



Redwood County

www.co.redwood.mn.us

Application for Conditional Use Permit

Permit #: 4-23 Date: 6/30/23

Location of Proposed Use:

Address: 0.3 miles north of 45806 305th St City: Franklin State: MN Zip: 55333
House # Street Name
Parcel #: 65-024-4010 Township: Sherman Section: 24 Twp #: 112 Range: 34

Legal Description:

Tract in N 1/2 of SE 1/4 lying east of Township Road 305th St

Information about the Site:

Zoning District: Agriculture

General description of the building(s) and proposed use:

Duininck, Inc. is proposing to operate a portable hot-mix asphalt plant as well as all related operations and stockpiling.

Building Size: (Please enter dimensions in feet)

Width: 200' Length: 200' Diameter: _____ Total Height: 15'

Setbacks: (Please enter in feet)

Side Yard Setback: N/A Direction: N/A

Side Yard Setback: N/A Direction: N/A

Rear Yard Setback: N/A Direction: N/A

Road Type: Township Setback from the Right-of-Way: N/A

Right-of-Way Width from Centerline 33 ft

Type of Sewer System:

N/A

Drainage Plan:

Stormwater will slope to center of property and infiltrate on-site.

Other Information:

See included report for additional information..

Applicant Information:

First Name: Lucas Last Name: Van Eps
Business Name: Duininck, Inc.
Address: 408 6th St. City: Prinsburg State: MN Zip: 56281
Home Phone: 320-978-6011 Cell Phone: 320-905-1369 Email: lucas.vaneps@duininck.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: Donna Last Name: Munsell
Address: 491 3rd St City: Franklin State: MN Zip: 55333
HomePhone: 507-829-9124 CellPhone: N/A Email: N/A

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 Donna Munsell Date: 6/30/23

Office Use Only: * The section below is to be filled out by the Environmental Office Staff

Permit Fee: \$700 Receipt #: 344823 Date Approved: _____

Application Received: 6/30/23

Commission Action: **County Board Action:**
Approved: _____ Date: _____ Approved: _____ Date: _____
Disapproved: _____ Date: _____ Disapproved: _____ Date: _____

Duininck Inc.
Conditional Use Permit Application

for the

L&S Pit Redwood County
June 26, 2023

Application for a Conditional Use Permit to allow for the operation of a portable asphalt plant and related operations.

Sherman Township
Redwood County, Minnesota

Property Owner: Bill & Donna Munsell
491 3rd St.
Franklin, MN 55333

1. APPLICANT

Duininek, Inc.
P.O. Box 208
Prinsburg, MN 56281
(320) 978-6011
Contact: Jason Ver Steeg

2. LANDOWNERS

Bill & Donna Munsell
491 3rd St.
Franklin, MN 55333

3. RELATIONSHIP BETWEEN APPLICANT AND LANDOWNERS

The Applicant and the Property Owner have an Agreement which grants the Applicant the ability to operate a portable asphalt plant from the proposed gravel pit site.

4. LEGAL DESCRIPTION

Tract in N1/2 SE1/4 lying E of township road 350th St. in Section 24, Township 112N, Range 34W, Sherman Township, Redwood County, Minnesota.

5. CURRENT LAND USE

The land that lies within the proposed boundary is a formerly farm ground converted to a gravel pit. Currently, it is permitted to be mined by L&S. This 20.48 acre parcel is bordered on the south and west by cropland, the north by gravel pit, and east by trees, rock outcropping, and wetland. The topography of the area consists of rock outcropped hills and rolling farmland. Over the past year or so L&S has performed significant mining on site which is not reflected in most web map imagery services (google maps, google earth, USDA Soils maps, Redwood County GIS, etc) as of June 26, 2023. See imagery from L&S drone dated June 22, 2022 below to see a more accurate representation of current land usage.

6. PROPOSED USE

A Conditional Use Permit is being requested to operate a portable asphalt plant and all related operations as well as stockpiling. The asphalt produced on the

property is planned to be used for roadway construction, specifically the Renville county paving in 2023, which consists of 23,000 TN of asphalt out of this site.

7. DUST CONTROL

Dust will be controlled with a water truck as needed.

8. NOISE CONTROL

There are several measures that will be taken to assure that the noise level that is generated from the operation of the plant and hauling operations will be at an acceptable level. First of all, all equipment is kept in good working order and is equipped with high quality mufflers to eliminate a good portion of the noise before it is even released into the environment. Secondly, the plant will be set low in the pit so the earthen walls will naturally act as a sound dampener. Finally, distance, in itself, will be a big factor, in that the area is quite sparsely populated and so the "receivers" of the noise are few and far between.

9. EROSION AND STORM WATER CONTROL PLAN

There are several steps that will be taken to control erosion on this site.

1. All runoff from mined areas will be directed back into the pit bottom so that infiltration can remove any sediment.
2. BMP's will be implemented in all areas where surface water will be impacted.

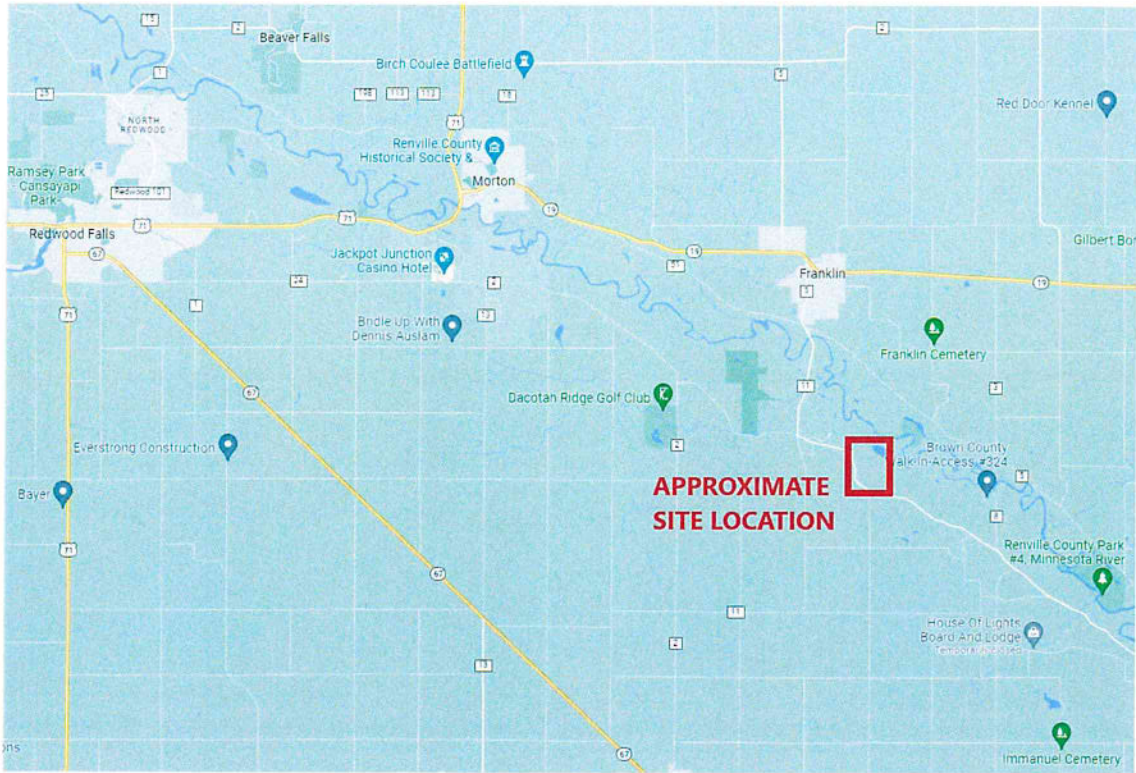
10. HOURS OF OPERATION

The hours of operation are proposed to be from 6:00 a.m. until 8:00 p.m. Monday through Saturday, no operation on Sundays.

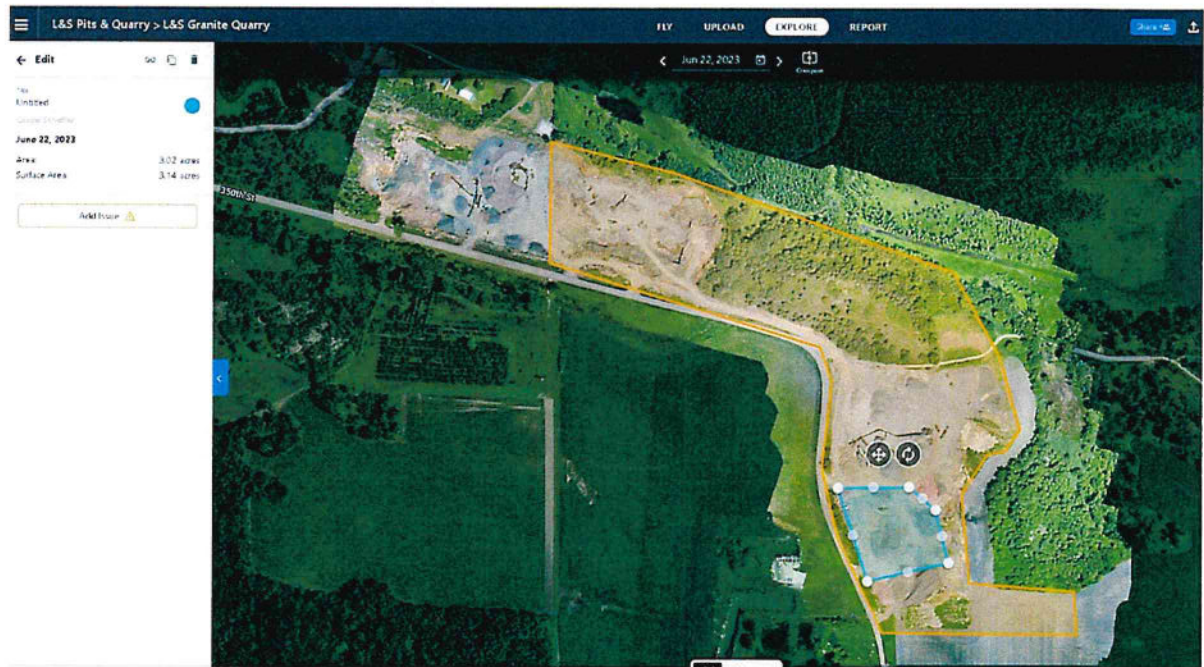
11. LIFE EXPECTANCY

Currently, we are only expecting the plant to be operated out of this site for the 2023 construction season. Thus, we are requesting a 1-year permit to continue through the construction season of 2033.

MAPS



General Location Map



Updated Drone Map




GENERAL NOTES

- EXACT PLACEMENT OF ASPHALT PLANT WILL DEPEND ON SEVERAL FACTORS, INCLUDING, BUT NOT LIMITED TO OTHER MATERIAL PROCESSING ON-SITE, PROJECTS OBTAINED REQUIRING HOTMIX ASPHALT, ETC. DUININCK WILL ATTEMPT TO PLACE PLANT IN BEST POSSIBLE LOCATION AS TO HAVE THE LEAST ENVIRONMENTAL AND AESTHETIC IMPACT WHILE ALSO BEING EFFICIENT IN OPERATIONS.
- TEMPORARY PORTABLE TANKS WILL BE STORED ON-SITE DURING ASPHALT PLANT OPERATIONS ACCORDING TO THE MPCA STANDARDS FOR ABOVE GROUND STORAGE TANKS.
- UPON COMPLETION OF ASPHALT PAVING ACTIVITIES, THE PLANT AND ANY TEMPORARY STRUCTURES WILL BE DISASSEMBLED AND MOVED TO AN OTHER LOCATION. THERE ARE CURRENTLY NO EXISTING STRUCTURES ON-SITE. THESE REMAINING AT THE SITE AS A RESULT OF HOT MIX PRODUCTION WILL BE CLEANED UP.
- RECYCLED ASPHALT STOCKPILES MAY REMAIN ON-SITE FOR FUTURE USE.
- BLASTING IS NOT PROPOSED AS PART OF THE OPERATION AND NO BLASTING MATERIALS WILL BE KEPT ON SITE.
- THERE IS NO WELLS OR SEPTIC ON-SITE.
- SITE IMAGERY IS FROM 2015, WITHIN THE LAST YEAR THERE HAS BEEN SIGNIFICANT MOUNDING ON SITE BY L&S. SEE DRONE PICTURE FROM L&S ON REPORT FOR MORE ACCURATE REPRESENTATION OF THE CURRENT SITE.
- ALL FEDERAL AND STATE STANDARDS FOR QUALITY OF AIR, WATER, AND NOISE SHALL BE MET. DUININCK HOLDS AND MAINTAINS A CURRENT AIR QUALITY PERMIT AND STRICTLY ADHERES TO THE REQUIREMENTS.
- ALL COUNTY SETBACKS SHALL BE MET.



<p>L&S PIT REDWOOD COUNTY ASPHALT PLANT CUP PROPOSED OPERATIONS</p> <p>FRANKLIN, MN</p> <p>DATE: JUNE 26, 2023</p> <p>SHEET 1 OF 1</p>			
SCALE: GRAPHIC	P.O. BOX 208		
DRAWN BY:	408 SIXTH STREET		
CHECKED BY:	PRINGSBURG, MN 55281		
SURVEYED BY:	PHONE: (320) 978-6011		
	FAX: (320) 978-4978		
<p><small>DUININCK INC. 2010, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023. ALL RIGHTS RESERVED. THIS DOCUMENT IS THE PROPERTY OF DUININCK INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DUININCK INC.</small></p>			
DATE	NO.	BY	REVISIONS

TO: Whom It May Concern

FROM: Nick Brozek 
Zoning Administrator
Redwood County Environmental Office

DATE: July 13, 2023

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 Duininck, Inc., on behalf of landowner Donna Munsell, pursuant to Redwood County Code of Ordinances, Title XV, Sections 153.420 and 153.283. Duininck, Inc. is proposing to operate a portable asphalt plant and all related operations as well as stockpiling in the existing gravel pit on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

Tract in the North Half (N1/2) of the Southeast Quarter (SE1/4) lying East of the township road (305th Street) in Section 24, Township 112 North, Range 34 West, Sherman 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 25th day of July, 2023, 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: Duininck Inc. (w/encl.)
Donna R Munsell

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

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DATED: July 7, 2023

Nicholas W. Brozek
Zoning Administrator
Redwood County Environmental Office



Parcel ID: 65-024-4010

**IUP Notification Area:
0.50 miles from selected parcel**

Selected Parcel
 Notification Area
 Parcels

Municipal Boundaries
 Sections
 Roads

0 500 1,000 2,000 Feet

AFFIDAVIT OF SERVICE VIA U.S. MAIL

STATE OF MINNESOTA)
) ss
COUNTY OF REDWOOD)

RE: *Application for Interim Extraction Conditional Use Permit* submitted by Duininck, Inc., on behalf of of landowner Donna Munsell; Permit Application No. 8-23

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 Interim Extraction Conditional Use Permit;*
and
2. *Notice of Public Hearing*

were duly served upon:

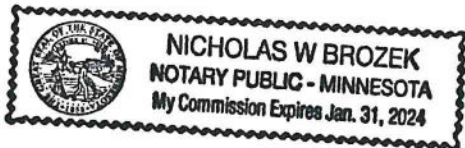
- See Attached -

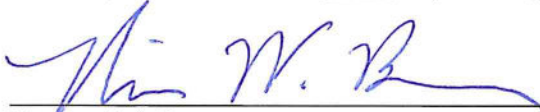
by enclosing a copy of the same in an envelope, with postage prepaid, and depositing said envelope in a United States Postal Service mailbox located at Redwood Falls, Minnesota on the 13th day of July, 2023.



Lali Ortega
Environmental Administrative Assistant

Subscribed and sworn to before me, a Notary Public, on this 13th day of July, 2023, by Lali Ortega.





Notary Public
My commission expires: Jan 31 2024

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
PHYSICS DEPARTMENT
5720 S. UNIVERSITY AVENUE
CHICAGO, ILLINOIS 60637

PAYROLL ID	NAME	GR	OWADR2	OWADR3	OWADR4	OWCITY	WSTA	OWZIP
650243020	BLUM/DWIGHT		29069 CO HWY 2			MORGAN	MN	56286
650243080	KERKHOFF/RONALD D		30463 CO HWY 11			FRANKLIN	MN	55333
650242060	KERKHOFF/GARY J & DEBORAH P		30815 CO HWY 11			FRANKLIN	MN	55334
650242090	LUND/BRADLEY C		101 HWY 4 SOUTH			FAIRFAX	MN	55332
650241080	MORGAN SPORTSMAN CLUB	% ROSS MEYER	PO BOX 216			MORGAN	MN	56266
650244030	MUNSELL/RAY T & DEBRA		33814 360 ST			FRANKLIN	MN	55333
650251040	RAODATZ/JERRY D & JAN W	RON & JANET RAODATZ	402 S LINCOLN			REDWOOD FALLS	MN	56283
650243040	WOOD/CHRISTOPHER R		40314 660 AVE			FRANKLIN	MN	55334
14101900416040 (Brown County)	SANDERS/SARLA M		30153 CO HWY 11			FRANKLIN	MN	56266
08-01691-00 (Renville County)	DENNIS ZEMPEL LIV TRUST ETAL		34936 327TH AVE			MORGAN	MN	55333
	RYER VALLEY RECREATIONAL CLUB		66436 410TH ST			SANBORN	MN	55063
	L&S CONSTRUCTION		12226 KING AVE			FRANKLIN	MN	55333
	DOMINA MUNSELL		PO BOX 334			FRANKLIN	MN	56281
	DUNINICK INC		PO BOX 298			PRINSBURG	MN	56283
	SHERMAN TOWNSHIP BOARD OF SUPERVISORS	% DENISE KIRSCHSTEIN, CLERK	33297 OCEAN AVE			REDWOOD FALLS	MN	56277
	BROWN COUNTY PLANNING & ZONING	% ROBERT SANTARELLA, ZONING ADMINISTRATOR	14 S STATE ST			NEW ULM	MN	56073
	RENVILLE COUNTY PLANNING & ZONING	% SCOTT REFSLAND, DIRECTOR	105 S 5TH ST Suite 311			OLVIA	MN	56277
	MN DNR	% KYLE JARCHO	1400 E LYON ST			MARSHALL	MN	56258

PROOF OF PUBLICATION

Notice ID: F6tuch28fU7svdkYm
CUP - Duininck

AFFIDAVIT OF PUBLICATION: #1270740

STATE OF MINNESOTA, COUNTY OF REDWOOD

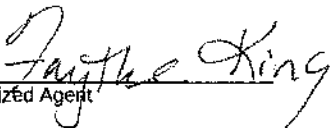
The Redwood Falls Gazette has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

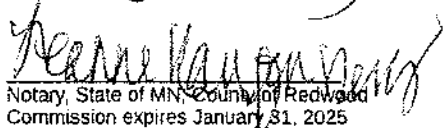
Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspapers' known office of issue is located in Brown, Chippewa, Lyon, Polk, Redwood, Watonwan & Yellow Medicine counties. The newspapers comply with the conditions in §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:

07/13/2023

Sworn to and subscribed before on 07/13/2023.


Authorized Agent


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

Publication Cost: \$98.89
Order No: 1270740
PO #:

THIS IS NOT AN INVOICE!
Please do not use this form for payment remittance.



NOTICE OF PUBLIC HEARING

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Nicholas W. Brozek
Zoning Administrator
Redwood County
Environmental Office
July 13, 2023

1270740

Affidavit of Publication

RECEIVED

JUL 20 2023

REDWOOD COUNTY ENVIRONMENTAL OFFICE

State of Minnesota)
) ss.
County of Renville)

NOTICE OF PUBLIC HEARING

An Application for Extraction Interim Use Permit has been filed by Duinick, Inc., on behalf of landowner Donna Munsell, pursuant to Redwood County Code of Ordinances, Title XV, Sections 153.420 and 153.283. Duinick, Inc. is proposing to operate a portable asphalt plant and all related operations as well as stockpiling in the existing gravel pit on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

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Environmental Office, P.O. Box 130, Redwood Falls, MN 56283.

DATED: July 7, 2023

Nicholas W. Brozek

Zoning Administrator

Redwood County

Environmental Office

Published in the Standard-Gazette & Messenger July 12, 2023.

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, July 12, 2023

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 AFFLIANT SAITH NOT.

Denise Bonsack

[Signature]

Subscribed and sworn to before me on this 12 day of July 2023.

Christine Jandl

Notary Public

