



Redwood County

### Application for Extraction Interim Use Permit

www.co.redwood.mn.us

**Location of the Extraction:**

Permit #: 9-23 Date: 8-7-23

Address:  Justice Ave City: Redwood Falls State: MN Zip: 56283  
House # Street Name

Parcel #: 63-0051060 Township: Redwood Falls Section: 5 Twp #: 112 Range: R-36-W

**Legal Description:**

Section 05, Twp 112, Range 36 NW FR 1/4

**Information about the Extraction:**

Zoning District: Agriculture 1

Soil Type 1: Estherville Sandy loam

Soil Type 2: Nishna Clay loam

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

Overburden If any will be stripped and piled, water will need to be pumped to nearby ditch. Gravel will be mined leaving a 4:1 slope tapering from RIM Easement. Also we would like to stockpile and recycle broken concrete

Number of acres to be extracted: 20

Type of Road: Township Right-of-Way width measured from centerline 33

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

Setback from the Center of the Road: 100

Side Yard Setback: 10 Direction: South

Side Yard Setback: ~~325~~ 80 Direction: North

Rear Yard Setback: ~~3100~~ 80 Direction: east

Starting Date: 8-7-2023 Date of Completion: 8-7-2033 (maximum 10 years)

**Drainage Plan:**

Water from site drain into pond and be pumped into nearby ditch

**Landscape and screening plans:**

No plans for this

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

No plans of water use at this time

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

All equipment to have mufflers. If needed watering will be done with the exception of pumping hrs of operation to be during day i.

Reclamation plan: (Attach Map)

Taper (4:1 slope) from RIM easement into wild life pond (see attached)

Estimated Cost of Reclamation: \$15,000.00

Applicant Information:

First Name: Rodney D. Paskewitz Last Name: Paskewitz
Business Name: Duro Rock Supply Co. / Artesian Properties LLC
Address: 33920 Co. Hwy #6 City: Redwood Falls State: MN Zip: 56283
Home Phone: Cell Phone: 507-430-5740 Email: rod@durorock.net

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: Last Name:
Address: City: State: Zip:
Home Phone: Cell Phone: Email:

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: [Signature] Date: 8-7-23

Please attach the following information:

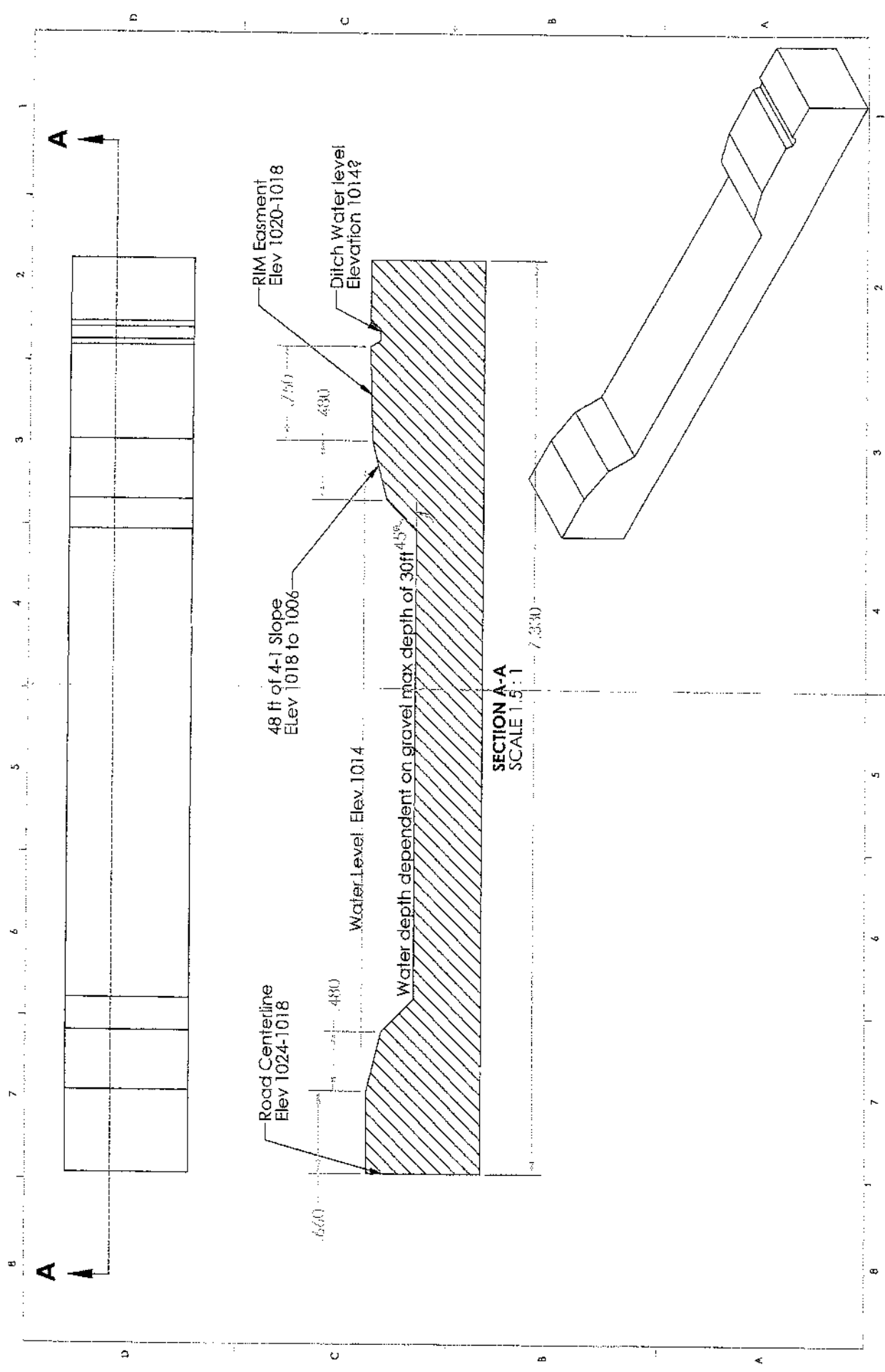
A detailed site map. This must include: soil types, topography, location of watercourses, outline of maximum area to be excavated, setbacks from property lines, vertical profile of area to be excavated including overburden, proposed and existing locations of any structures, stockpiles or operation areas, 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 #: 344845 Date Approved:

Application Received: 8-7-2023

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

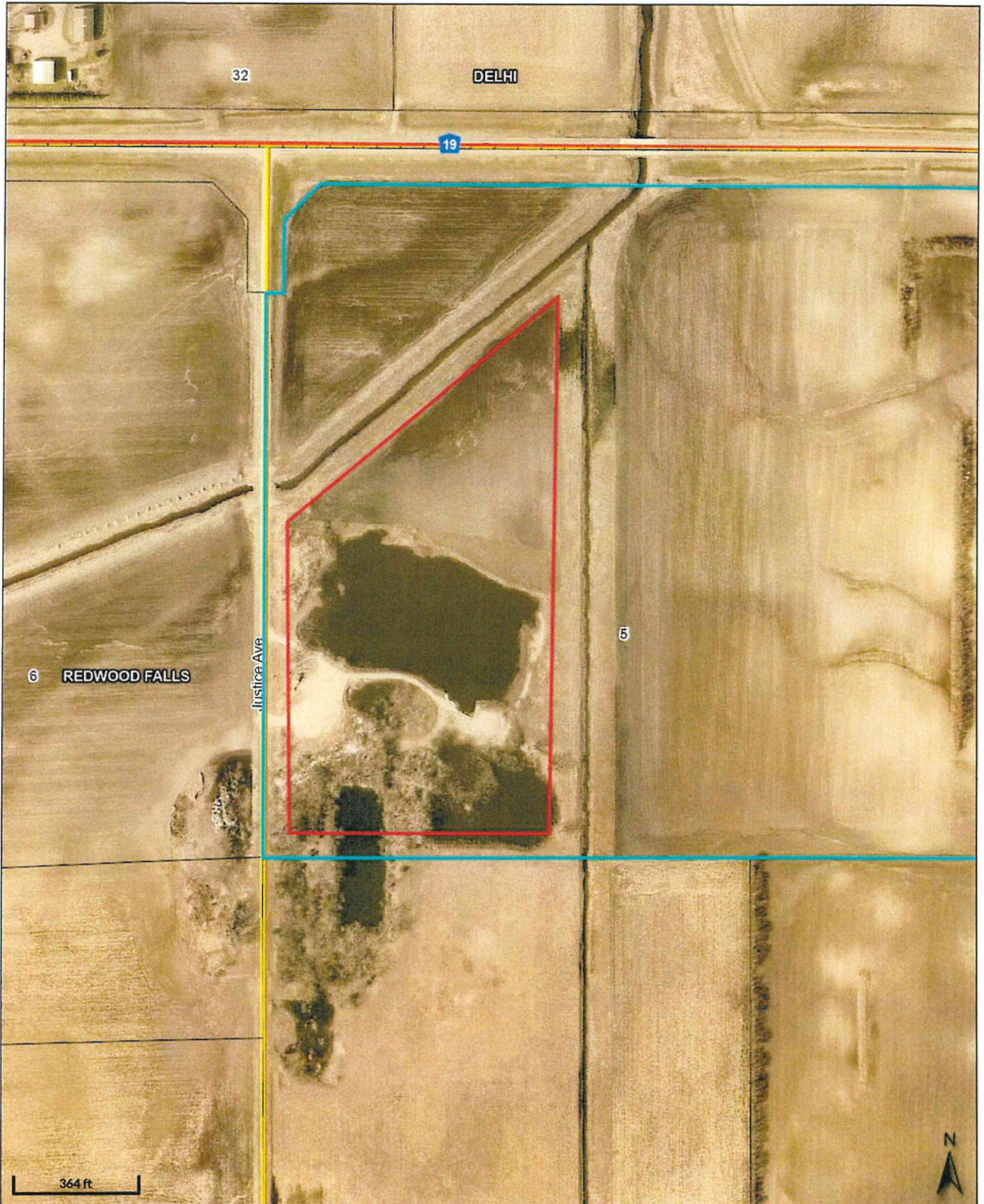


Description of planned activity.

- Total acres to be mined 19.79 is outlined in Red (below).
- Plan is to mine the remaining Gravel creating a 4-1 slope starting at the RIM easement and tapering down to the existing pond level.
- Pond will most likely need to be pumped to expose gravel beneath.
- Raw material will be stock piled for some time to allow dewatering.
- Raw material will then be crushed and stock piled for gravel sales.
- Rock may need to be added (trucked in) to produce the desired product.



Total acres to be mined = approx. 19.79 (outlined in red)



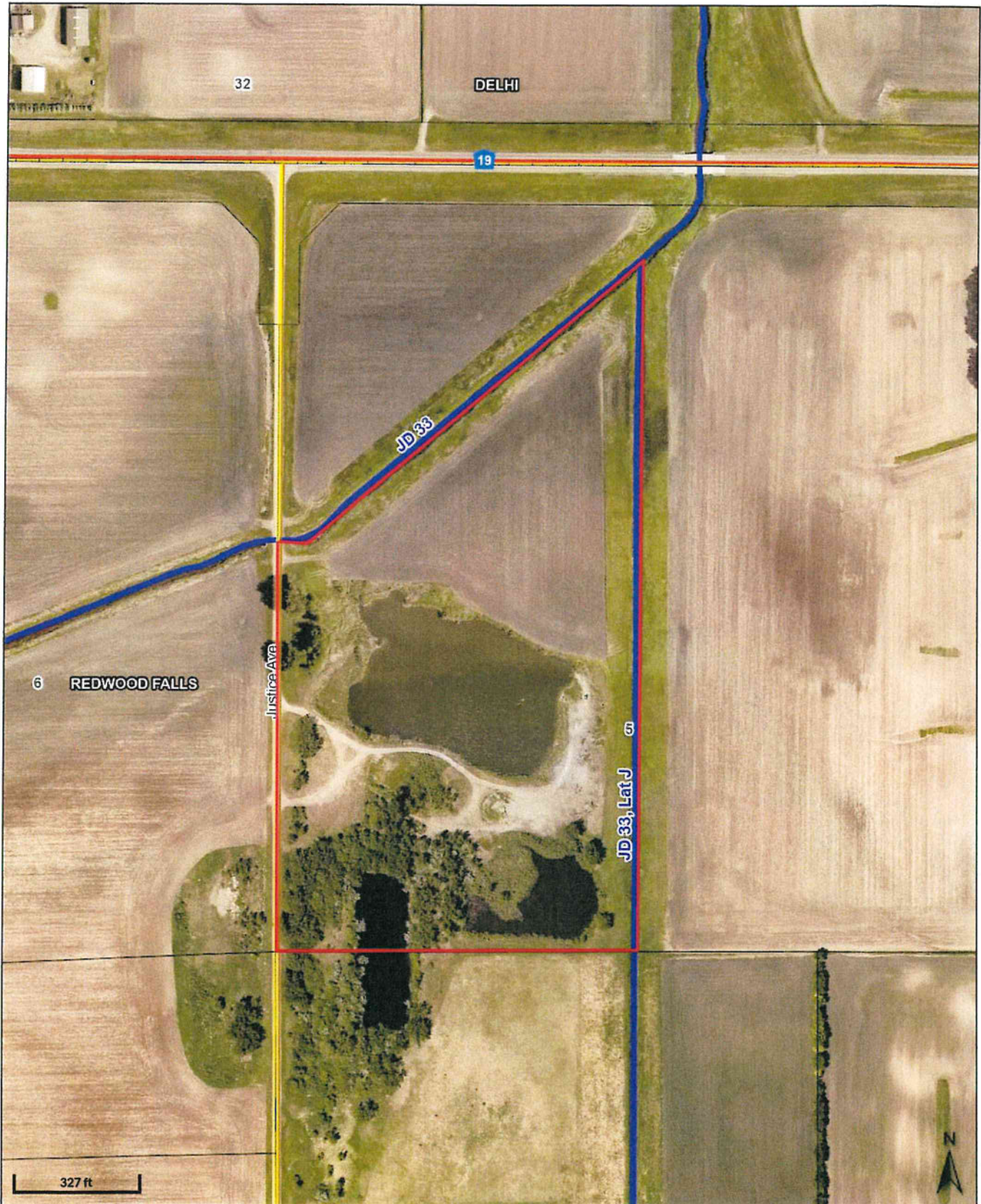


- Closest neighbors approximately 1212



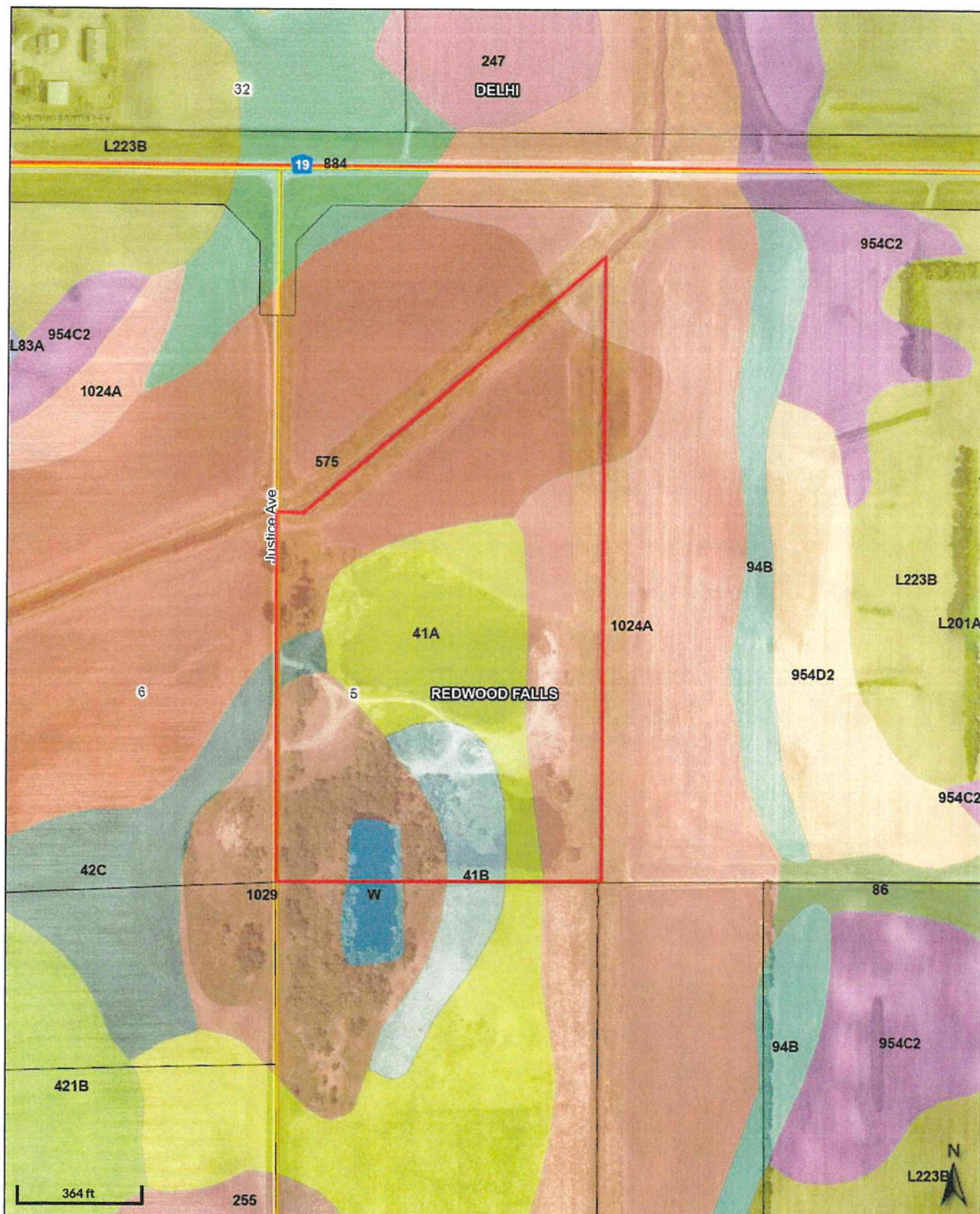


# Ditches





# Soils



41A - Estherville sandy loam, 0 to 2 percent slopes; 41B - Estherville sandy loam, 2 to 6 percent slopes  
1029 - Pits, gravel; 42C - Salida gravelly sandy loam 2 to 12 percent slopes  
575 - Nishna clay loam; 1024A - Havelock clay loam, 0 to 2 percent slopes



# Topography



**Conditions Permit No. 9-23 (Duro Rock Supply Co. – Carity 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 and rules regarding wetlands.
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 Justice Avenue and State Hwy 19 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 conditional 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 conditional 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 conditional 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 sunrise to sunset, with the exception of pumping, which may be done at any time.
8. The permit holder shall not exceed the boundary limits described and set forth in the *Application for Extraction Conditional 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 Conditional Use Permit* will be August 7, 2033.
9. The excavation site shall not be used for a demolition site unless the permit holder obtains the proper permits from the State and 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 Conditional Use Permit*: (1) the site will be graded to a 4:1 (run to rise) slope to 8 feet below the average water level of the pond; (2) reserved topsoil will be 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 Conditional Use Permit* reaches its completion date.
12. The permit holder shall post a bond, cash deposit, irrevocable letter of credit, or other security in the amount of \$39,500.00. 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 Conditional Use Permit*.
13. 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.
14. No excavation or stockpiling shall occur until the permit holder, or permit holder's agent, provides the \$39,500.00 reclamation security and proof of bodily injury, property damage, and public liability insurance, to the Redwood County Environmental Office.
15. The Redwood County Planning Commission shall review the conditional use permit and shall be authorized to take any and all necessary action(s), including but not limited to revoking the conditional use permit and/or requiring the permit holder to reapply for a conditional 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 conditional 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 conditional 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 PLANNING COMMISSION**

**Duro Rock Supply Co. – Carity Site  
Extraction Interim Use Permit Application #9-23  
September 26, 2023**



**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:** Jeanette Pidde   
Land Use and Zoning Supervisor  
Redwood County Environmental Office

**DATE:** September 7, 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 Rodney Paskewitz, on behalf of Duro Rock Supply Co., pursuant to Redwood County Code of Ordinances, Title XV, Sections 153.420 and 153.283, for the mining, processing, and stockpiling of gravel and granular material, as well as the stockpiling and recycling of broken concrete, on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

Part of the Northwest Quarter of Section 5, Township 112, Range 36, Redwood County, Minnesota, described as follows: Commencing at the northwest corner of said NW¼; then south 00°13'29" east, along the west line of said NW¼, 936 feet to the point of beginning; then north 76°07'37" east a distance of 100 feet; then north 50°07'01" east a distance of 1052 feet, then south 00°12'18" west a distance of 1743.26 feet to a point on the south line of said NW¼; then south 89°32'35" west, along said south line, a distance of 894 feet to the southwest corner of said NW¼; then north 00°13'29" west, along the west line of said NW¼, 1051.85 feet to the point of beginning.

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 26<sup>th</sup> day of September, 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](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: Duro Rock Supply Co. (w/encl.)

Redwood County Government Center - Environmental Department

P.O Box 130 Redwood Falls, MN 56283

(507) 637-4023 [redwoodcounty-mn.us](http://redwoodcounty-mn.us) [Environmental@co.redwood.mn.us](mailto:Environmental@co.redwood.mn.us)





## NOTICE OF PUBLIC HEARING

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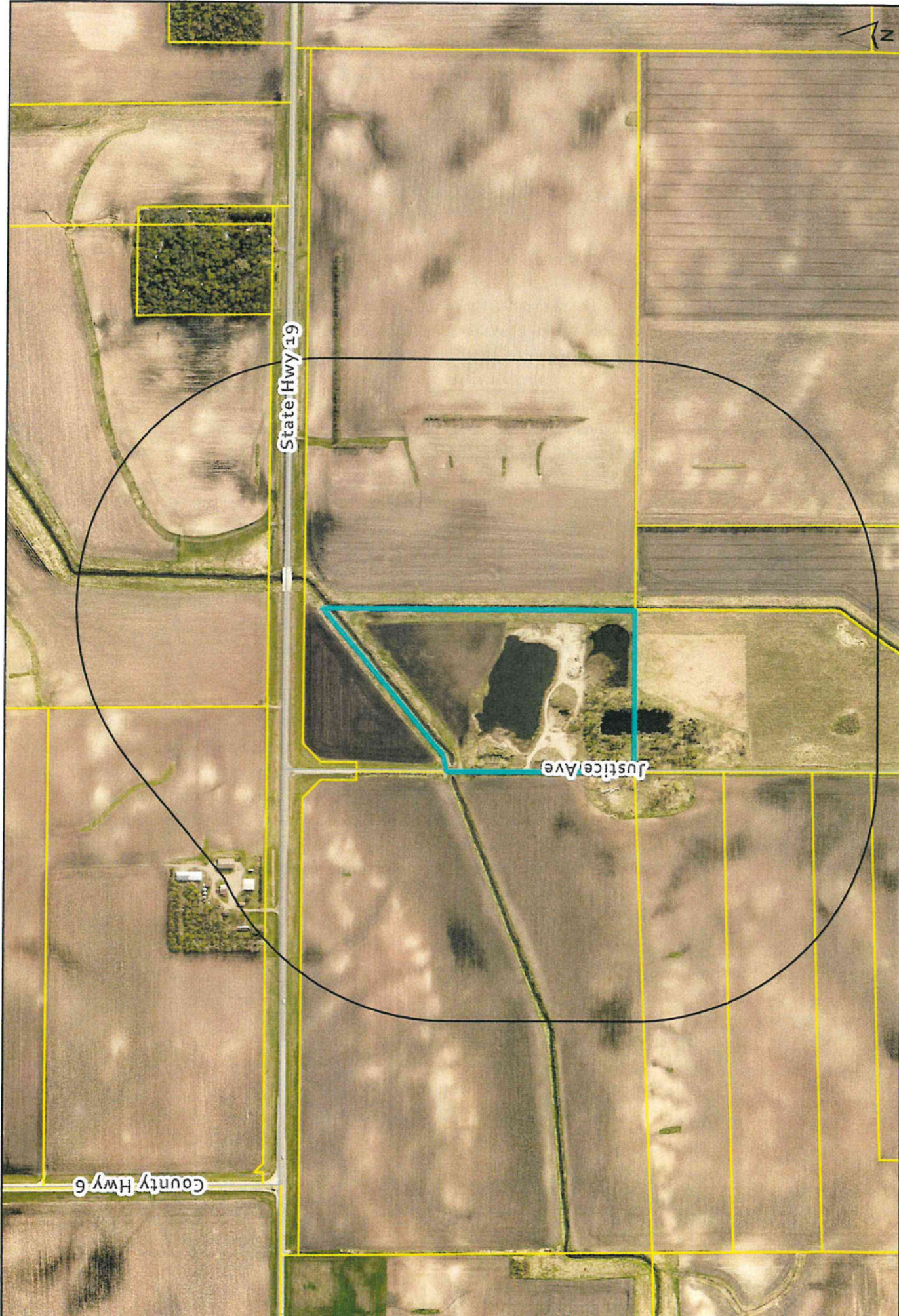
DATED: September 7, 2023

Jeanette Pidde  
Land Use and Zoning Supervisor  
Redwood County Environmental Office

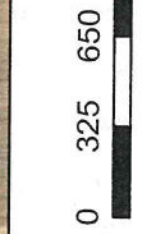




| Parcel ID              | NAME   | Address            | CITY          | STATE | ZIP        |
|------------------------|--|--------------------|---------------|-------|------------|
| 630053020              | GILK/TIMOTHY H & JENNIFER L J                  | 229 E OAK ST       | REDWOOD FALLS | MN    | 56283      |
| 630053060              | MORLEY/THOMAS J & GALE A                       | 152 BAKER DR       | REDWOOD FALLS | MN    | 56283      |
| 630061020              | MERTENS/LEO/RLT ETAL                           | 26617 310 ST       | WABASSO       | MN    | 56293      |
| 520323020              | HUHNERKOCCH/DEAN C                             | 28851 ST HWY 19    | REDWOOD FALLS | MN    | 56283      |
| 520324020              | CARITY FARMS LLP                               | 15721 75 AVE NE    | ATWATER       | MN    | 56209      |
| 630064050              | HAGERT/PAUL                                    | 305 LAKE DRIVE     | REDWOOD FALLS | MN    | 56283      |
| 630064060              | HAGERT/BRYAN                                   | 28379 325 ST       | REDWOOD FALLS | MN    | 56283      |
| 630064040              | HAGERT/BO                                      | 28081 350 ST       | REDWOOD FALLS | MN    | 56283-2305 |
| 630064010              | HAGERT/BRENNAN W                               | 319 PARK LN        | REDWOOD FALLS | MN    | 56283      |
| 630051020              | BAUNE/NANCY/ETAL                               | 5602 NASON AVE NE  | ST MICHAEL    | MN    | 55376      |
| Redwood Falls Township | Redwood Falls Township c/o Gail Woelfel, Clerk | 34511 Co Hwy 17    | REDWOOD FALLS | MN    | 56283      |
| Applicant              | Duro Rock Supply Co., c/o Rodney Paskewitz     | 33920 County Hwy 6 | REDWOOD FALLS | MN    | 56283      |



Parcel ID: 62-540-2040



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

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



