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McLeod County Planning Commission

To: McLeod County Planning Commission

Prepared By: **Marc Telecky**

Application: **CUP 22-09**

Date: July 13, 2022 – **Meeting Date: July 27, 2022**

GENERAL INFORMATION

Brief Description: Keenan Farms are requesting a conditional use permit to increase the number of animal units from 999 to 1200 (beef) at their facility in Section 22 Glencoe Township. The increase is based on a capacity formula the State of Minnesota uses to calculate animal units. The applicant has no intension to build new buildings to house livestock but are requesting to construct a silage slurry (lagoon) which could be used for manure storage if it is too wet to spread during spring/fall application. The state views this increase in storage as potential to increase animal units thus the request.

Owner/Applicant: **Keenan Farms**
9062 95th St.
Glencoe, MN 55336
P.I.D# 04.022.0400

Requested Action: Consider approval for a conditional use permit to increase animal units from 999 to 1200 (beef) for a permitted feedlot.

Lot Size: 168.21 AC

Existing Zoning: Agriculture

Location: **168.21 AC NE 1/4 EX 1 AC & NE 1/4 SE ¼ EX 8.33 AC & EX 11.53 AC & EX 10.93 NE ¼ (TH #212 - 15.05 AC)**

Existing Land Use: rural residential building site, permitted feedlot

Adjacent Land Use And Zoning: **Commercial business (Arnold's Implement), Hwy 212, tillable acres**

Zoning History: NA

Applicable Ordinance McLeod County Zoning Ordinance Section 7, 17, & 19
McLeod County Feedlot Management Ordinance

SPECIAL INFORMATION

Public Utilities: McLeod Coop Power

Public Services: Individual SSTS & Well

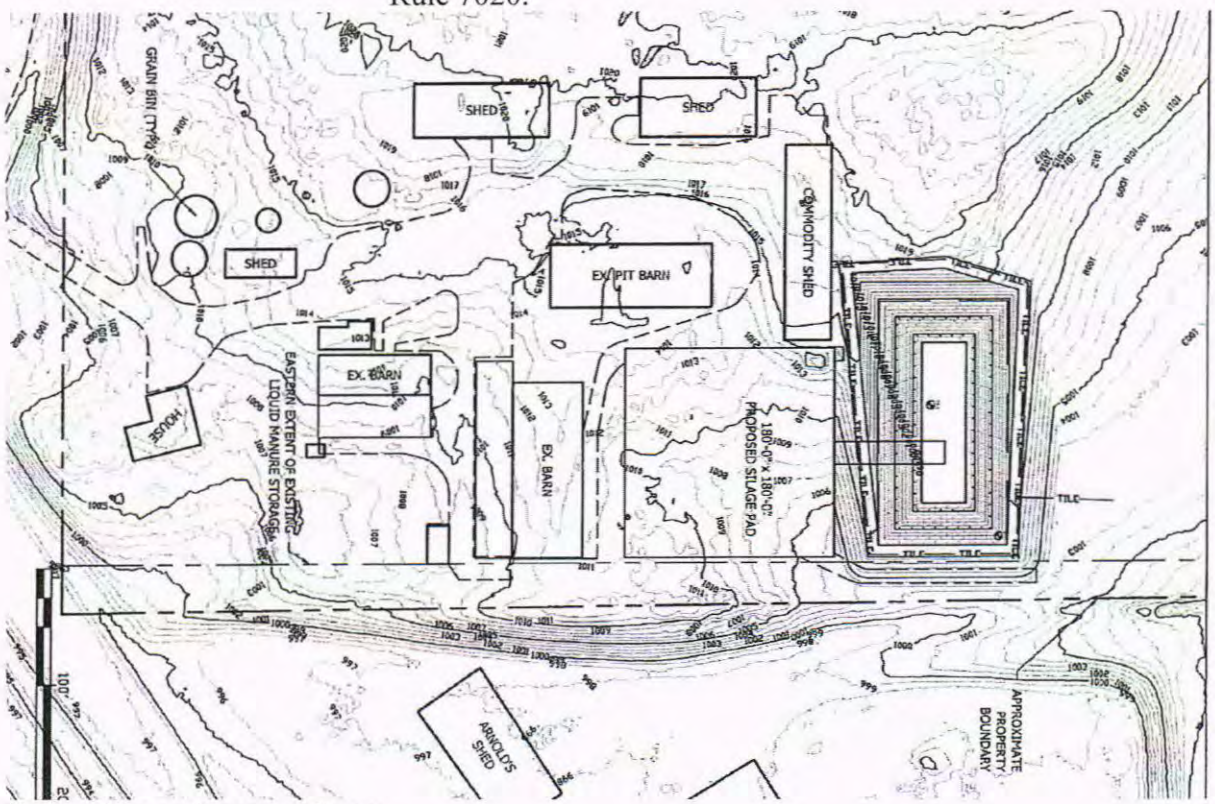
Transportation: 95th St.

Physical Characteristics: **Rural Residential Building Site. Permitted Feedlot.**

Analysis: The applicant would like to construct a silage slurry and use it for increased manure storage during wet spring/fall periods from year to year which requires an increase in animal units per the State of Minnesota due to the capacity formula.

Recommendations: If approved, staff recommends the following conditions for consideration:

1) Any expansion of the feedlot shall comply with MN Rule 7020.



Cc: Keenan Farms– applicant

COPY for PAC BOARD

Sandy Posusta

From:	Marc Telecky
Sent:	Friday, July 15, 2022 11:04 AM
To:	Paul Wright; kplind@dishmail.net; whill.phillips@gmail.com; crvc@hutchtel.net; Ryan Freitag; pdchief@cityofbrownton.com
Cc:	Sandy Posusta
Subject:	CUP for Keenan Farms Feedlot Expansion
Attachments:	22-09_Keenan Farms.doc; Keenan silage pit design.pdf

Good Morning,

Mike Keenan (Keenan Farms) will be constructing a silage slurry (lagoon) on their site just east of Arnold's Implement on Hwy 212 west of Glencoe, MN. The applicant's would like to use the new pit as overflow capacity for manure storage if we have a wet season (spring/fall) which would potentially affect manure application. The Minnesota Pollution Control Agency factors manure storage into the animal unit calculation on the capacity side. So, per the McLeod County Zoning Ordinance and Feedlot Ordinance, the Keenan's are required to increase their animal units from 999 to 1200 in order to get a permit to construct this new pit. Nothing in there day to day is changing and they are not planning to add animals with this change. This is simply a paper increase in animal units. I have attached the staff report I wrote for the Planning Commission meeting and the design Keenan's submitted.

I have not and do not plan to schedule a Feedlot Committee meeting to address this issue, but need you all aware of this because the Planning Commission will be acting on this request Wednesday July 27, 2022 and the County Board will hear this in August 16, 2022.

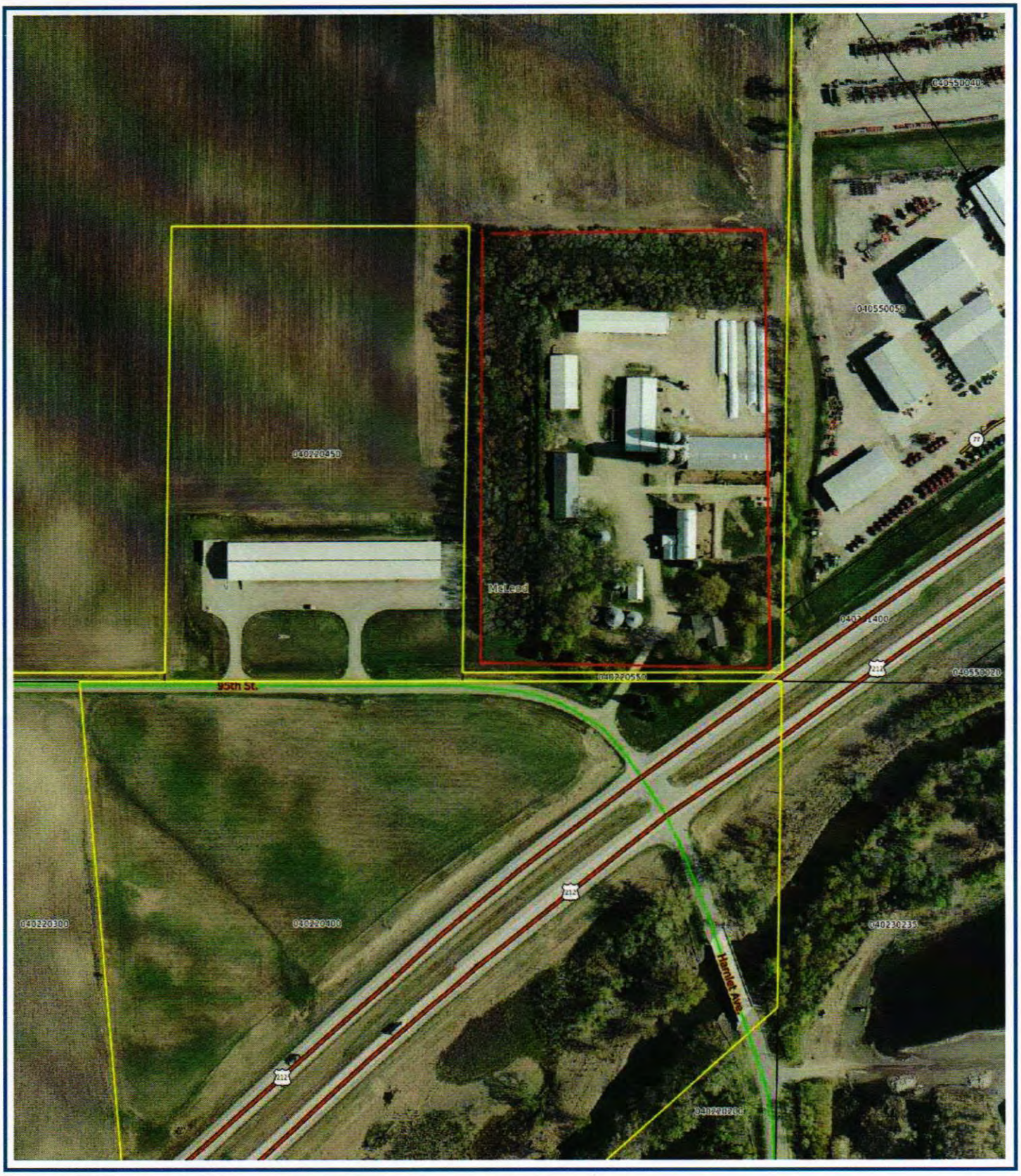
If any of you have questions or comments please give me a call. Also, Jacob McLain has taken a new position in Carver County so I will be taking on all feedlot responsibilities until we fill that position. Ryan is always willing to help so you can call him as well! Thanks Ryan!

Thank You.

Marc Telecky
Marc.Telecky@co.mcleod.mn.us

McLeod County Environmental Services Director
1065 5th Ave. SE
Hutchinson, MN 55350
PH: 320.484.4342
www.co.mcleod.mn.us

Keenan Farms LLC



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KEENAN FARMS
LIQUID MANURE & SILAGE LEACHATE LMSA

GLENCOE TOWNSHIP

MCLEOD COUNTY, MN

AERIAL MAP

DRAWING INDEX

1. C-1 COVER SHEET
2. EX-1 EXISTING SITE
3. P-1 PROPOSED SITE PLAN
4. P-2 PROPOSED SITE PLAN
5. P-3 PROPOSED SITE PLAN CUT/FILL
6. D-1 WASTEWATER BASIN CROSS SECTIONS
7. D-2 AGITATION RAMP DETAILS
8. D-3 TILE TRENCH DETAILS
9. D-4 WOVEN WIRE SAFETY FENCE DETAILS
10. G-1 GEOTECHNICAL NOTES TP1-TP2
11. G-2 GEOTECHNICAL NOTES TP3

***DRAWINGS TO BE USED IN ACCORDANCE WITH THE ASSOCIATED CONSTRUCTION SPECIFICATIONS**

PROJECT INFORMATION

PROJECT LOCATION:
FROM INTERSECTION OF COUNTY ROAD 2 AND US HWY 212 IN GLENCOE MN, WEST ON US HWY 212 FOR 1.5 MILES, CONTINUE WEST ON 95th ST. 100 FT, SITE ON NORTH SIDE OF ROAD.

ENGINEER:
CENTROL CROP CONSULTING
ATTN: BRENT LOUWAGIE P.E.
351 BURLINGTON STREET
MARSHALL, MN 56164
507-829-1693

BRENT LOUWAGIE LICENSED PROFESSIONAL ENGINEER No. 59730 STATE OF MINNESOTA

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

BRENT LOUWAGIE DATE: 4-29-22

THIS CERTIFICATION COVERS SHEETS #1-#11

LICENSE NUMBER: 59730
LICENSE RENEWAL DATE IS JUNE 30, 2022

Know what's below. Call before you dig.

Designed by: BL 4-29-2022
Drawn by: JL
Revisions:

CENTROL® CROP CONSULTING
351 Burlington Circle Marshall, MN 56258 • (507) 337-3021

KEENAN FARMS
COVER SHEET
PART OF THE SE 1/4 OF THE NE 1/4 OF SEC 22. T 115N. R 28W OF THE 5th P.M.
MCLEOD COUNTY, STATE OF MINNESOTA

Sheet: C-1
1 of 11

File Name: KEENAN_P-1.DWG

X-MN MCLEOD COORD KEENAN P-1

File Name: KEENAN_P-1	Sheet: 2 of 11 EX-1	KEENAN FARMS EXISTING SITE LAYOUT PART OF THE SE 1/4 OF THE NE 1/4 OF SEC 22, T 115N, R 28W OF THE 5th P.M. MCLEOD COUNTY, STATE OF MINNESOTA	CENTROL® CROP CONSULTING PO BOX 236, 351 Burlington Circle Marshall, MN 56258 * (507) 337-3021	Revisions:	Drawn by: BH Date: 4-29-2022 Designed by:

KEENAN FARMS
PROPOSED SITE LAYOUT
PART OF THE SE 1/4 OF THE NE 1/4 OF SEC 22,
T 115N, R 28W OF THE 5th P.M.
MCLEOD COUNTY, STATE OF MINNESOTA

Sheet: **P-1** 1 of 1
File Name: KEENAN_P-1

CENTROL® CROP CONSULTING
PO BOX 236, 351 Burlington Circle Marshall, MN 56258 * (507) 337-3021

Designed by: BL 3-10-2022
Drawn by: BL
Revisions:

WASTE PRODUCTION SUMMARY

ANIMAL TYPE:	CATTLE
TOTAL MANURE:	0.86 FT^3/DAY/AU
NUMBER OF ANIMALS:	200
NUMBER OF DAYS:	*182 DAYS
MANURE VOLUME PER DAY:	172 FT^3/DAY
SILAGE LEACHATE:	SWEET CORN
TOTAL LEACHATE:	3.85FT^3/TON
NUMBER OF TONS:	5,000
NUMBER OF DAYS:	365 DAYS
LEACHATE VOLUME PER DAY:	52.7 FT^3/DAY

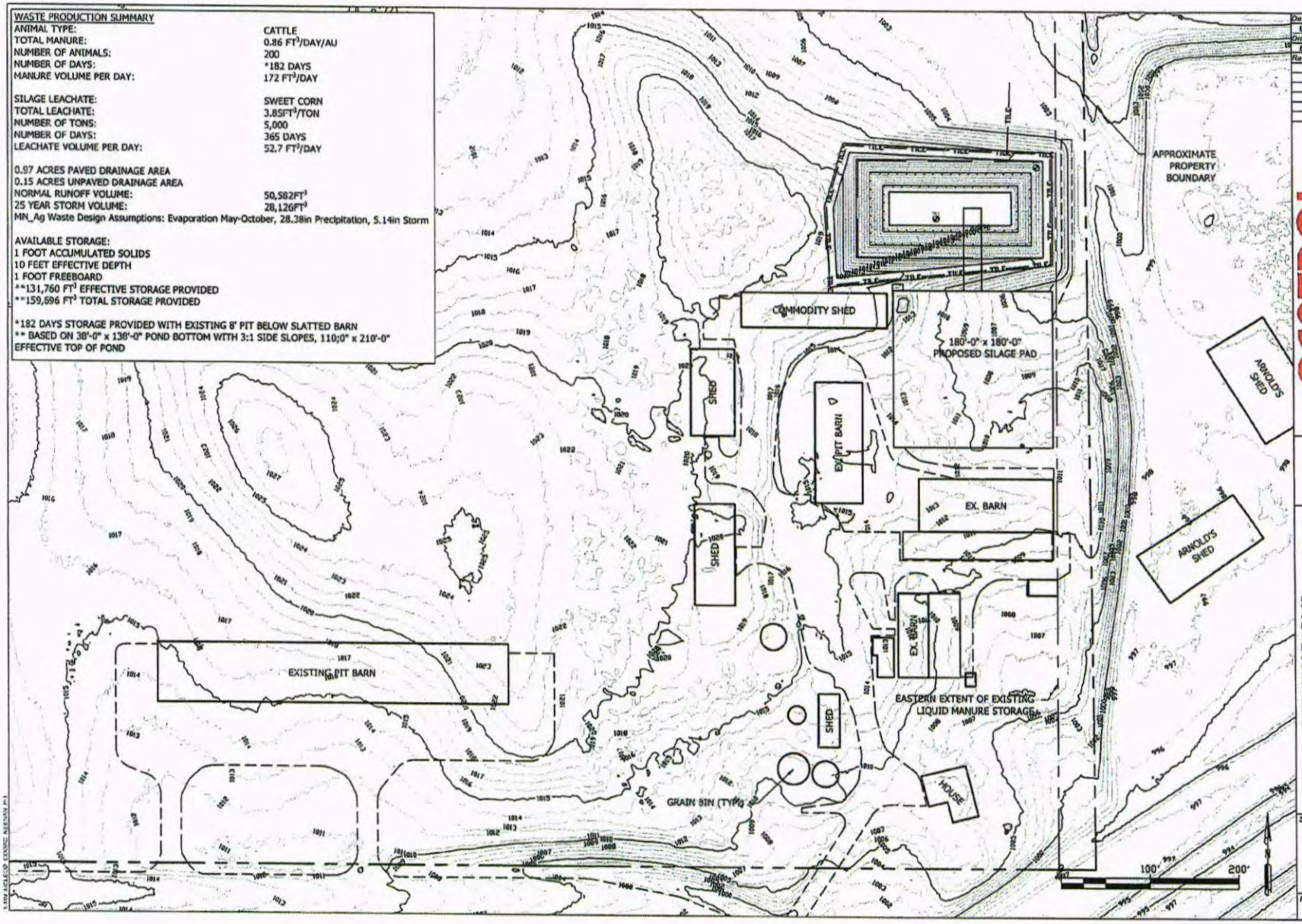
0.97 ACRES PAVED DRAINAGE AREA
0.15 ACRES UNPAVED DRAINAGE AREA

NORMAL RUNOFF VOLUME:	50,582FT^3
25 YEAR STORM VOLUME:	28,126FT^3

MN_Ag Waste Design Assumptions: Evaporation May-October, 28.38in Precipitation, 5.14in Storm

AVAILABLE STORAGE:
1 FOOT ACCUMULATED SOLIDS
10 FEET EFFECTIVE DEPTH
1 FOOT FREEBOARD
**131,760 FT^3 EFFECTIVE STORAGE PROVIDED
**159,696 FT^3 TOTAL STORAGE PROVIDED

*182 DAYS STORAGE PROVIDED WITH EXISTING 8' PIT BELOW SLATTED BARN
** BASED ON 38'-0" x 138'-0" POND BOTTOM WITH 3:1 SIDE SLOPES, 110;0" x 210'-0" EFFECTIVE TOP OF POND



Designed by: BL 4-29-2022
Drawn by: BL
Revisions:

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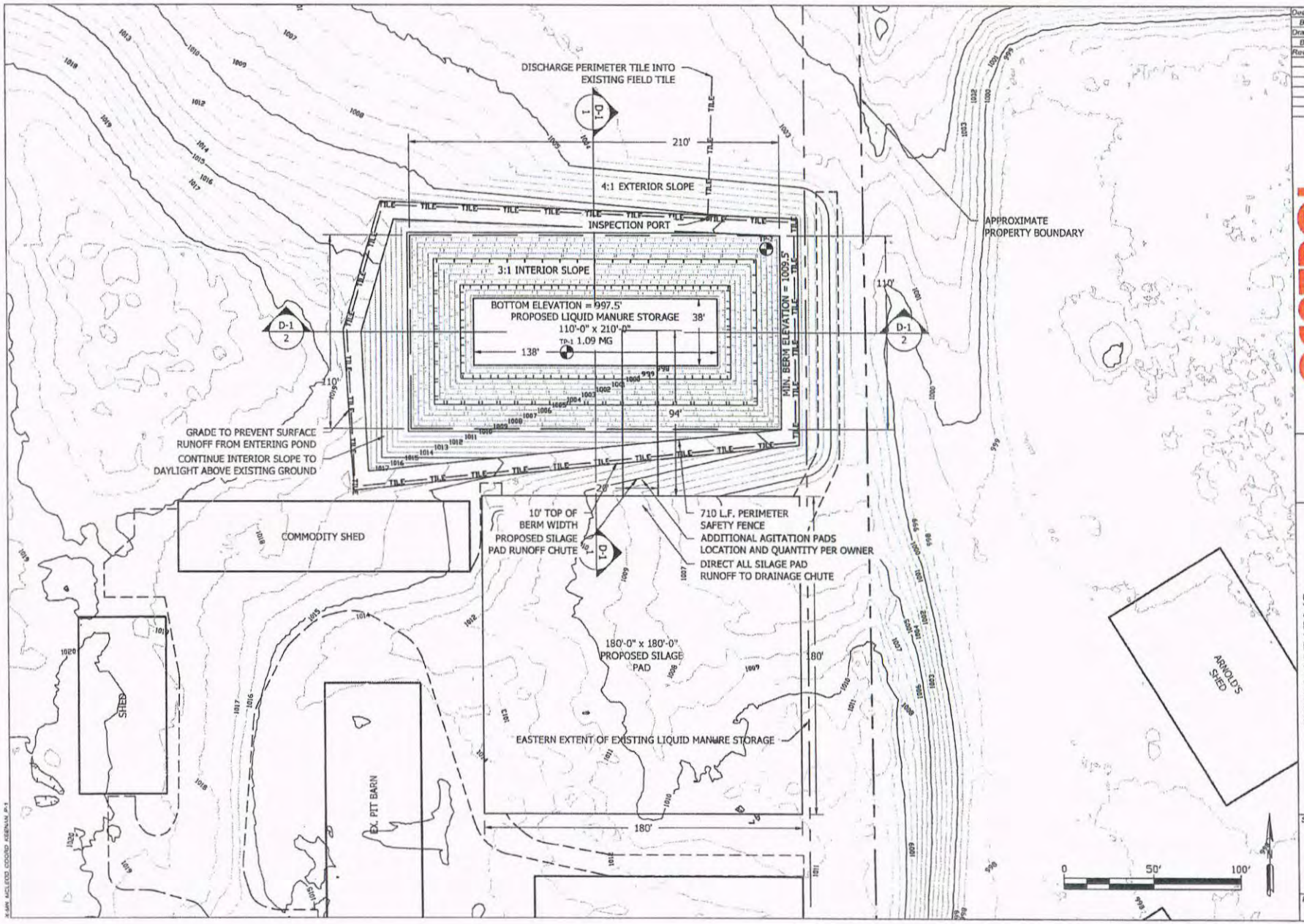
MCLEOD COUNTY, STATE OF MINNESOTA

Sheet:
P-1
3 of 11
File Name:
KEENAN_P-1



Designed by: BL 4-20-2022
Drawn by: BL
Revisions:

CENTROL CROP CONSULTING
PO BOX 236, 351 Burlington Circle Marshall, MN 56258 * (507) 337-3021

KEENAN FARMS
PROPOSED SITE LAYOUT
PART OF THE SE 1/4 OF THE NE 1/4 OF SEC 22,
T 115N, R 28W OF THE 5th P.M.
MCLEOD COUNTY, STATE OF MINNESOTA

Sheet: P-2
4 of 11
File Name: KEENAN_P-1

X:\MN MCLEOD COUNTY\KEENAN_P-1

McLeod County Planning Commission

To: McLeod County Planning Commission

Prepared By: **Marc Telecky**

Application: **CUP** 22-10

Date: July 14, 2022 – **Meeting Date: July 27, 2022**

GENERAL INFORMATION

Brief Description: Luedtke Contracting is requesting a conditional use permit for gravel mining, crushing and stockpiling of material on the parcel referenced below. This would be a renewal of an existing pit permitted in 2017.

Applicant: **Luedtke Contracting/Dave Luedtke**
22418 200th St.
Hutchinson, MN 55350
Phone: (320) 587-7664

Owner: **Bonnie Lou Krueger**
815 Cleveland Ave. SW
Hutchinson, MN 55350
P.I.D#01.022.0250

Requested Action: A new Conditional Use Permit for gravel mining for purposes of excavation, crushing, and stock piling for a five-year time period. This is a renewal of an existing pit.

Lot Size: ~5 acres

Existing Zoning: "A" Agriculture

Location: **That part of the W ½ SW ¼ Section 22 Acoma Twp.**

Existing Land Use: Existing gravel pit, tillable

Adjacent Land Use And Zoning: "A" Agricultural

Zoning History: Mining CUP August 2017

Applicable Ordinance McLeod County Zoning Ordinance Section 7, Subd 3, Subp. 4

SPECIAL INFORMATION

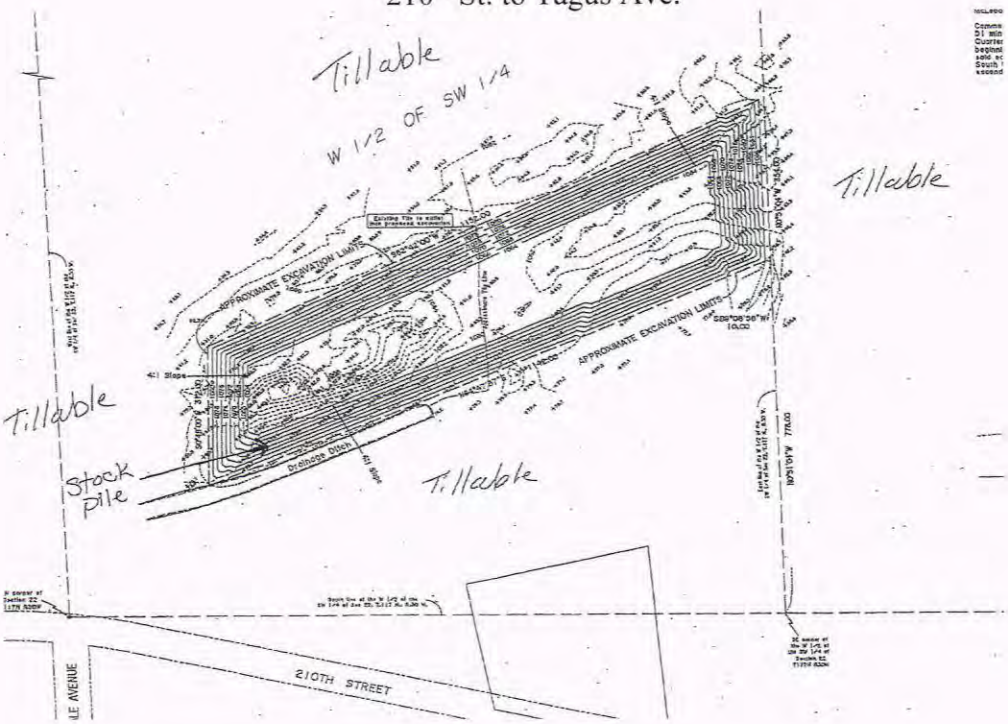
Public Utilities: NA

Public Services: NA

Transportation: 210th St.

Physical Characteristics: **existing 7+ acre gravel pit partially reclaimed with ~5 acres of material remaining to mine.**

Analysis: Luedtke Contracting is requesting a conditional use permit for the renewal of an existing gravel pit located in Section 22 of Acoma Township. This pit was originally permitted in 2017. The applicant has stated that this is the remainder of the material in this location. The application does not include area in the floodplain. The applicant will finish removing material before reclaiming to a 4:1 side slope. No wetland impacts are seen per the National Wetlands Inventory map with this application. Water will be used for dust control as needed. The primary haul route will be out of the pit area south on Vale Ave. to Highway 7. The secondary haul route will be out of the pit area then west on 210th St. to Tagus Ave.

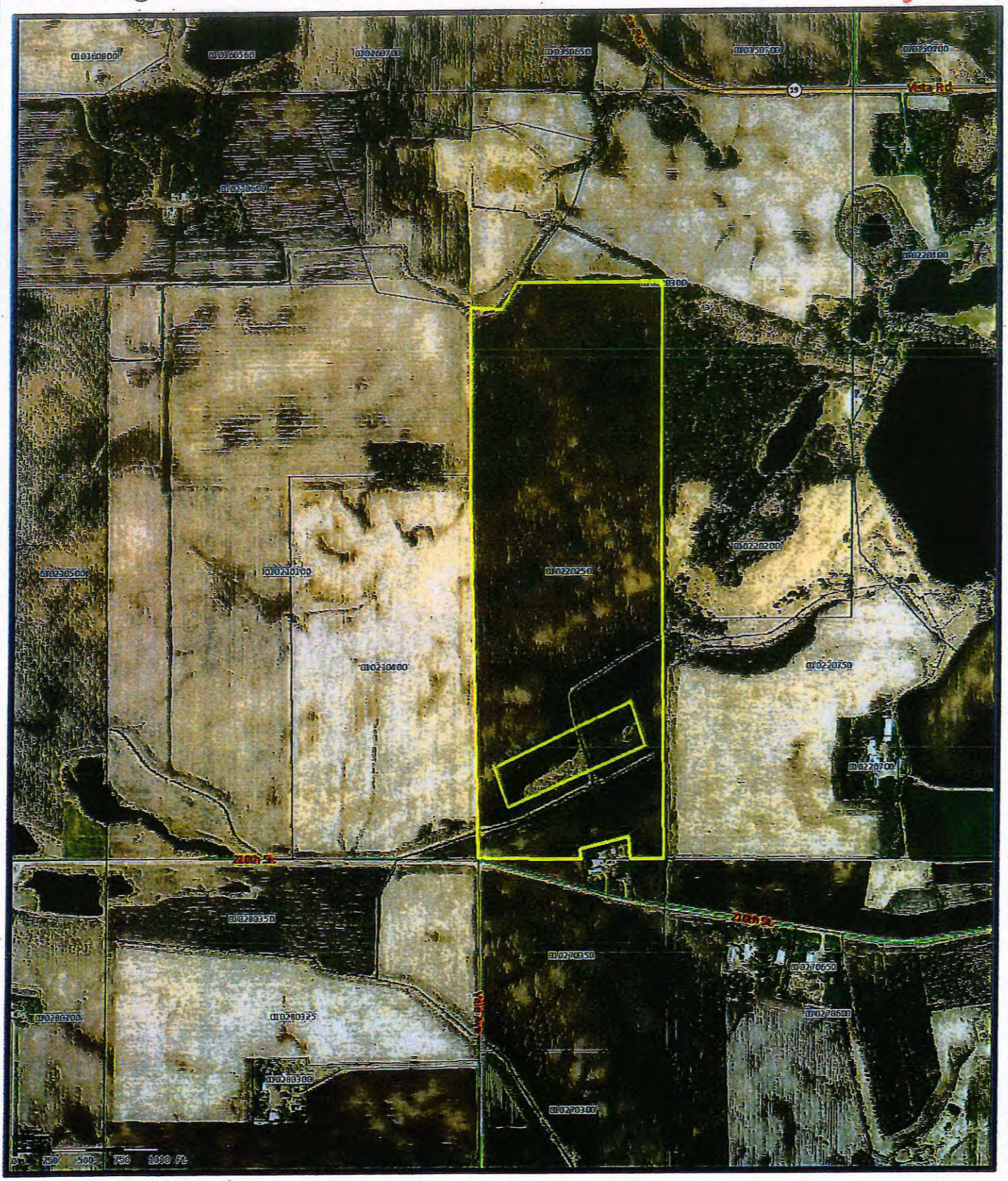


Recommendations: If approved the board may wish to consider the following conditions:

1) The applicant shall submit a bond or letter of credit to McLeod County Environmental Services by September 15, 2022 in the amount of $5,000.
2) Hours of operation are Monday – Friday 600am – 8pm. Saturdays shall be permitted as needed with a 24-hour notice to McLeod County Environmental Services. Saturday hours shall be 7am -1pm.
3) Applicant shall meet all state NPDES requirements and apply for a DNR de-watering permit if needed.
4) Applicant shall restore pit area to a 4:1 back slope for wildlife purposes.
5) Stockpiles shall not exceed 30' in height.
6) McLeod County Environmental Services shall inspect all restoration work completed and approve with letter acknowledging completion to release bond or letter of credit back to applicant.
7) Applicant shall follow all mining standards contained in Section 16 of the McLeod County Zoning Ordinance if not further restricted by this permit.
8) The pit haul route shall be dust controlled when in use.

Cc: Dave & Stacy Luedtke– applicant

Mining CUP 22-10 Luedtke Contracting, LLC / Bonnie Krueger



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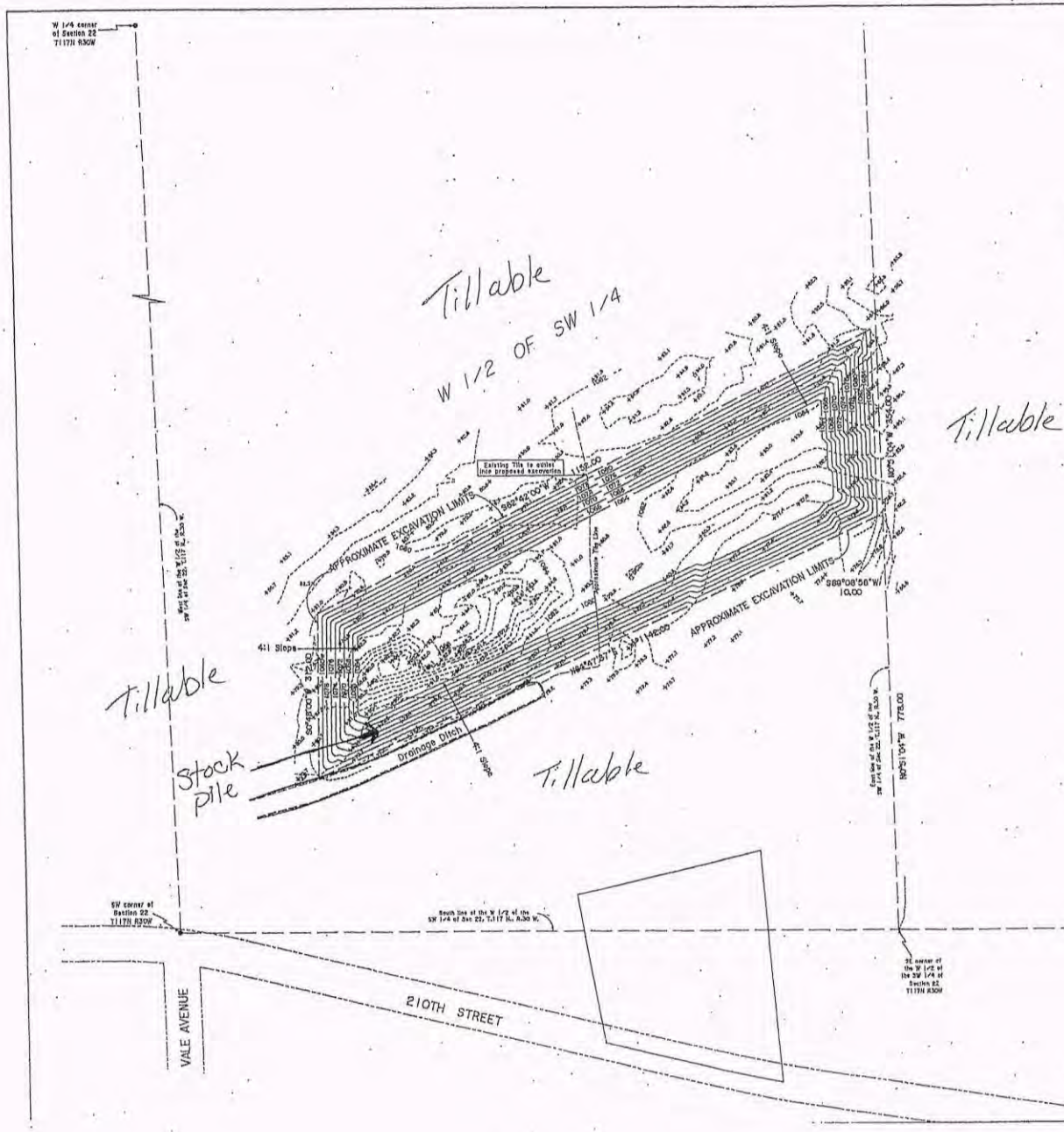
CERTIFICATE OF SURVEY FOR LUEDTKE CONTRACTING

Bonnie Krueger Property in part of the West Half of the Southwest Quarter of Section 22, Township 117 North, Range 30 West, McLeod County, Minnesota.



DESCRIPTION OF PROPOSED EXCAVATION

That part of the West Half of the Southwest Quarter of Section 22, Township 117 North, Range 30 West, McLeod County, Minnesota, described as follows:

Commencing at the southeast corner of said West Half of the Southwest Quarter; thence North 0 degrees 51 minutes 04 seconds West, assumed bearing, along the east line of said West Half of the Southwest Quarter 778.00 feet; thence South 89 degrees 08 minutes 56 seconds West 10.00 feet to the point of beginning of the land to be described; thence North 0 degrees 51 minutes 04 seconds West, parallel with said east line 354.00 feet; thence South 62 degrees 42 minutes 00 seconds West 1152.00 feet; thence South 0 degrees 48 minutes 00 seconds West 312.00 feet; thence North 64 degrees 47 minutes 37 seconds East 1142.05 feet to the point of beginning.

AREA OF PROPOSED EXCAVATION = 7.87 Acres

The proposed excavation limits and depths shown on this survey are based on information provided by the client.

Existing tile line location shown is approximate.

0 50 100 200
scale in feet

Denotes iron monument found

1084 — Denotes existing contour line (2 foot contour interval)

Denotes existing spot elevation (add 1000 to spot elevations shown)

1076 — Denotes proposed contour line (2 foot contour interval)

The orientation of the bearings shown on this survey are based on the McLeod County Coordinate System NAD83, 1996 adjustment.

I hereby certify that this Survey, Plan or Report was prepared by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota.

Jeffrey R. Rausch

Jeffrey R. Rausch

Date: May 30, 2012 Lic. No. 24329

PELLINEN LAND SURVEYING, IN
P O Box 35
Hutchinson, Minnesota 55350
Phone (320) 587-4789
Fax (320) 587-3752

JOB NO 12085 BK P-393 Pg 62

McLeod County and Local Road Authority Temporary Haul Road Designation Route

~ Please attach a highway map showing the intended haul routes ~

It is hereby ordered, in accordance with the McLeod County Zoning Ordinance for Mining within Section 15, Subdivision 6, that the following route be designated as a haul road for the transportation of mined or excavated materials for Project CUP#_____ within Section 22 of Acoma Township, McLeod County, Minnesota.

PRIMARY HAUL ROUTE FROM THE MINED AREA:

Township Road Vale Ave to Co. Rd. # _____ to St. Hwy. # 7

SECONDARY HAUL ROUTE:

Township Road 210th St to Co. Rd. # 14 Tagus Ave to St. Hwy. # _____

THE DESIGNATED HAUL ROUTE SHALL HAVE THE FOLLOWING DUST CONTROL MEASURES AND ROAD MAINTENANCE CONDITIONS:

Dust Control Methods:

dust coating

Road Maintenance Agreement:

Bond will stay in place until all stock piles are gone and reclaiming has begun.

Bond or Escrow Financial Amount: $ $5,000.00

McLeod County Mining and Reclamation Proposal Form

This form was approved by the McLeod County Board and Planning Commission.
Please submit this completed form along with your completed Conditional Use Permit application materials.

Part One: General Information

1. Name of Primary Applicant (Landowner) Bonnie L. Krueger
   Street Address 815 Cleveland Ave SW
   City, State, Zip Code Hutchinson, Minnesota 55350
   Phone Number (please include the area code) 320 587-5121
2. Name of Secondary Applicant (Operator) Luedtke Contracting LLC
   Street Address 22418 200th St
   City, State, Zip Code Hutchinson MN 55350
   Phone Number (please include the area code) 320-587-7664
3. Provide a survey and the legal description of the mining site including section, township and range.
4. Specify total area (in acres) to be affected by this project. Include areas for future expansion, stockpiling, processing, haul roads, settling basins, buildings and parking facilities. acres
5. Provide a general location map including roads and other pertinent landmarks.
6. Is environmental review required for this project? **YES** (attach copy of EAW or EIS) **NO**
7. List other applicable local, state and federal permits necessary for this project. Please indicate the current status and provide a copy.

Permit	Status
NPDES	
DNR	
Wetlands	
Other	

Part Two: Pre-mining Conditions

8. Describe current land uses within and adjacent to the project area. Farmland
9. Is proposed project area within 1,000 feet of a shoreline of a lake or within 300 feet from either bank of a watercourse or the landward extent of a floodplain designated by local ordinance?

   YES (Please refer to shoreland regulations) **NO**

10. Provide a map of the pre-mining conditions as they currently exist both inside the project area and within thirteen hundred twenty (1320) feet of the property at a scale of not less than one (1) inch equals two hundred (200) feet that includes the following information:

    a) An estimate of the shape and extent of the gravel deposit.

    b) Location of boundary stakes delineating the project area referenced to a bench mark.

    c) Ownership within and adjacent to the project area.

    d) Location of all existing structures within and adjacent to the project area and the purpose for which each structure is used (i.e., buildings, pipelines, cables, roads, powerlines, etc).

    e) Contours within the project area at intervals no larger than two (2) feet.

    f) Existing vegetation within and adjacent to the project area.

    g) The location of all streams, lakes, wetlands, ditches, waterways and drainage patterns located within or adjacent to the project area.

    h) Location of previous excavations in the project area.

    i) Location of wells in the vicinity of the project area.

    j) Location of roads and right-of-ways.

    k) The vertical profile of the area to be excavated.

    l) Indicate the observed or estimated (circle one) groundwater elevation in the project area and reference depth to a permanent bench mark. 1070 feet

See Survey

Part Three: Mitigating Impacts

11. List resources that may be impacted by this project, identify impacts and describe measures that will be taken to mitigate those impacts.

12. Describe measures that will be taken to screen the operation from view. Stock pile to the South side of pit

13. Describe measures that will be taken to control soil erosion, sedimentation, runoff, dust and noise. If no measures will be used, explain why none are needed. Water for dust control

Part Four: Description of Mining Activities Proposed Mining Methods

14. Describe the products that will be mined from the project area and how they will be mined (i.e., equipment used). Mining gravel with a dozer, excavator, and scrapers

15. Describe how the material will be transported from the site, the proposed route of transport, and, if known, the normal final destination. By truck on Vale Ave to Hwy 7.

16. Describe the methods that will be used to dispose of brush and other vegetative debris. Burn brush.

17. Describe the methods that will be used to retain topsoil. Stock pile

18. Estimate the volume of material in cubic yards to be mined in the period covered by this permit. cubic yards. unknown

19. List the commencement and completion date (provide month, day, year) of mining activities and the calendar months, days of the week and hours of the day in which mining activities are expected to occur. All mining Conditional Use Permits have up to a five-year time limit.

    Commencement Date: Mid July Completion Date: Jul

    Calendar Months: 60 Days of the Week: Monday - Saturday

    Hours of the Day: 6-8 hours

20. Describe dewatering activities and estimate volumes of water to be discharged from the site. DNR perm

21. Identify the maximum height of all stockpiles and structures. 30 ft

22. Provide mining plan maps at a scale of no less than one (1) inch equals one hundred (100) feet that include:

    a) Sequential phases of mining (plan view) with haul roads, equipment, machinery, storage areas, spoil piles, mined material piles and processing areas identified.

    b) Cross-sectional drawings of any water impoundments, high wall reduction, benching or terracing, and erosion control practices. Water impoundment West to East

    c) Structures to be erected. Temporary crusher setup

    d) Location and depths of proposed excavations. water table at 1070 ft

    e) Location of vehicle parking. NA

    f) Location of stored explosives. NA

    g) Location of washwater ponds and the location of disposal materials (if applicable). NA

Proposed Processing Methods

23. Describe the processing methods that will be used at the site. Strip area, crush, and pile

24. List the proposed calendar months, days of the week and hours of the day for the operation of the processing facilities.

    Calendar months: April - November

    Days of the week: M - Sat

    Hours of the day: 6 am - 8 pm

25. Describe the volume of water needed for gravel washing activities, the source of the water, how the ponds will be maintained and how the washwater will be disposed. None

26. Describe how chemical substances will be stored on the site. None

Part Five: Staging of Operations

27. Provide a schedule of the projected life of the operation including beginning and ending of operations and any phases or stages. Start in July 2022 and end July 2027

28. Describe reclamation activities that will occur over the life of the operation. As needed from West to East

29. Describe the methods that will be used at the cessation of seasonal operations to stabilize slopes from erosion. Chisel plow to limit topsoil erosion

30. Describe the interim reclamation methods that will be used if the site will become inactive at the close of current operations for an unspecified period of time. Will reclam unless repermitted.

Part Six: Proposed Reclamation

This section shall be consistent (at a minimum) with the mining and extraction reclamation provisions set forth in the McLeod County Zoning Ordinance.

31. List the approximate reclamation commencement and completion date.

    Commencement Date: July 2022 Completion Date July 2027

    - Describe the type of fill that will be used and depth of restored topsoil.
    - Describe proposed reclamation including final slopes, high wall reduction, benching, terracing and other structural slope stabilization measures and when they will take place.
    - Describe anticipated topography, water features and future land use of the site.
    - Describe plans for the disposition of surface structures, roads and related facilities after completion of mining and when these activities will occur.
    - Describe the methods proposed for the disposal or reclamation of excess materials.
    - Describe or attach a copy of a seeding, planting or re-vegetation plan that includes types, densities and methods of tree plantings, seed bed preparation, seed mixtures, seeding rates, mulching and other techniques needed to accomplish site stabilization.

32. Describe long-term maintenance needed to support reclamation and when it will need to occur.
    Dewatering, seeding + mulching

33. Provide an estimate of the reclamation cost of each phase of the project or the entire site if phasing is not planned. unknown

34. Provide a reclamation plan map at a scale of no less than one (1) inch equals one hundred (100) feet that includes:

    See Survey
    a) Final grade of the site with elevations and contour lines at two (2) foot intervals.
    b) The location of any benching, terracing, water impoundments, artificial lakes, vegetative plantings and anticipated future land uses.
    c) The location and nature of any structures to be erected in relation to the future land use.

Part Seven: Other Information Required

35. The applicant shall provide any other information and exhibits as required by the Zoning Administrator, Planning Commission or County Board necessary to make findings, recommendations and dispositions on the application in order to help protect the public's health, safety and general welfare.

To the best of my knowledge, I certify that the information provided on this application and accompanying documents is true and accurate.

Primary Applicant's Signature (Landowner) Bonnie L. Krueger Date 6-28-2022

Secondary Applicant's Signature (Operator) [illegible] Date 6-28-2022

Township's Chair Signature Charles T Hawkins Date: 9 June 2022

****All of the information requested in this form must be submitted along with a competed Conditional Use Permit Application and applicable fees before the County can consider approval.**

McLeod County Planning Commission

To: McLeod County Planning Commission

Prepared By: **Marc Telecky**

Application: **Sketch Plan** 22-01

Date: July 12, 2022 – **Meeting Date: July 27, 2022**

GENERAL INFORMATION

Brief Description: Sue Bielke is requesting approval for a 2-lot sketch plan located in that part of the S ½ SW ¼ of Section 33 Penn Township. The SE ¼ SW ¼ currently has 1 non-farm dwelling thus requiring this request.

Owner/Applicant: **Sue Bielke**
929 N. Riverwood Ln.
Belle Plaine, MN 56011
P.I.D# 10.033.0400

Requested Action: Motion to approve a 2-lot sketch plan

Lot Size: Lot 1 = ~13.081 acres
Lot 2 = ~4.88 acres

Existing Zoning: "A" Agriculture

Location: **NW ¼ SW ¼ Section 33 Penn Twp.**

Existing Land Use: existing rural building site

Adjacent Land Use And Zoning: "A" Agricultural

Zoning History: CUP 15-89 junk/Salvage Yard 10/3/1989

Applicable Ordinance McLeod County Zoning Ordinance Section 7, Subd 6.
McLeod County SSTS & Subdivision Ordinance

SPECIAL INFORMATION

Public Utilities: McLeod Coop Power

Public Services: SSTS, individual well

Transportation: 20th St.

Physical Characteristics: **This is an existing 18.71 acre building site that has (2) dwellings. This building site slopes north to south with wetlands on the north side of the building site.**

Analysis: **The applicants are requesting to create (2) two buildable lots from an existing rural building site. The soils per the McLeod County Soil Survey support a site and an alternate site for a septic system on each proposed lot. The National Wetland Inventory (NWI) map does indicate the presence of wetlands on the north and west portions of the parcel.**

Recommendations: Staff does not have concerns with this request. Preliminary review of the site does show that there is adequate area for (2) two building sites without limiting features.

Cc: Sue Bielke – applicant

McLeod County Planning Commission

To: McLeod County Planning Commission

Prepared By: **Marc Telecky**

Application: **Final Plat** 22-03

Date: July 12, 2022 – **Meeting Date: July 27, 2022**

GENERAL INFORMATION

Brief Description: Shannon & Melissa Forcier are requesting approval for a 1-lot final plat located in the NW ¼ SW ¼ of Section 15 Winsted Township. This ¼ ¼ section currently has 3 non-farm dwellings thus requiring this request.

Applicant: **Shannon & Melissa Forcier**
211 7th St.
Winsted, MN 55395
P.I.D# 14.015.0850

Requested Action: Motion to approve a 1-lot final plat

Lot Size: Lot 1 = 788.48' x 800' = 6.38 Acres

Existing Zoning: "A" Agriculture

Location: **NW ¼ SW ¼ Section 15 Winsted Twp.**

Existing Land Use: grass covered

Adjacent Land Use And Zoning: "A" Agricultural

Zoning History: NA

Applicable Ordinance McLeod County Zoning Ordinance Section 7, Subd 6.
McLeod County SSTS & Subdivision Ordinance

SPECIAL INFORMATION

Public Utilities: McLeod Coop Power

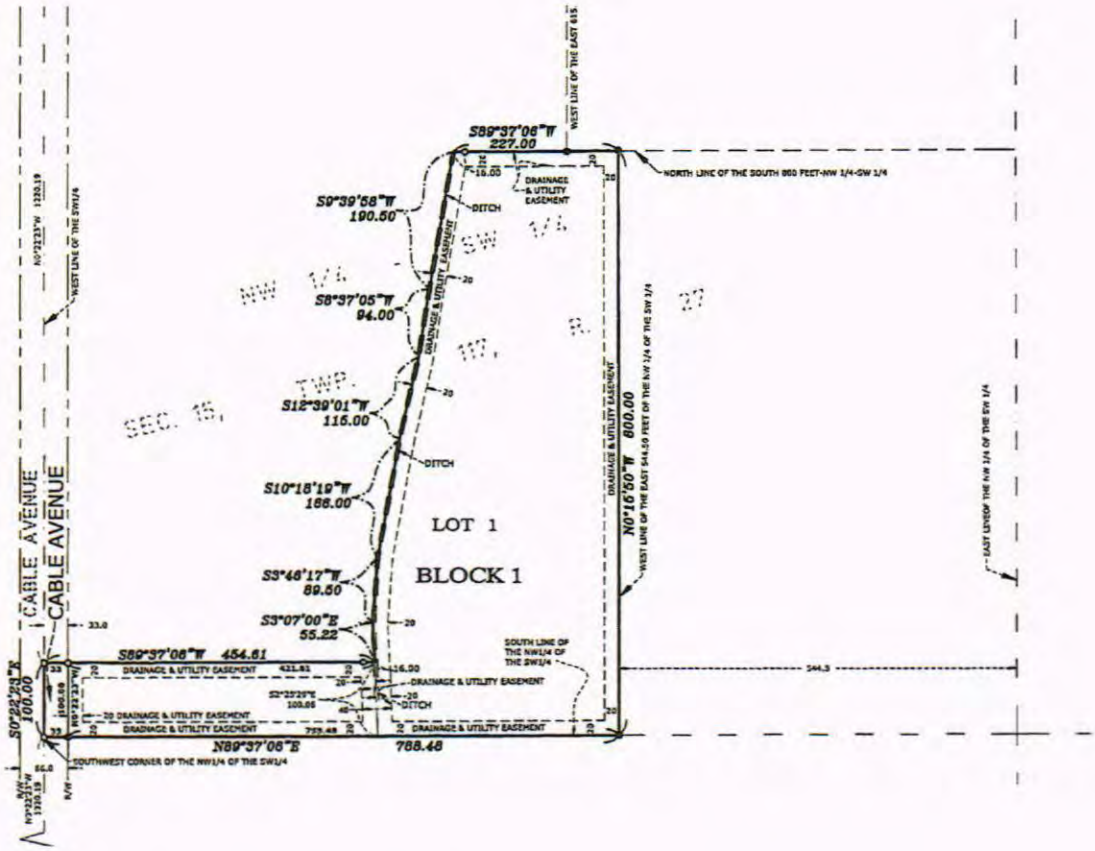
Public Services: SSTS, individual well

Transportation: Cable Ave.

Physical Characteristics: **This is a 6.38-acre lot that slopes north to south. The lot abuts a private ditch that is not a protected water.**

Analysis: **The applicants are requesting to create a buildable lot. Soil borings submitted by Chip Hentges support a site and an alternate site for a septic system. The National Wetland Inventory (NWI) map do not indicate the presence of wetlands. The opinion of title has been submitted to the McLeod County Attorney and Recorder for review.**

Recommendations: Staff does not have concerns with this request.



Cc: Shannon & Melissa Forcier – applicant

PRELIMINARY PLAT

~for~ Shannon & Mellisa Forcier
~Part of~ NW 1/4 - SW 1/4, Sec.15, T.117, R.27, Winsted Twp., McLeod Co., MN.

WEIBEL ESTATES

PLAT NAME SUBJECT TO CHANGE

NORTH

BENCHMARK

MNDOT GSID STATION #18364
STATION NAME: WIENER MN085
ELEVATION: 1036.96 NAVD 88

ORIENTATION

MCLEOD COUNTY COORDINATE SYSTEM NAD 83 (96 ADJ.).

GRAPHIC SCALE

100 0 50 100 200

1 INCH = 100FEET

LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- DENOTES MCLEOD COUNTY SECTION CORNER MONUMENT
- x 952.36 DENOTES EXISTING SPOT ELEVATION
- DENOTES LIDAR CONTOURS
- GAS DENOTES UNDERGROUND GAS LINE
- PID: 140.160.850 Owner: City of X Address: Unassigned — DENOTES ADJACENT PARCEL OWNER INFORMATION (PER MCLEOD COUNTY TAX INFORMATION)

DESCRIPTION OF PROPOSED PLAT

Part of the Northwest Quarter of the Southwest Quarter of Section 15, Township 117, Range 27, McLeod County, Minnesota, described as follows: Beginning at the southwest corner of said Northwest Quarter of the Southwest Quarter;
thence on an assumed bearing of North 89 degrees 37 minutes 06 seconds East, along the south line of said Northwest Quarter of the Southwest Quarter 788.48 feet to the west line of the East 544.50 feet of said Northwest Quarter of the Southwest Quarter;
thence North 00 degrees 15 minutes 50 seconds West, along the last described line 800.00 feet to the north line of the South 800.00 feet of said Northwest Quarter of the Southwest Quarter;
thence South 89 degrees 37 minutes 06 seconds West, along the last described line 227.00 feet;
thence South 09 degrees 39 minutes 58 seconds West 190.50 feet;
thence South 08 degrees 37 minutes 05 seconds West 94.00 feet;
thence South 12 degrees 39 minutes 01 seconds West 115.00 feet;
thence South 10 degrees 18 minutes 19 seconds West 166.00 feet;
thence South 03 degrees 46 minutes 17 seconds West 89.50 feet;
thence South 03 degrees 07 minutes 00 seconds East 55.22 feet;
thence South 89 degrees 37 minutes 06 seconds West 454.61 feet to the west line of said Northwest Quarter of the Southwest Quarter;
thence South 00 degrees 22 minutes 23 seconds East, along said west line 100.00 feet to the point of beginning.

NOTES

DEVELOPER: Shannon & Melissa Forcier
211 - 7th Street S
Winsted, MN 55395
Phone - Shannon: (952) 237-6249, Mellisa: (612) 201-1135

PROPERTY ADDRESS: Unassigned

PARCEL ID (PID) NUMBER: 140.150.800* OWNER: Randy D. Weibel* *per McLeod Co. GIS

TOTAL AREA: 6.46 Acres

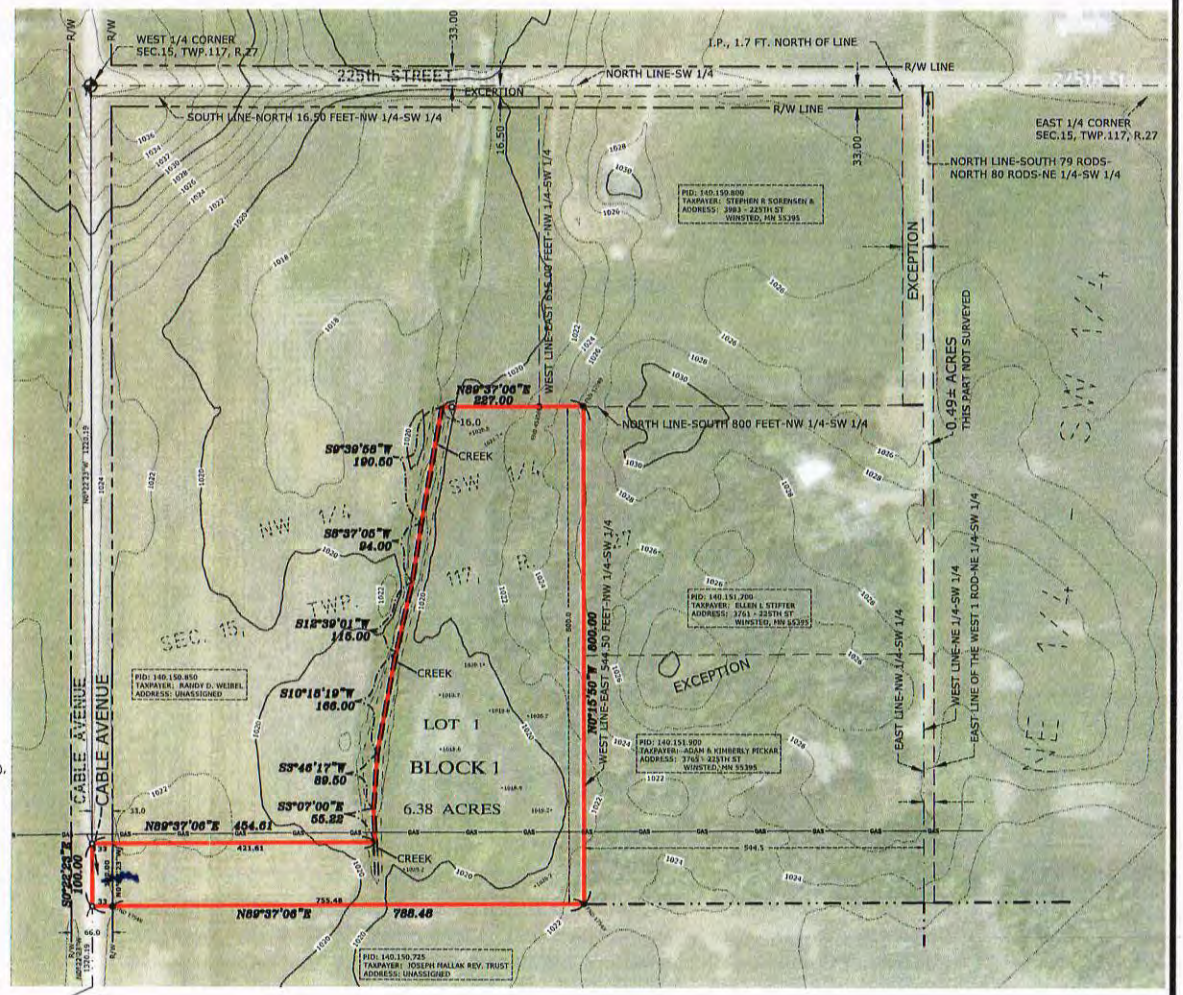
Private Well and Septic Systems

ZONING DISTRICT: Agricultural.

FLOOD ZONE: Surveyed premises shown on this survey map is in Flood Zone X (Areas determined to be outside the 0.2% annual chance floodplain.), according to Flood Insurance Rate Map Community No. 27085C0080E by the Federal Emergency Management Agency, effective date 7/07/2014.

ADDITIONAL NOTES

- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Due to field work being completed during the winter season there may be improvements in addition to those shown that were not visible due to snow and ice conditions characteristic of Minnesota winters.
- Location of utilities existing on or serving the surveyed property determined by: Observed evidence
  Excavations were not made during the process of this survey to locate underground utilities and/or structures. The location of underground utilities and/or structures may vary from locations shown hereon and additional underground utilities and/or structures may be encountered. Contact Gopher State One Call Notification Center at (651) 454-0002 for verification of utility type and field location, prior to excavation.
- Subsurface and environmental conditions were not examined or considered during the process of this survey. No statement is made concerning the existence of underground or overhead containers or facilities that may affect the use or development of the surveyed premises.
- Aerial photo obtained from Microsoft Corp. is shown for graphical reference purposes only and the accuracies are unknown.



E. G. RUD & SONS, INC.
EST. 1977
Professional Land Surveyors
990 - 5th Avenue SE, Suite 2
HUTCHINSON, MN 55350
TEL. HUTCHINSON: (320) 587-2025
www.egrud.com

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

KURT D. NELSON

Date: 2/21/2021 License No. 45356

DRAWN BY: KDN	JOB NO: 22.0127	DATE: 02/21/2022
CHECK BY: KDN	FIELD CREW: JWM & BCK	

NO.	DATE	DESCRIPTION	BY
1			
2			
3			

WEIBEL ESTATES

DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS: That Melissa K. Forcier, a married person, owner, of the following described property situated in the County of McLeod, State of Minnesota, to-wit:

Part of the Northwest Quarter of the Southwest Quarter of Section 15, Township 117, Range 27, McLeod County, Minnesota, described as follows: Beginning at the southwest corner of said Northwest Quarter of the Southwest Quarter;
thence on an assumed bearing of North 89 degrees 37 minutes 06 seconds East, along the south line of said Northwest Quarter of the Southwest Quarter 788.48 feet to the west line of the East 544.50 feet of said Northwest Quarter of the Southwest Quarter;
thence North 00 degrees 15 minutes 50 seconds West, along the last described line 800.00 feet to the north line of the South 800.00 feet of said Northwest Quarter of the Southwest Quarter;
thence South 89 degrees 37 minutes 06 seconds West, along the last described line 227.00 feet;
thence South 09 degrees 39 minutes 58 seconds West 190.50 feet;
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thence South 10 degrees 18 minutes 19 seconds West 166.00 feet;
thence South 03 degrees 46 minutes 17 seconds West 89.50 feet;
thence South 03 degrees 07 minutes 00 seconds East 55.22 feet;
thence South 89 degrees 37 minutes 06 seconds West 454.61 feet to the west line of said Northwest Quarter of the Southwest Quarter;
thence South 00 degrees 22 minutes 23 seconds East, along said west line 100.00 feet to the point of beginning.

Has caused the same to be surveyed and platted as WEIBEL ESTATES, and does hereby donate and dedicate to the public for public use the public way and/or the drainage and utility easements as created herewith.

In witness whereof said Melissa K. Forcier, a married person, has hereunto set their hands this_____day of_____, 2022.

_____
Melissa K. Forcier

STATE OF MINNESOTA
COUNTY OF_____

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by Melissa K. Forcier.

_____
Notary Public, _____ County, Minnesota
My Commission Expires _____.

SURVEYORS CERTIFICATE AND ACKNOWLEDGEMENT

I Kurt D. Nelson do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 2022.

_____
Kurt D. Nelson, Licensed Land Surveyor
Minnesota License No. 45356

STATE OF MINNESOTA
COUNTY OF_____

The foregoing Surveyor's Certificate was acknowledged before me this _____ day of _____, 2022, by Kurt D. Nelson, Licensed Land Surveyor, Minnesota License No. 45356.

_____
Notary Public, _____ County, Minnesota
My Commission Expires _____.

TOWNSHIP BOARD

This plat was approved by the Board of Supervisors of the Township of Winsted, McLeod County, Minnesota, at a meeting thereof, on the_____day of _____, 2022.

By _____, Chair.

PLANNING COMMISSION

This plat was approved by the Planning Commission of the County of McLeod County, Minnesota, at a meeting thereof, on the_____day of _____, 2022.

By _____, Chair.

COUNTY BOARD

We do hereby certify that on the _____day of _____, 2022, the Board of Commissioners of McLeod County, Minnesota, approved this plat of WEIBEL ESTATES and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

_____, Chair. Attest: _____, County Administrator

DELINQUENT TAXES

I hereby certify there are no delinquent taxes due, and that transfer was entered this _____ day at _____, 2022.

_____ _____
McLeod County Recorder Deputy

CURRENT YEAR TAXES

I hereby certify taxes payable in the year 2022, on lands herein described are paid in full. Dated this _____ day of _____, 2022.

_____ _____
McLeod County Recorder Deputy

RECORDER

I hereby certify that this instrument was filed in the Office of the County Recorder for record on this _____ day of _____, 2022, at _____ o'clock ____ M., and was duly recorded as Document No. _____

_____ _____
McLeod County Recorder Deputy

ORIENTATION

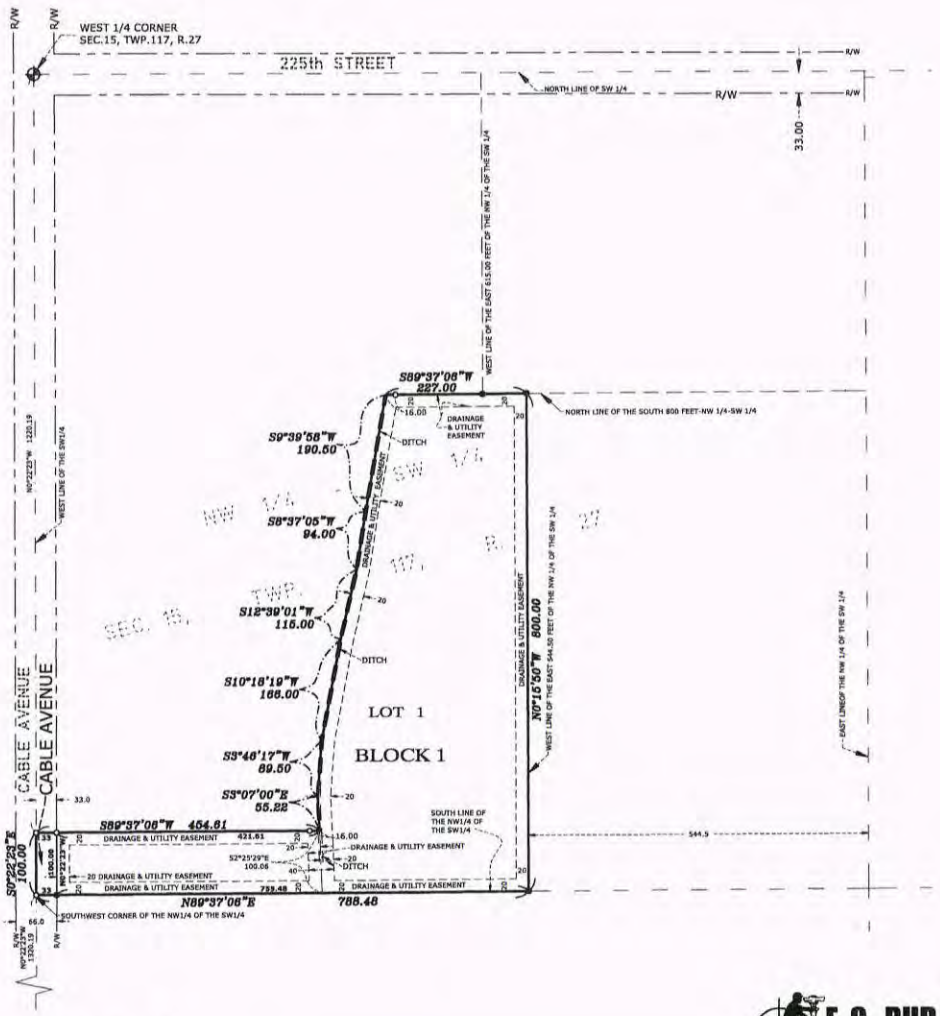
MCLEOD COUNTY COORDINATE SYSTEM NAD 83 (96 ADJ.).

LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- DENOTES MCLEOD COUNTY SECTION CORNER MONUMENT

GRAPHIC SCALE
100 0 50 100 200
SCALE IN FEET

NORTH



E. G. RUD & SONS, INC.
EST. 1977
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JOHNSON, LARSON & PETERSON, P.A.

ATTORNEYS AT LAW
~Since 1905~

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JAN C. LARSON†
JOHN T. PETERSON†
STEPHEN J. BERG +
AMY K. TREHEY
ROZLYN B. SCOTT

† REAL PROPERTY LAW SPECIALIST
CERTIFIED BY MINNESOTA STATE BAR ASSOCIATION
+ OF COUNSEL

WALTER S. JOHNSON - *1912-2002*

May 13, 2022

Melissa Forcier
211 – 7th Street South
Winsted, MN 55395

Re: Property Address: 11944 Emerson Ave., SW, Waverly, MN 55390
PID No. 14.015.0850
McCleod County
Our File No. 162-22B

TITLE OPINION

The Northwest Quarter of the Southwest Quarter, Section 15, Township 117, Range 27, McLeod County, Minnesota, excepting therefrom the following: The North 1 rod thereof; also, the East 544.5 feet of the South 800.00 feet thereof; also, the East 615 feet of said Northwest Quarter of the Southwest Quarter lying north of the South 800.00 thereof.

I have examined the title to the above-captioned property certified by ACE Abstracting Services through May 6, 2022 at 8:00 a.m.

From such examination I am of the opinion that the title of described premises is vested in **Melissa K. Forcier**.

I am also of the opinion that the title to the premises described is good and marketable

The following liens and encumbrances and reservations appear of record:

1. The property is subject to a right-of-way of Cable Avenue over and across the east side of the property as currently existing and traveled

2. The property is subject to a right-of-way of 225th Street over and across the north side of the property as currently existing and traveled.

3. The property is subject to an easement in favor of Northern Natural Gas Company, a Delaware Corporation recorded March 3, 1960 in Book 45 of Misc., Page 283 as Document No. 129215. Modified by a Modification Amendment to Easement Grant recorded April 30, 2001 as Document No. A 310141 to limit the scope of said easement to a strip of land 70 feet in width as described in said Modification Amendment to Easement Grant.

4. The property is subject to a drainage ditch over and across the property. Said drainage area constitutes a wetland area subjecting the property to the following limitations:

   a. Any and all rights of the United States of America, the State of Minnesota and the public in and to that area designated as wetlands, to navigable waters and filled-in land formerly within navigable waters, and any conditions contained in or permits authorizing the filling in of said land, or

   b. A portion of the property contains wetlands. Those wetlands are subject to federal, state and/or local regulation. The right to use or improve these wetlands is excepted herein.

5. Real estate taxes payable in 2022 are classified as agricultural non-homestead and total $984.00. First half taxes have been paid. There are no delinquent taxes. (PID No. 14.015.0850).

Note: It is possible that other instruments, liens, or judgments have been filed against the property after the date that the title search was certified and before your deed and other conveyancing instruments are properly recorded. It is advisable to have the title examined again immediately prior to closing to discover these items, and complete the recording process immediately following closing.

Only matters contained within the title search are covered by this Title Opinion. Certain matters affecting title in Minnesota do not appear of record and cannot be determined by a review of the recorded documents. These include: the rights of any person in actual possession of the premises; the rights of persons who may claim a lien on the premises for work performed or materials furnished in improving the premises within the past 120 days; zoning and building regulations enacted by any unit of government; and unpaid and pending special assessments levied against the parcel.

Matters which an inspection of the property or survey of the property would reveal are not included in this Title Opinion. It can't be determined from an examination of the recorded documents whether any buildings on the property you are purchasing are located within the property boundaries; whether improvements on adjacent properties encroach on this property; or that there is an access to a public right-of-way from the property. In addition, an examination of the legal description of the property does not reveal if this description matches the property as it is actually occupied. If there are any questions in this regard, you are advised to have a survey done on the property by a registered land surveyor.

This Title Opinion does not purport to include any opinion as to environmental hazards which would be disclosed by an environmental assessment of the property. A thorough environmental assessment by a competent professional should be completed if there is any concern in this regard.

This opinion as to the title of the above-referenced property is intended to solely for the use of the above-named addressee, and does not create any express or implied contract or agreement with any third party. This opinion is subject to the accuracy of the title search prepared by the abstractor; and matters not shown on the abstractor's title search are excepted from this opinion.

John T. Peterson
Examining Attorney