

REDWOOD COUNTY PLANNING COMMISSION

MINUTES

Meeting Date: May 28, 2024



A meeting of the Redwood County Planning Commission convened on Tuesday, the 28th day of May, 2024, at the Redwood County Government Center.

The following members of the Redwood County Planning Commission were present: Mike Kaufenberg, Mark Madsen, DeVonna Zeug, Jeff Huseby, Ed Carter, Mike Scheffler, and County Commissioner Dave Forkrud. Also present were the following individuals: Lucas Van Eps, Ryan Robinson, Eric Linsmeier, Land Use and Zoning Supervisor Jeanette Pidge, and Environmental Director Nick Brozek.

At 1:00 p.m. the May 28, 2024, Redwood County Planning Commission meeting was called to order by Chair Madsen.

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

At 1:02 p.m. Chair Madsen called to order a public hearing on Application for Extraction Interim Use Permit #3-24, submitted by Lucas Van Eps of Duinick, Inc., on behalf of landowner LeRoy Pedersen.

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

1. Duinick, Inc., is seeking to open a gravel pit in Section 5 of Delhi Township. Specifically, Duinick's operations will be located in part of the West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$).
2. The site is located in the "A" Agricultural District. Extraction is an interim use in said District.
3. The proposed project area includes 24 acres of proposed extraction. The topsoil will be stripped off and stockpiled for reclamation. The gravel material will be mined as needed for projects. Duinick is seeking a 10 year permit.
4. Pursuant to Title XV of Redwood County Ordinances, § 153.283(E), the applicant is required to provide proof of bodily injury, property damage, and public liability insurance in the amount of at least \$1,500,000.00 per occurrence. The applicant is also required to post a bond or irrevocable letter of credit as security to Redwood County in the amount of \$2,000.00 per acre, a minimum of \$10,000.00, or 125% of the estimated/bid value to reclaim the property, whichever is greater. The Redwood County Board of Commissioners may require a higher surety amount, if in the reasonable discretion of the County, the unique characteristics of the proposed project require more substantial restoration or reclamation. Further, a surety is required for a minimum of one year beyond the ending date of the permit. Duinick has provided an estimate for reclamation in the amount of \$50,000. This site requires a \$62,500.00 surety.
5. The nearest county open ditch is 1,970 feet west of the site, and the nearest county tile line is 3,860 feet west of the site, on the opposite side of County Hwy 6.

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6. The three closest residential dwellings to the site, other than the landowner, are as follows:
Cathy Zimmerli, et al, 28596 395th St., about 1100' north of the site;
William Moldestad, Sr., 38870 Justice Ave., about 1700' southeast of the site;
and Robert Pedersen, 38683 Justice Ave., about 3,500' southeast of the site.
7. A copy of the Extraction Interim Use Permit application, maps, plans, and proposed permit conditions were enclosed.

Lucas Van Eps was in attendance to present the project to the Planning Commission. He made the following statements to the Commission:

- Duinink proposes to open the gravel pit for 24 acres of gravel mining, processing, and crushing.
- Borings were done a while ago.
- They would strip 2-4 feet of topsoil and extract 10-12 feet of gravel below that.
- They would stockpile along the north and west for screening and noise control.
- They would stay back 100' from the wetland in the northeast corner.

The Planning Commissioners made the following comments:

- They are only going 10-12' below the topsoil?
- How far is the berm of the road on the north end?
- Is the site access a field approach?
- Did they look over the conditions?

Van Eps responded that:

- They may potentially go below the water table on the west end and would go through the DNR in that instance. The reclamation plan shows a potential pond on the west side.
- The north berm would be within 50 feet from the north driveway, but they could pull it back if drifting is a concern.
- 395th St. dead ends with three driveways off of that. They plan to build access off 395th St.
- The conditions are fine.

Pidde noted that:

- She spoke with the Delhi Township Chairperson, and the township maintains the road to Pedersen's driveway. Beyond that is not treated as a township road.

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

Chair Madsen asked if anyone was present to speak in opposition to the project. Ryan Robinson had the following concerns:

- The stockpile locations would cause snow drifts on his driveway and on Pedersen's driveway. They would cause problems for snow removal. The stockpiles should go on the south. He's not concerned about noise or dust, so they don't need the stockpiles on the north.
- The road ends in a four-way intersection – it's the pit road, 395th St., Pedersen's driveway, and Robinson's driveway. The access road should go in off from Pedersen's driveway at a 45 degree angle.
- The 15' setback from the east line isn't enough. There are trees there, and they don't want erosion on the east side.
- The wetland is very saturated. There shouldn't be any water added to that area.

Van Eps responded that:

- 30' is the standard setback in some counties. They're agreeable to moving the setback to 30' on the east side.
- They can move the berms. They were putting them there for the neighbor's (Robinson's) benefit.
- They may pull water but with excavating, they don't anticipate adding any water to the wetland.
- They will talk to the landowner (LeRoy Pedersen) about having the access road come off his driveway
- If they use Pederson's driveway as the access road, they would have to build it out. It sounds like a good idea to go out from the driveway at a 45 degree angle.

Chair Madsen then closed the public hearing at 1:29 p.m.

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

Zeug made a motion to approve Application for Extraction Interim Use Permit #3-24 subject to the conditions proposed by staff, as amended. The motion was seconded by Carter and passed unanimously.

At 1:35 p.m. Chair Madsen called to order the continuation of a public hearing on Application for Amendment to Redwood County Zoning Ordinance, submitted by Eric Linsmeier on behalf of O&E Properties, LLC.

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

- A copy of the updated proposed ordinance language

Eric Linsmeier was in attendance to present the application to the Planning Commission. He made the following statements to the Commission:

- He would like to add a Planned Unit Development (PUD) Ordinance.
- He received a copy of the suggested changes, and it looks acceptable.
- The changes address the street light and open space requirements that he was concerned about.

Pidde summarized the changes for the Planning Commission:

- Added in Final Development Plans language about final plat procedures – which is the same language as subdivision procedures.
- The changes noted by the Planning Commission at the previous hearing were made.
- Open space requirements were separated for residential vs. non-residential developments.
- Parking was updated to require "adequate parking" for non-residential – the plan itself will provide context for what is adequate for the proposed use.

No one was present to speak in support of or opposition to the application.

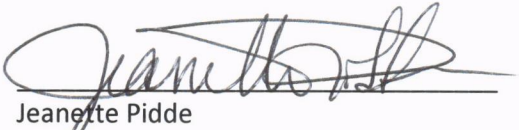
Chair Madsen then closed the public hearing at 1:42 p.m.

Kauffman made a motion to approve the application for amendment to the county zoning ordinance #1-24a and recommend the ordinance to the Board of Commissioners for consideration for adoption. Huseby seconded the motion, and it passed unanimously.

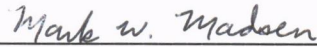
The Commissioners reviewed and discussed the minutes from the April 29, 2024, Planning Commission meeting.

Huseby made a motion to approve the April 29, 2024, Planning Commission minutes. Zeug seconded the motion, and it passed unanimously.

Following a motion by Scheffler and second by Zeug, with all in favor, the meeting was adjourned at 1:44 p.m.



Jeannette Pidde
Land Use and Zoning Supervisor
Redwood County Environmental Office



Mark Madsen, Chair
Redwood County Planning Commission