125th Street, about 1 mile east of the City of Lamberton. The permitted site will be 34.5 acres, with 28 acres being actively mined. Mining activity will include gravel and sand extraction, processing, and stockpiling.
3. At the end of the permit term, or when mining activity ceases, the site will be graded to no steeper than 3:1 slope and reclaimed to grassland with a pond.
4. Drainage on the site flows into the existing pond. Runoff water is not allowed to leave the gravel pit site. Perimeter berms are already in place from previous permits.

5. The northeastern part of the permitted area is located in the Floodplain District, lying within the 1% flood plain of the Cottonwood River. Per FEMA floodplain maps, the 1% flood elevation is 1062 feet above sea level. The floodplain boundary for the purpose of this permit was set based on that elevation. This puts about 10 acres of the site in the floodplain, which is under the 20-acre minimum trigger for an Environmental Assessment Worksheet. Consequently, environmental assessment is not required for this permit.
6. The following additional requirements apply to mining activities occurring within the floodplain:
 - a. May not increase the 100-year flood stage
 - b. Must take steps to protect excavated areas from erosion
 - c. Must have long-term site development plan including erosion and sedimentation prevention.
7. There is no county tile or open ditch on or near the project site.
8. The three closest third-party residences to the proposed site are as follows: 27187 Co Hwy 15, about 1400 feet south of the site; 27039 125th Street, about 2100 feet west of the site; and 27388 Co Hwy 15, about 2500 feet south of the site. Additionally, the Lamberton Cemetery is located 850 feet west of the site, and the Cottonwood River is located 250 feet north of the site.
9. Soil types on the site include the following:
 - a. Estherville sandy loam, 2 to 6 % slopes
 - b. Estherville sandy loam, 0 to 2 % slopes
 - c. Salida gravelly sandy loam, 2 to 12 % slopes
 - d. Biscay clay loam, depressional, 0 to 1 % slopes
 - e. Spillville loam, occasionally flooded
 - f. Coland clay loam, occasionally flooded
10. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Mike Scheffler recused himself from the Planning Commission, because he is an owner of L & S Construction.

Cooper Scheffler and Mike Scheffler were in attendance to present the project to the Planning Commission. Cooper Scheffler made the following statements to the Commission:

- The plan is to expand the mining to the northeast from the currently mined area.
- L & S wants to renew its permit for an additional 10-year term.
- They are running out of gravel in the southeast corner of the existing pit, and will reclaim that corner.
- The required reclamation surety (letter of credit) is being worked on by the bank.

Mike Scheffler made the following statements to the Commission:

- They are moving to the northwest to pile product. They need more space.

The Planning Commissioners made the following comments:

- This permit is to both expand and renew the existing permit?

Cooper Scheffler responded to the Planning Commissioners' comments and questions as follows:

- The site is expanding from 15 acres to 34.5 acres.
- Eight acres of the 34.5 is for stockpiling.

Chair Zeug asked if anyone was present to speak in support of the project. The following individuals made statements:

- Diana Veenstra:
 - o She owns property south and east of the mining site.
 - o She wondered, based on the notice map, if mining will take place south of the railroad.
 - o She has no problem with mining generally, but there are two issues she has had with Scheffler's operation of the pit: (1) the mining crossed the property line onto Veenstra's property; and (2) Scheffler's employees trespassed on Veenstra's land with a loader, to access the pit.
 - o She's concerned about the property line if the pit is expanded.
- Gary Veenstra:
 - o He has no problem with the mining either.
 - o The Veenstras had a survey done of the property line.
 - o The survey markers were placed 30' away from the actual property corners, on Veenstras' side, because the ground at the corners was mined out.
 - o They would like another survey to be done.
 - o Schefflers undermined Veenstras' property on the west side (east side of the pit).
 - o Scheffler filled in the undermined area with black dirt, but it still needs to be levelled so they can farm there.
 - o When the black dirt fill was put in, the survey stakes were knocked over and buried. He would like new survey markers placed.
 - o One of Schefflers loaders has been driven on a grass strip, along the south side of the railroad grade, on Veenstras' property, to use a crossing over the railway line that is an access to Veenstras' field from 125th Street. The loader doesn't fit under the tracks where they go over Jade Avenue on a bridge, so the loader driver has gone around on Veenstras' land.

Mike Scheffler responded to the Veenstras' comments as follows:

- Schefflers did at one time mine over the boundary. They brought in clay and black dirt and built it back.
- He offered to put in place a 25' setback from the property line.
- He said they will level the black dirt. He was not aware that the survey markers were 30 feet from the corners.
- He said he will talk to his employees about the loader route. They are supposed to be taking Hwy 14 and coming to 125th Street from the north.

Gary Veenstra stated that he is fine with a 10-foot setback from the property line.

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 1:25 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 #13-22 subject to the conditions proposed by staff, and the additional condition that there be a 10 foot setback between the excavation and the property lines. The motion was seconded by Forkrud and passed unanimously. Scheffler had recused himself and did not participate in the findings of fact discussion and did not vote.

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

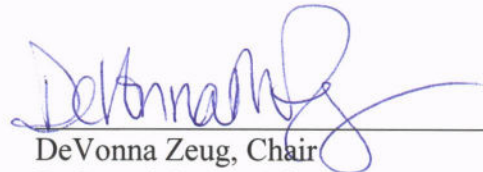
Kaufenberg made a motion to approve the October 25, 2022 Planning Commission minutes as presented. Huseby seconded the motion and it passed unanimously.

Discussion was held regarding the proposed Planning Commission regular meeting dates schedule for 2023. Forkrud moved to accept the proposed schedule. The motion was seconded by Huseby, and passed unanimously.

Kaufenberg made a motion to adjourn. The motion was seconded by Forkrud, and passed unanimously. The meeting was adjourned at 1:37 p.m.



Nick Brozek
Land Use & Zoning Supervisor
Redwood County Environmental Office



DeVonna Zeug, Chair
Redwood County Planning Commission