



www.co.redwood.mn.us

Application for Extraction Interim Use Permit

Permit #: 13-22

Date: 11/1/22

Location of the Extraction:

Address: 125th St.
House # Street Name

City: Lamberton

State: MN

Zip: 56152

Parcel #: 58-024-1040 Township: Lamberton Section: 24 Twp #: T-109-N Range: R-37-W

Legal Description:

NW 1/4 NE 1/4, S 1/2 NE 1/4, & NW 1/4 SE 1/4 EX TRS 144.10A

Information about the Extraction:

Zoning District: Agricultural

Soil Type 1: Estherville sandy loam, 2-6% slopes

Soil Type 2: [blacked out]

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

Gravel & Sand Mining and Stockpiling.

Number of acres to be extracted: 34.58 ACRES Total w/ approx 28 acres extracted.

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

Setbacks: (Please enter in feet)

Setback from the Center of the Road: 43'

Side Yard Setback: 300 Direction: WEST

Side Yard Setback: 1000 Direction: EAST

Rear Yard Setback: 800 Direction: NORTH

Starting Date: 11/1/2022

Date of Completion: 11/1/2032 (maximum 10 years)

Drainage Plan:

Contained onsite in holding pond.

Landscape and screening plans:

Maintain 3:1 Slopes

Water plan (estimated water use):

N/A

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

Equipment will be maintained in working order. Dust control applied to roads.

Reclamation plan: (Attach Map)

Area will be reclaimed to grassland with pond. Maintaining 3:1 slopes.

Estimated Cost of Reclamation \$2000/acre

\$69,160

Applicant Information:

First Name: Cooper Last Name: Scheffler

Business Name: LBS Construction Corp.

Address: 12226 Knox Ave City: Sanborn State: MN Zip: 56083

Home Phone: Cell Phone: 507-227-5911 Email: cooper.scheffler@gmail.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: Donald Last Name: Coulter

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: Donald A. Coulter Date: 10-17-22

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 #: 27136 Date Approved:

Application Received: 10/25/22

Commission Action: County Board Action:

Approved: Date: Approved: Date:

Disapproved: Date: Disapproved: Date:

Drainage free flows to existing pond on site

Perimeter berms already in place from previous permits



Reclamation will be at 3:1 slopes once mining is complete with natural vegetation and a pond.



Floodplain @ 1062'
 per Nick Brozek



Contour Elevations
from Beacon 2020



Permit Boundary
Roughly 34.58 acres

Will hold this
property line

58-024-1040
COUNTERDAVID A. & SHARON K. (Tax)
2703 123 ST LAH
129.10 Acres
View Google | Refresh | Download | Print | Share

LAMBERTON

20

WYDENSE



REDWOOD COUNTY ENVIRONMENTAL OFFICE

PO BOX 130
REDWOOD FALLS
MINNESOTA 56283
PH: 507-637-4023

*Planning & Zoning • Parks & Trails • GIS
Aquatic Invasive Species • Septic Inspector
Drainage Inspector • Agricultural Inspector*

**REDWOOD COUNTY PLANNING COMMISSION
L & S Construction – Coulter Pit – Extraction
Interim Use Permit Application #13-22
November 29, 2022**

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?

- 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?

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?

4) What infrastructure is needed to support the proposed use and how will it be provided?

5) How do the goals, purpose and policies of the Zoning Ordinance and Comprehensive Plan apply to the proposed project?

NAME: _____

DATE: _____

Conditions Permit No. 13-22 (L & S Construction/Darold Coulter)

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.
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 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 interim 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 interim 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 6 am to 8 pm.
8. The permit holder shall not exceed the boundary limits or excavation depths described and set forth in the *Application for Extraction Interim 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 Interim Use Permit* will be December 1, 2032.
9. If any other equipment (i.e. hotmix plant, bag house, etc.) other than excavation and aggregate processing equipment used at the site shall require a new interim use permit. The excavation site shall not be used for a demolition site unless the permit holder obtains the proper permits from the State of 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 Interim Use Permit*, reserved topsoil 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 Interim Use Permit* reaches its completion date.
12. Before the permit expires, all slopes will be flattened and/or graded to a maximum slope of 3:1 (run to rise), and reserved topsoil replaced and planted with approved grass seed mix, or returned to agricultural use.
13. The permit holder shall post a bond or irrevocable letter of credit, or other security in the amount of \$69,000.00. Further, the bond or irrevocable letter of credit, or other security, shall remain in full force and effect for a minimum of one year beyond the ending date of *Extraction Interim Use Permit*.
14. 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.
15. All storage and stockpiling shall be located outside of the floodplain.
16. In the event that the contractor, the landowner, and the neighboring landowners, cannot agree on the location of the property boundaries, then the disputed boundary must be located and marked by a licensed surveyor, at the landowner's expense.
17. The Redwood County Planning Commission shall review the interim use permit and shall be authorized to take any and all necessary action(s), including but not limited to revoking the interim use permit and/or requiring the permit holder to reapply for a interim 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 interim 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 interim 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.

TO: Whom It May Concern

FROM: Nick Brozek *NB*
Land Use and Zoning Supervisor
Redwood County Environmental Office



DATE: November 15, 2022

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 Cooper Scheffler, of L & S Construction, on behalf of landowner Darold Coulter, pursuant to Redwood County Code of Ordinances, Title XV, Sections 153.420 and 153.283. L & S Construction is proposing to extract gravel material from/on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

The Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) & the South Half of the Northeast Quarter (S1/2 NE1/4) & the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4), except tracts, of Section 24, Township 109 North, Range 37 West, Lamberton 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 29th day of November, 2022, 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: Cooper Scheffler (w/encl.)
Darold Coulter (w/encl)

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: November 9, 2022

Nicholas W. Brozek
Land Use and Zoning Supervisor
Redwood County Environmental Office

AFFIDAVIT OF SERVICE VIA U.S. MAIL

STATE OF MINNESOTA)
) ss
COUNTY OF REDWOOD)

RE: *Application for Extraction Interim Use Permit* submitted by Cooper Scheffler, of L&S Construction, on behalf of landowner Darold Coulter; Permit Application No. 13-22

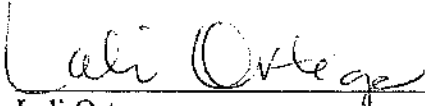
I, Lali Ortega, a person not less than eighteen (18) years of age, being first duly sworn upon oath, hereby state a copy of the following:

- 1. *Notice of Public Hearing on Application for Extraction Interim Use Permit; and*
- 2. *Notice of Public Hearing*

was duly served upon:

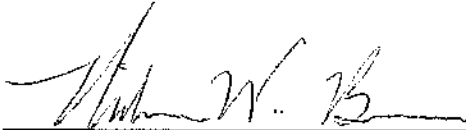
-SEE ATTACHED-

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 15th day of November, 2022.



Lali Ortega
Administrative Assistant
Environmental Office

Subscribed and sworn to before me, a Notary Public, on this 15th day of November, 2022, by Lali Ortega.



Notary Public

Parcel ID	OWNER	C/O	Address	Address2	CITY	STATE	ZIP
510192020	BATZLAFF/NORMAN M & LOIS		2841B US HWY 14		LAMBERTON	MN	56152
580134060	BENEDICT/MARK & JAN L		28741 US HWY 14		LAMBERTON	MN	56152-9710
589960020	Dakota Minnesota & Eastern Railroad Corporation	7TH FLOOR TAX DEPT	120 S 6TH ST		MINNEAPOLIS	MN	55402
510193060	DNR DIVISION OF LANDS & MINERALS		500 LAFAYETTE RD		ST PAUL	MN	55155
580132060	FARRAR FARM FAMILY TRUST	% MELODIE KARGE	PO BOX 1029		BRITTON	SD	57430
580242030	FOX/AUDREY/ETAL		405 HOMESTEAD RD		MANKATO	MN	56007-5785
580134020	FOX/MATTHEW		13072 JADE AVE		LAMBERTON	MN	56152
510183040	KOCH/WANALEE& MONICA MENTER		28105 US HWY 14		LAMBERTON	MN	56152
580243100	LAMBERTON CEMETERY ASSOC		106 W 9TH AVE		LAMBERTON	MN	56152
580241060	LAMBERTON/CITY OF	TRANSPORTATION BUILDING	PO BOX 386		LAMBERTON	MN	56152-0356
510192040	MINNESOTA/STATE OF	% L & S CONSTRUCTION	395 JOHN IRELAND BLVD		ST PAUL	MN	55155
580243020	SCHIFFLER/HERB	ETAL	12226 KNOX AVE		SANBORN	MN	56083
580244020	VEENSTRA/DIANA L		13076 CO RD 3		SPRINGFIELD	MN	56087
580241020	WENISCH/JAMES G & TERESA C/		13576 IMPALA AVE		LAMBERTON	MN	56152
580243080	WILLHITE/JASON M		12988 GRANDVIEW AVE		LAMBERTON	MN	56152-1348
580241040	LAMBERTON TOWNSHIP BOARD OF SUPERVISORS	% WENDY MATTISON, CLERK	22977 110TH ST		REVERE	MN	56186
510193040	DAROLD & SHARON COULTER	% KYLE JARCHO, AREA HYDROLOGIST	1400 E LYON ST		MARSHALL	MN	56258
510193040	VERNON PFARR		28227 160TH ST		LAMBERTON	MN	56152
580251040	RICHARD & SHARIE RABBE		28609CO HWY 15		LAMBERTON	MN	56152
580251020	ELMER JECKELL		27388 CO HWY 15		LAMBERTON	MN	56152
580251030	JONATHAN & KATHLEEN JECKELL		700 S ELM ST		LAMBERTON	MN	56152
580252020	WARREN ARNDT		1217 28TH AVE		SILVIS	IL	31282-2848
580242040	JAMES & SUSAN IMKER		906 S CHERRY ST		LAMBERTON	MN	56152
			25224 120 ST		LAMBERTON	MN	56152

PROOF OF PUBLICATION

AFFIDAVIT OF PUBLICATION: #600280

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:

11/17/2022

Sworn to and subscribed before on 11/17/2022.



Authorized Agent



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

Publication Cost: \$103.03

Order No: 600280

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NOTICE OF PUBLIC HEARING

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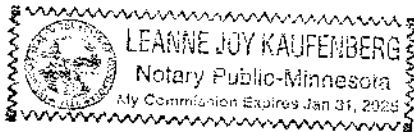
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If you have any comments or questions regarding this matter, please contact the Redwood County Environmental Office by telephone at (507) 637-4023, via email at Environmental@co.redwood.mn.us, or in writing at Redwood County Environmental Office, P.O. Box 130, Redwood Falls, MN 56283.

DATED: November 9, 2022

Nicholas W. Brazek
Land Use and Zoning Supervisor
Redwood County
Environmental Office
November 17, 2022

600280



Affidavit of Publication

State of Minnesota)
) SS.
County of Renville)

RECEIVED
NOV 21 2022
REDWOOD COUNTY
ENVIRONMENTAL OFFICE

NOTICE OF PUBLIC HEARING

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DATED: November 9, 2022
Nicholas W. Brozek
Land Use and Zoning Supervisor
Redwood County Environmental Office
Published in the Standard-Gazette & Messenger
November 16, 2022.

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., November 16, 2022

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 AFFIANT SATH NOT.

Denise Bonsack

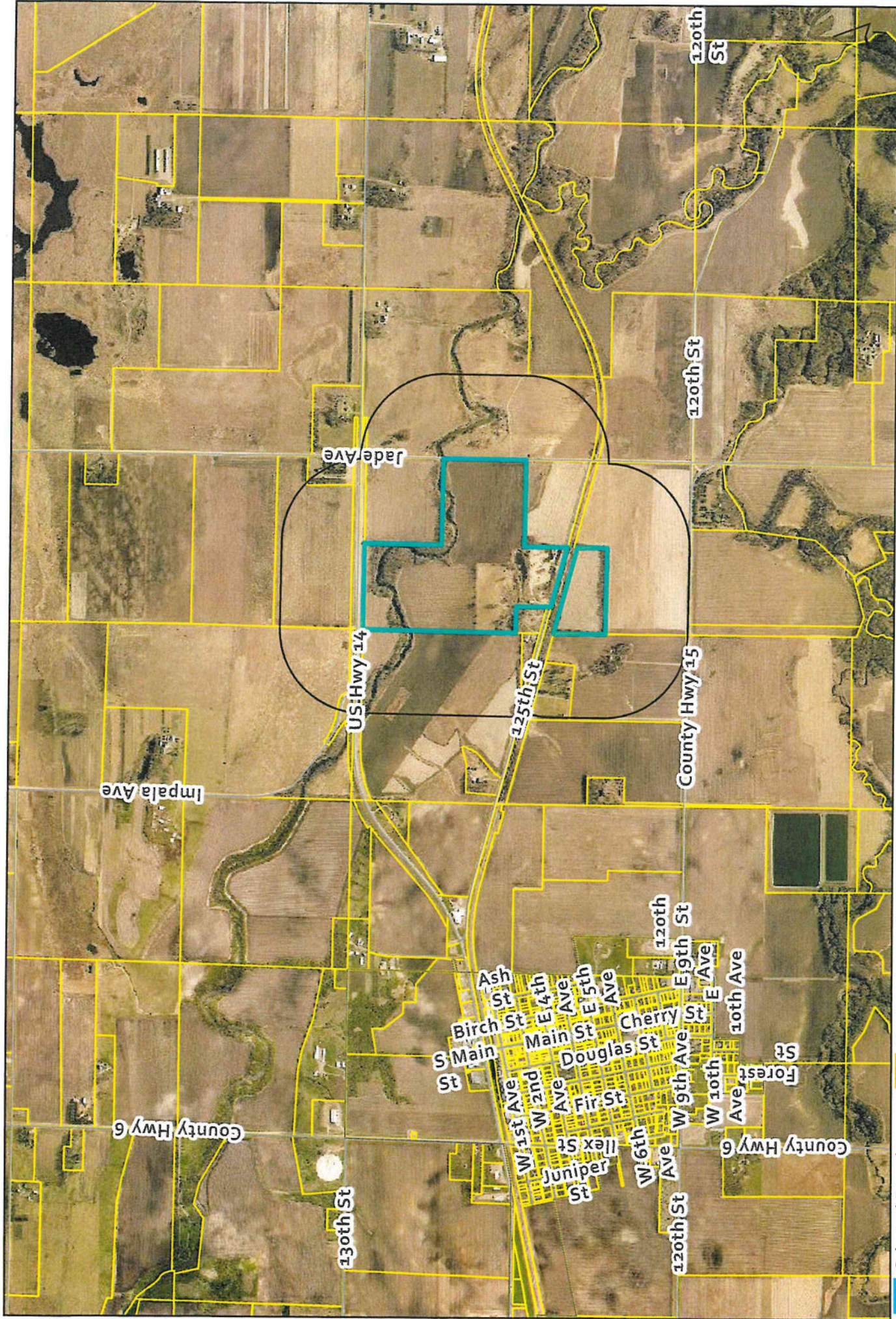
[Signature]

Subscribed and sworn to before me on this 16 day of November 2022

Christi Jandl

Notary Public





Parcel ID: 58-024-1040

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

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



