



LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
507-357-8538

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD.

DATE: DECEMBER 8, 2016

TIME: 7:00 PM

PLACE: LE SUEUR COUNTY ENVIRONMENTAL SERVICES BUILDING, 515 SOUTH MAPLE AVE, LE CENTER MN

PURPOSE: To hear testimony from interested parties and consider Rezoning and Conditional Use Permit Applications and other questions pertaining to and as provided by the Zoning Ordinance of Le Sueur County as described below. ***Information regarding the applications is available for review at the Environmental Services Building during normal business hours.***

- ITEM #1** Planning and Zoning Commission Notice of Public Hearing
- ITEM #2** Planning and Zoning Commission Meeting Agenda
- ITEM #3** Heilman
- ITEM #4** R & G Logistics-Culver
- ITEM #5** Approved December 8, 2016 Minutes

APPLICANT OR REPRESENTATIVE MUST BE PRESENT IN ORDER FOR THE APPLICATION TO BE HEARD.



Le Sueur County, MN

Thursday, December 8, 2016

Regular session

Item 1

Planning and Zoning Commission Notice of Public Hearing

Staff Contact: Kathy Brockway or Michelle Mettler

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
507-357-8538
www.co.le-sueur.mn.us

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD.

DATE: DECEMBER 8, 2016

TIME: 7:00 P.M.

PLACE: Le Sueur County Environmental Services, 515 South Maple Ave, Le Center, MN.

PURPOSE: To hear testimony from interested parties and consider Rezoning, Amendments and Conditional Use Permit Applications, as provided by the Zoning Ordinance of Le Sueur County, as described below.

Applications are available for review at the Environmental Services Building during normal business hours and on the website on or after **NOVEMBER 28, 2016**.

ITEM #1: ROSS & RUTH HEILMAN, CLEVELAND, MN, (APPLICANT/OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of approximately 43 cubic yards of material within the shore impact zone for a rip rap project in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Jefferson. Property is located in Government Lot 5, Section 2, Washington Township.

ITEM #2: R & C LOGISTICS LLC, NEW PRAGUE, MN, (APPLICANT); DAVID & MEGAN CULVER, NEW PRAGUE, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to establish and operate a Contractor Company along with shop and yard in an Agriculture "A" District. Property is located in the NE 1/4, Section 22, Lanesburgh Township.

APPLICANT OR REPRESENTATIVE MUST BE PRESENT IN ORDER FOR THE APPLICATION TO BE HEARD.

KATHY BROCKWAY, LE SUEUR COUNTY PLANNING & ZONING ADMINISTRATOR
MICHELLE R. METTLER, ASSISTANT PLANNING & ZONING ADMINISTRATOR



Le Sueur County, MN

Thursday, December 8, 2016

Regular session

Item 1

Planning and Zoning Commission Meeting Agenda

Staff Contact: Kathy Brockway or Michelle Mettler

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION MEETING AGENDA

ORGANIZATION: LE SUEUR COUNTY PLANNING/ZONING COMMISSION

MEETING DATE: December 8, 2016

MEETING PLACE: Le Sueur County Environmental Service

Beginning Time: 7:00 P.M. **Ending Time:** Approx. 8:00 P.M.

If you CANNOT be at the meeting, contact MINDY at 357-8538

AGENDA:

Meeting Called
to Order.

ITEM #1: ROSS & RUTH HEILMAN, CLEVELAND, MN, (APPLICANT/OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of approximately 43 cubic yards of material within the shore impact zone for a rip rap project in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Jefferson. Property is located in Government Lot 5, Section 2, Washington Township.

ITEM #2: R & C LOGISTICS LLC, NEW PRAGUE, MN, (APPLICANT); DAVID & MEGAN CULVER, NEW PRAGUE, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to establish and operate a Contractor Company along with shop and yard in an Agriculture "A" District. Property is located in the NE 1/4, Section 22, Lanesburgh Township.

MINUTES-WARRANTS

ADJOURN 8:00 P.M.

Planning & Zoning Commission Public Hearing Procedure: The Chairman calls the meeting to order, then calls the item to be heard and asks the Applicant or representative present to come to the podium to answer any questions or present any comments. The Chairman opens the meeting to the public. Each speaker comes to the podium and states their name for the record prior to making a statement or posing a question. **All questions or comments are to be directed to the board, NOT THE APPLICANT.** After the public comments the Planning Commission publicly discusses the information and reviews the findings before making a motion. All meetings are recorded.



Le Sueur County, MN

Thursday, December 8, 2016

Regular session

Item 1

Heilman

Staff Contact: Kathy Brockway or Michelle Mettler

STAFF REPORT

GENERAL INFORMATION

APPLICANT/OWNER: Ross and Ruth Heilman

911 ADDRESS: 26728 Sioux Trail, Madison Lake, MN 56063

PROJECT DESCRIPTION: Grading, excavating, and filling of approximately 43 cubic yards of material within the shore impact zone for a rip rap project. Total rip rap project is 86 cubic yards, however, 43 cubic yards is below the Ordinary High Water Level (OHWL) and within the DNR jurisdiction. DNR permit approved for work below the OHWL.

ZONING DISTRICT PURPOSE:

A District, adjacent to Recreational Development (RD) and Natural Environment (NE) lakes, to preserve areas which have natural characteristics suitable for both passive and active recreational usage. Also, it is the intent of this District to manage areas suitable for residential development of varying types, including permanent and seasonal housing. Some non-residential uses with minimal impacts on residential uses may be allowed.

ZONING ORDINANCE SECTIONS: 13.2, 18

GOALS AND POLICIES: The current Land Use Plan as adopted in 2009 makes reference to preservation and restoration of natural resources and water quality.

GOAL #2: Le Sueur County should adopt and enforce land use goals and policies that conserve and restore its natural resources, bring protections to the ecological systems of the natural environment, and prevent the premature development of natural resources areas.

Objective 2: Utilize shorelands on Recreational Development Lakes (RD) for housing, but with a focus on development design that protects the resource.

Action 2: Adopt water quality protections standards to protect lake water quality.

GOAL #3: Improve water quality in Le Sueur County.

Objective 1: The County will undertake actions to help protect groundwater as well as surface water features.

Action 1: The County will adopt and implement the goals, objectives, and actions of the County's Local Water Management Plan.

Action 5: The County will draft educational materials for distribution to shoreland property owners encouraging residential property owners in shoreland areas of the County to observe the Urban Best Management practices

SITE INFORMATION

LOCATION: Government Lot 5, Section 2, Washington Township.

ZONING: Recreational Residential "RR"

GENERAL SITE DESCRIPTION: Shoreland/Residential area

ACCESS: Existing

EXISTING LAND USE WITHIN ¼ MILE:

North: Lake

South: Ag Land

East: Residential

West: Residential

TOWNSHIP BOARD NOTIFICATION

The applicant contacted Steve Biehn, Washington Township Board on March 16, 2016.

NATURAL RESOURCES INFORMATION

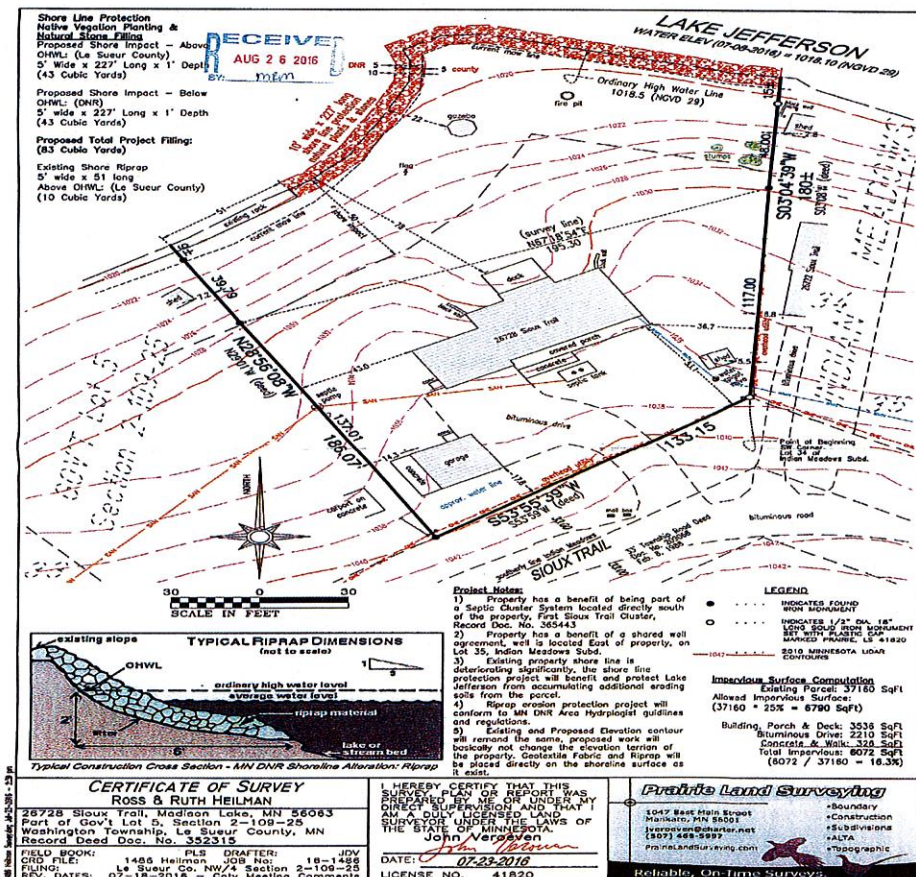
SHORELAND: The proposal is located within the Shoreland District.

WETLANDS: According to the National Wetlands Inventory, No wetlands located in the quarter-quarter section where the project is proposed.

ATTACHMENTS

Application, Narrative, Survey, Letter from Joshua Mankowski, LSC Resource Specialist.

AERIAL PHOTO/SITE PLAN



PLANNING AND ZONING COMMISSION CONSIDERATIONS

The Planning Commission and staff shall consider possible adverse effects of the proposed conditional use and what additional requirements may be necessary to reduce such adverse effects. Its judgment shall be based upon the following factors to include, but not limited to:

1. Relationship to County plans.
2. The geographical area involved.
3. Whether such use will negatively affect surrounding properties in the area in which it is proposed.
4. The character of the surrounding area.
5. The demonstrated need for such use.
6. Whether the proposed use would cause odors, dust, flies, vermin, smoke, gas, noise, or vibration or would impose hazards to life or property in the neighborhood.
7. Whether such use would inherently lead to or encourage disturbing influences in the neighborhood.
8. Whether stored equipment or materials would be screened and whether there would be continuous operation within the visible range of surrounding residences.
9. Abatement of Environmental Hazards as regulated in this Ordinance
10. Other factors impacting the public health, safety and welfare.

PLANNING AND ZONING COMMISSION CONDITIONS

The Planning Commission shall recommend such conditions relating to the granting of said Conditional Use Permit, as they deem necessary to carry out the intent and purpose of this Ordinance or recommend that the request be denied. Such recommendation shall be in writing. The conditions may include, but are not limited to the following:

1. Increasing the required lot size or yard dimension.
2. Limiting the height, size, or location of the structures.
3. Controlling the location, size, and number of vehicle access points.
4. Increasing the street width.
5. Increasing the number of required off-street parking space.
6. Limiting the number, size, location, or lighting of signs.
7. Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.
8. Designating sites for open space.

Shoreland District. The following additional evaluation criteria and conditions apply within the Shoreland Districts of the County.

1. **Evaluation criteria.** A thorough evaluation of the water body and the topographic, vegetation, and soils conditions on the site must be made to ensure:
 - a. The prevention of soil erosion or other possible pollution of public waters, both during and after construction.
 - b. The visibility of structures and other facilities as viewed from public waters is limited.
 - c. The site is adequate for water supply and on-site sewage treatment.
 - d. The types, uses, and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate this watercraft.
2. **Conditions attached to Conditional Use Permits in Shoreland Districts.** The Board of County Commissioners, upon consideration of the criteria listed above and the purposes of this Ordinance, shall attach such conditions to the issuance of the conditional use permits as it deems necessary to fulfill the purposes of this Ordinance. Such conditions may include, but are not limited to, the following:
 - a. Increased setbacks from the ordinary high water level.
 - b. Limitations on the natural vegetation to be removed or the requirement that additional vegetation be planted.
 - c. Special provisions for the location, design, and use of structures, sewage treatment system, watercraft, launching and docking areas, and vehicle parking areas.

PLANNING AND ZONING COMMISSION FINDINGS

Based on the information submitted by the applicant, contained in this report, and as required by the Le Sueur County Zoning Ordinance, the following findings have been developed for this request:

(Please circle one for each item: Agree, Disagree, Not Applicable.)

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
3. *Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
4. *Is the Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?*
5. *Is the Conditional Use Permit consistent with the Comprehensive Land Use Plan?*

LE SUEUR COUNTY CONDITIONAL USE PERMIT CRITERIA

Permit # 16352

Name of Applicant: ROSS & RUTH HEILMAN

Conditional Use Permit #: 16352

Name of Property Owner: ROSS & RUTH HEILMAN

Conditional Use Permit Request: TO ALLOW THE APPLICANT GRADING EXCAVATING AND FILLING OF APPROXIMATELY 43 CUBIC YARDS OF MATERIAL WITHIN THE SIZ FOR RIP RAP PROJECT FOR EROSION CONTROL

1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.

CR AG PT DR BB JD SO SK DK DRY TOTAL

1.											
----	--	--	--	--	--	--	--	--	--	--	--

Explain _____

2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

CR AG PT DR BB JD SO SK DK DRY TOTAL

2.											
----	--	--	--	--	--	--	--	--	--	--	--

Explain _____

3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.

CR AG PT DR BB JD SO SK DK DRY TOTAL

3.											
----	--	--	--	--	--	--	--	--	--	--	--

Explain _____

4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to service the proposed use.

CR AG PT DR BB JD SO SK DK DRY TOTAL

4.											
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Explain _____

5. Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

CR AG PT DR BB JD SO SK DK DRY TOTAL

5.											
----	--	--	--	--	--	--	--	--	--	--	--

Explain _____

6. The conditional use is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.

CR AG PT DR BB JD SO SK DK DRY TOTAL

6.											
----	--	--	--	--	--	--	--	--	--	--	--

Explain _____

7. The conditional use is consistent with the Comprehensive Land Use Plan.

CR AG PT DR BB JD SO SK DK DRY TOTAL

--	--	--	--	--	--	--	--	--	--	--	--

Explain _____

If all answers are "YES" by a majority of the Planning Commission, the criteria for granting of the Conditional Use Permit request have been met. The Conditional Use Permit will meet the goals of safety, health and the general welfare of the public.

Date: _____ APPROVED _____ DENIED _____ PZ Chairperson _____

COUNTY BOARD MEETING DATE _____

**LE SUEUR COUNTY ENVIRONMENTAL SERVICES
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057-1600**

Phone (507) 357-8540 (direct line)

Fax (507) 357-8541

Date: 11/17/2016

To: Le Sueur County Planning and Zoning Commission

From: Joshua Mankowski, Environmental Resources Specialist

Applicant(s):

Ross & Ruth Heilman

Property owner:

Ross & Ruth Heilman

Property:

13.002.7800

Description:

Grading, excavating, and filling of approximately 43 cubic yards of material within the shore impact zone for a rip rap project. Total rip rap project is 86 cubic yards, however, 43 cubic yards is below the Ordinary High Water Level (OHWL) and within the DNR jurisdiction. DNR permit approved for work below the OHWL.

Recommendation:

It would be my recommendation to approve the application for the placement of Rip Rap as designed with the condition listed below. The lot in question has noticeable signs of shoreline erosion which would be reduced by completing this project.

Condition:

Work with the Environmental Resources Specialist to maintain a 7 foot no-mow buffer as per the Cost Share Contract for this project. This condition was agreed upon by the applicant as a condition of said Cost-Share Contract and would help reduce the possibility of future erosion issues. By requiring it as a condition for receiving a Conditional Use Permit, it would better ensure the perpetuity of the buffer.

Sincerely,



Joshua Mankowski
Le Sueur County
Environmental Resources Specialist

Le Sueur County

Conditional Use Application-Grading, Excavating & Filling

Activities that involve topographic alterations in all districts shall conform to the standards in Section 18 of the Le Sueur County Zoning Ordinance. Activities within a shoreland district shall conform to the standards in Section 13 of the Le Sueur County Zoning Ordinance.

In addition any activities in any type wetland shall be evaluated in accordance with the Wetland Conservation Act (WCA) regulations, as administered by the Le Sueur County Soil & Water Conservation District (SWCD).

I. Applicant:

Name Ross and Ruth Heilman
Mailing Address 26728 Sioux Trail
City Madison Lake State MN Zip 56063
Phone # 507-380-8088 Phone # 507-381-8778

II. Landowner:

Name Ross and Ruth Heilman
Mailing Address 26728 Sioux Trail
City Madison Lake State MN Zip 56063
Property Address 26728 Sioux Trail
City Madison Lake State MN Zip 56063
Phone # 507-380-8088 Phone # 507-381-8778

III. Parcel Information:

Parcel Number R. 13. 002. 7800 Parcel Acreage 0.94
Attach Full Legal Description (NOT abbreviated description from tax statement)
Township 109 Washington Section 02
Subdivision _____ Lot 5 Block _____

IV. Township Notification: Township must be notified of proposed use prior to application.

Washington Township notified on March 17, 2016
(Township Name) (Date)
Board Member Steve Biehn regarding the proposed use.
(Name)

V. Quantities and Submittal Formats:

- One (1) reproducible 8.5" x 11" copy of the request and all other supporting documents.
- Twenty Three (23) copies must be submitted, if any documents are in color, an aerial, or larger than 8.5" x 11" in size.
- Electronic version of any supporting documents *if available*.
- Additional copies may be requested as deemed necessary by the Department.
- Application must be made in person** by the applicant and/or landowner no later than 12 P.M. on the date of application deadline.
- Appointment is necessary.**
- Applications will not be accepted by mail.**



VI. Fees: Must be paid at the time of application.

Conditional Use Permit \$ 750 After-The-Fact fee is doubled.
Filing Fee \$ 46

Additional Fees:

Special Meeting \$ 2,000
After-The-Fact Penalty \$ 1,500 OR 10% of improvement, whichever is greater

VII. Type of Request: Grading, Excavating or Filling.

☐ **Non-Shoreland**

- ☐ Within Bluff Impact Zone
☐ Within Bluff

Cubic yards of material movement: _____
Cubic yards of material movement: _____
Cubic yards of material movement: _____
TOTAL cubic yards of material movement: _____

☒ **Shoreland- Outside Shore Impact Zone**

- ☒ Within Shore Impact Zone
☐ Within Bluff Impact Zone
☐ Within Bluff

Cubic yards of material movement: 43 cubic yards
Cubic yards of material movement: _____
Cubic yards of material movement: _____
Cubic yards of material movement: _____
TOTAL cubic yards of material movement: 43 cubic yards

☐ Assurance security shall be required for projects that are >1500 cubic yards.

VIII. Description of Request:

a. A full description of request with detailed information including what operations are to occur and what general types of equipment may be used in the operation must be attached attached

b. Complete the following in relationship to the proposed Conditional Use Permit.

1. ENVIRONMENTAL IMPACT: Stop shoreline erosion
2. ADVERSE IMPACT ON SURROUNDING AREAS: No, it will have a positive impact.
3. STORMWATER RUNOFF: Yes, because it will filter the runoff and slow it.
4. DOES ANY PART OF THE PROJECT EXTEND BELOW OHWL: yes, 5' wide x 227' long
5. WETLAND IMPACT: no, because there is no wetland.
6. SLOPE STABILITY: Stop shoreline erosion
7. CERTIFICATE OF INSURANCE: _____
8. MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS:
(For example additional licensing and/or permitting) Have permit from DNR
Have variance permit from Le Sueur County attached

IX. Site Plan: Shall include but not limited to the following:

- **Parcels < 5 AC =** 2-foot contours depicting existing and proposed topography.
- **Parcels 5-20 AC =** 5-foot contours depicting existing and proposed topography.
- **Parcels > 20 AC =** 10-foot contours depicting existing and proposed topography.
- Location of grading, excavating, and/or filling sites.
- Location of areas for obtaining fill or disposing of excavated materials.
- Tree inventory of all trees, indicating trees to be cut or removed.
(Caliper of 6 inches or greater measured 4.5 feet from ground level).

- | | | | |
|--------------------------------------|-----------|-----------------------|----------------------------|
| • North point | • Lake | • Existing Structures | • Septic system |
| • Setbacks | • River | • Proposed Structures | • Well |
| • Property Lines | • Wetland | • Lot Dimensions | • Access (size & location) |
| • Road Right-Of-Way | • Stream | • Ponds | • Easements |
| • Landscape, screening and buffering | | | • Drainage |

• Site plan & As-Built must be completed by a surveyor or professional engineer.

X. Restoration Plan: Shall include but not limited to the following:

- Areas of restoration shall include the application of a minimum of 4 inches of topsoil or similar material that will support plant growth. *(Must be included in cubic yards calculation of material.)*
- Reseeded areas indicated with type of vegetation. *(Shall meet minimum standards by the SWCD)*
- Tree replacement plan. *(Areas located within the Bluff Impact Zone, Bluff, Shoreland & Conservancy Districts)*
 - Root zone of existing trees shall be preserved and protected during development.
 - Replace one tree for every tree that is removed.
 - Replacement trees shall have a minimum caliper of 2 inches at 4.5 feet from ground level.

XI. Attachments: Shall include but not limited to:

- ☒ a. **Description of Request**-See Part VIII for full details and requirements.
 - ☒ b. **Site Plan**-See Part IX for full details and requirements.
 - ☒ c. **Full Legal Description**-Not abbreviated description from tax statement.
 - ☒ d. **Access approval**-Attach approval in writing from proper road authority.
 - ☒ e. **Township Notification**-See Part IV for details and requirements.
 - ☒ f. **Septic System Compliance Inspection** Done Oct. 2015
 - ☒ g. **Erosion Control Plan**-Attach completed and signed plan including map.
 - ☒ h. **Restoration Plan**-See Part X for full details and requirements.
 - ☒ i. **Approved Stormwater Pollution Prevention Plan**
-Must meet NPDES requirements and prepared by a licensed professional engineer.
-) on file with Michelle Mettler

XII. Procedure:

The Planning & Zoning Commission shall hold a public hearing on the proposed Conditional Use Permit at a scheduled Planning and Zoning Commission meeting.

The Planning and Zoning Commission is an advisory board to the County Board of Commissioners and will make a recommendation to the County Board.

The Department shall report the findings and recommendations of the Planning Commission to the County Board for final decision.

Action by the County Board shall be a majority vote of its members.

The Department shall notify the applicant and/or landowner in writing of the County Board decision.

A certified copy of the Conditional Use Permit shall be filed with the Le Sueur County Recorder by the Department.

XIII. Signatures:

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

Ruth Heilman Ron Heilman 10-24-16
Applicant signature Date

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

Ruth Heilman Ron Heilman 10-24-16
Property Owner signature Date



OFFICE USE ONLY

Request: GRADING, EXCAVATING & FILLING

☐ **Non-Shoreland**

- ☐ Within Bluff Impact Zone
☐ Within Bluff

Cubic yards of material movement: _____
 Cubic yards of material movement: _____
 Cubic yards of material movement: _____

TOTAL cubic yards of material movement: _____

☒ **Shoreland - Outside Shore Impact Zone**

- ☒ Within Shore Impact Zone
☐ Within Bluff Impact Zone
☐ Within Bluff

Cubic yards of material movement: _____
 Cubic yards of material movement: 43 cy
 Cubic yards of material movement: _____
 Cubic yards of material movement: _____

TOTAL cubic yards of material movement: 43 cy

Pre-App Date 10-27-16
 Meeting Date 12-8-16
 60 Day 12-27-16
 Zoning District RR

Lake Classification RD
 Lake Jefferson
 FEMA Panel # 27079C0 300
 Flood Zone X-outside

Feedlot 500' 1000' (N)
 Wetland Type 1-2 3-8 (N)
 Water courses Y (N)
 Bluff Y (N)

☒ Request Description

☒ Access Approval

☒ Septic Comp Insp / Design

☒ Site Plan

☒ Erosion Control Plan

☒ Meeting Reg / ATF / Spec

☒ Full Legal

☐

☒ Fee \$ 796

☒ Ordinance

☐ Other _____

☐ Penalty \$ _____

☒ Application Complete Michelle R. Meeks
 Planning & Zoning Department Signature

10-27-16
 Date

110352
 Permit #

mm

October 24, 2016

We have lived at this property for eight years. It had 300 feet of lakeshore. We have always left a substantial buffer between our yard and the existing lakeshore.

Currently, 50 feet of the original 300 feet of shoreline has riprap to control water/wave action erosion. Those 50 feet of shoreline remain stable. Despite leaving a buffer zone along the lakeshore, we have lost six feet, or more, of land along the 250 feet where currently, there is no riprap. The shoreline has been reduced to 227 feet.

Due to the significant deterioration of the remaining 227 feet of shoreline, this shoreline protection project will benefit and protect Lake Jefferson from accumulating additional eroding soils from our property.

We have a permit from the MN DNR for the project. We also have a Variance Permit from LeSueur County. The riprap erosion project will conform to MN DNR Area Hydrologist guidelines and regulations, and LeSueur County.

We anticipate the construction company will use a truck to haul in the rock and a small bobcat to place ⁴³ cubic yards of 6" to 12" fieldstone *above the ordinary high water level.*

Existing and proposed elevation contour will remain the same; the proposed work will not change the elevation terrain of the property. Geotextile fabric and riprap will be placed directly on the shoreline surface, as it exists. We will continue with a no-mow buffer.

Ross and Ruth Heilman





MINNESOTA DEPARTMENT OF NATURAL RESOURCES

Public Waters Work Permit

Expiration Date: 08/25/2021

Permit Number

2016-1395

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform actions as authorized below.

Project Name: Heilman Middle Jefferson Lake	County: Le Sueur	Watershed: Cannon River	Resource: Lake: Middle Jefferson (40009204)	
Purpose of Permit: Riprap (Natural Rock)		Authorized Action: Install roughly 227' of natural field stone rip rap as described in the engineering plan provided by Prairie Land Surveying, dated 7/23/2016. Any changes to the plan must be reviewed by the Department for approval.		
Permittee: RUTH HEILMAN 26728 SIOUX TRAIL MADISON LAKE, MN 56063 (507) 381-8778 middlejeffersonlady@gmail.com		Authorized Agent: N/A		
Property Description (land owned or leased or where work will be conducted): UTM zone 15N, 436069m east, 4903047m north, Meandered water body of Section 2, T109N, R25W				
Authorized Issuer: Todd Piepho	Title: Area Hydrologist	Issued Date: 08/25/2016	Effective Date: 08/25/2016	Expiration Date: 08/25/2021

This permit is granted **subject to** the following **CONDITIONS**:

APPLICABLE FEDERAL, STATE, OR LOCAL REGULATIONS: The permittee is not released from any rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city and township zoning.

NOT ASSIGNABLE: This permit is not assignable by the permittee except with the written consent of the Commissioner of Natural Resources.

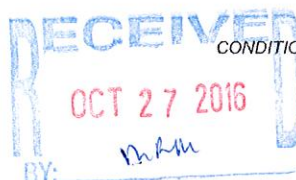
NO CHANGES: The permittee shall make no changes, without written permission or amendment previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.

SITE ACCESS: The permittee shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.

TERMINATION: This permit may be terminated by the Commissioner of Natural Resources at any time deemed necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the conditions or applicable laws, unless otherwise provided in the permit.

COMPLETION DATE: Construction work authorized under this permit shall be completed on or before the date specified above. The permittee may request an extension of the time to complete the project by submitting a written request, stating the reason thereof, to the Commissioner of Natural Resources.

(MPARS revision 20160211, Permit Issuance ID 49020, printed 08/25/2016)



CONDITIONS continued on next page...

CONDITIONS (Continued from previous page)

WRITTEN CONSENT: In all cases where the permittee by performing the work authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the permittee, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.

PERMISSIVE ONLY / NO LIABILITY: This permit is permissive only. No liability shall be imposed by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the permittee, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable conditions.

EXTENSION OF PUBLIC WATERS: Any extension of the surface of public waters from work authorized by this permit shall become public waters and left open and unobstructed for use by the public.

WETLAND CONSERVATION ACT: Where the work authorized by this permit involves the draining or filling of wetlands not subject to DNR regulations, the permittee shall not initiate any work under this permit until the permittee has obtained official approval from the responsible local government unit as required by the Minnesota Wetland Conservation Act.

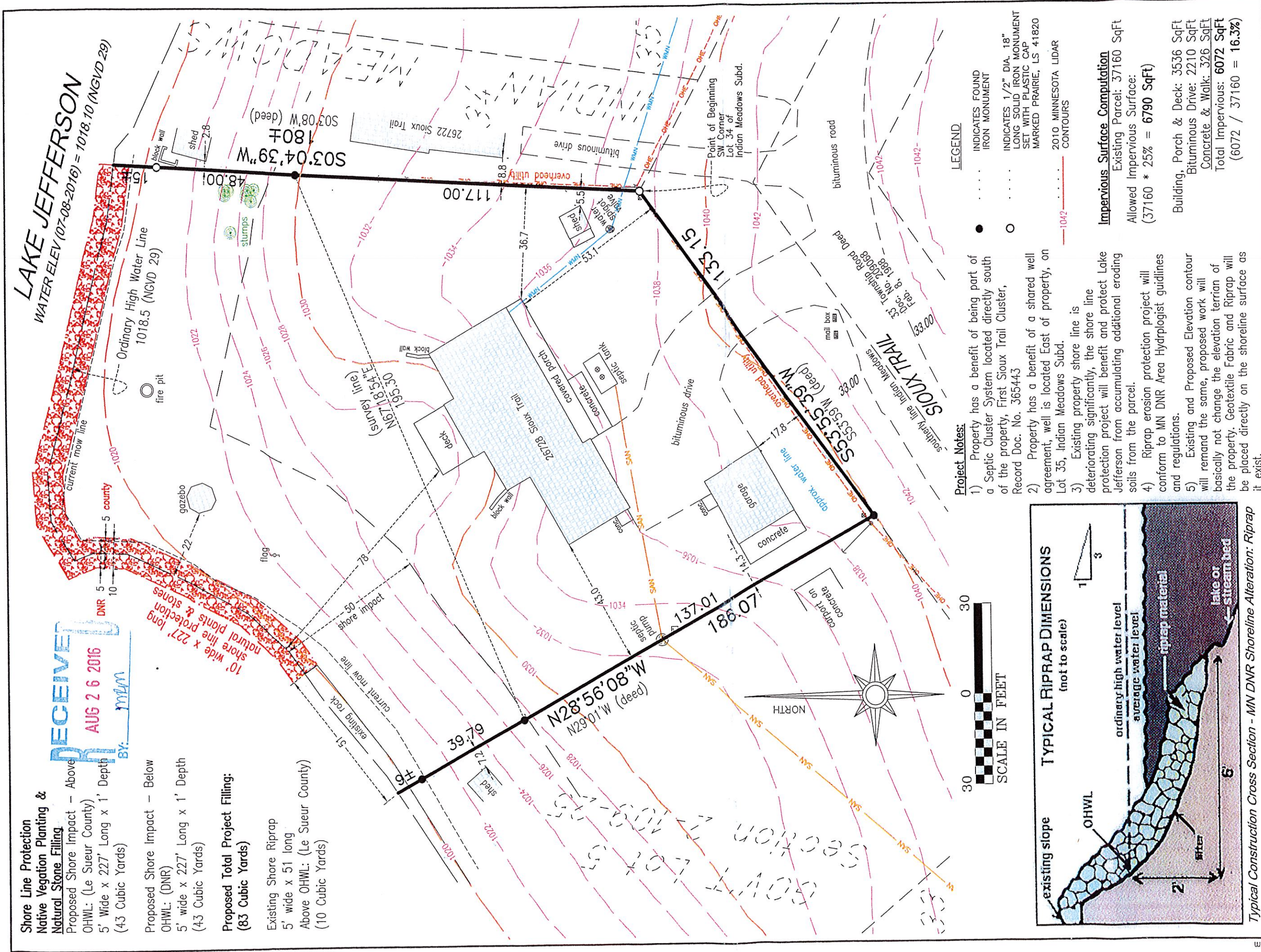
CONTRACTOR RESPONSIBILITY: The permittee shall ensure the contractor has received and thoroughly understands all conditions of this permit. Contractors must obtain a signed statement from the property owner stating that permits required for work have been obtained or that a permit is not required, and mail a copy of the statement to the regional DNR Enforcement office where the proposed work is located. The Landowner Statement and Contractor Responsibility Form can be found at: <http://www.bwsr.state.mn.us/wetlands/wca/index.html#general>.

INVASIVE SPECIES - EQUIPMENT DECONTAMINATION: All equipment intended for use at a project site must be free of prohibited invasive species and aquatic plants prior to being transported into or within the state and placed into state waters. All equipment used in designated infested waters, shall be inspected by the Permittee or their authorized agent and adequately decontaminated prior to being transported from the worksite. The DNR is available to train inspectors and/or assist in these inspections. For more information refer to the "Best Practices for Preventing the Spread of Aquatic Invasive Species" at http://files.dnr.state.mn.us/publications/ewr/invasives/ais/best_practices_for_prevention_ais.pdf. Contact your regional Invasive Species Specialist for assistance at www.mndnr.gov/invasives/contacts.html. A list of designated infested waters is available at www.mndnr.gov/invasives/ais/infested.html. A list of prohibited invasive species is available at www.mndnr.gov/eco/invasives/laws.html#prohibited.

FISHERY PROTECTION - EXCLUSION DATES: No activity affecting the bed of the protected water may be conducted between Ice Out and June 15th, to minimize impacts on fish spawning and migration. If work during this time is essential, it shall be done only upon written approval of the Area Fisheries Manager. See contact list at: http://files.dnr.state.mn.us/fisheries/management/dnr_fisheries_managers.pdf. Should work begin elsewhere in the project area within these dates, all exposed soils that are within 200 feet of Public Waters and drain to those waters must complete erosion control measures within 24 hours of its disturbance to prevent sediment from entering Public Waters.

cc: Todd Kolander, EWR District Manager
Chris Howe, Conservation Officers, St. Peter
Jeremy Maul, BWSR Wetland Specialists, Le Sueur
Lisa Gelvin-Innvaer, DNR Regional Nongame Specialists, South
Kevin Mixon, DNR Regional Environmental Assessment Ecologist, Region 4
Joe Stangel, DNR Wildlife, Nicollet
Craig Soupir, DNR Fisheries, Waterville Area
Kathy Brockway, County, Le Sueur
David Studenski, Corps of Engineers, Le Sueur
Raelene Hegge, Corps of Engineers, Le Sueur
Michael Schultz, SWCD, Le Sueur County SWCD





Shore Line Protection & Native Vegetation Planting & Natural Stone Filling

Proposed Shore Impact - Above OHWL: (Le Sueur County)
5' Wide x 227' Long x 1' Depth (43 Cubic Yards)

Proposed Shore Impact - Below OHWL: (DNR)
5' wide x 227' Long x 1' Depth (43 Cubic Yards)

Proposed Total Project Filling: (83 Cubic Yards)

Existing Shore Riprap
5' wide x 51' long
Above OHWL: (Le Sueur County) (10 Cubic Yards)

RECEIVED
AUG 26 2016
BY: mmm

Prairie Land Surveying

- Boundary
- Construction
- Subdivisions
- ALTA
- Topographic

1047 East Main Street
Mankato, MN 56001
jvergoevn@charter.net
(507) 469-5997
PrairieLandSurveying.com

Reliable, On-Time Surveys.



Le Sueur County, MN

Thursday, December 8, 2016

Regular session

Item 2

R & G Logistics-Culver

Staff Contact: Kathy Brockway or Michelle Mettler

STAFF REPORT

GENERAL INFORMATION

APPLICANT: R & G LOGISTICS LLC.

OWNER: DAVID AND MEGAN CULVER

911 ADDRESS: 31184 151ST AVE, NEW PRAGUE MN 56071

PROJECT DESCRIPTION: Establish and operate a Contractor Company along with shop and yard in an Agriculture "A" District.

ZONING ORDINANCE SECTIONS: 8-19

DISTRICT PURPOSE:

The Agriculture (A) District is established for areas where agriculture uses are seen as the best and highest long term use of the land. The land itself needs to be preserved for primarily agricultural activities. These areas should avoid existing cities, residential zones and subdivisions. They should be large contiguous land areas with mostly prime soils. Rezoning should only be considered on the zone's borders in order to maintain the Zoning integrity of the District. Dwellings that are allowed should be on the edges of the open farmland where possible or utilize existing abandoned farm sites. The total number of Dwellings shall not exceed sixteen (16) per section of land with the exception of Transfer of Development Right and lots of record. Transfer of development rights may be utilized to exceed the permitted housing density of one dwelling per quarter-quarter section (40 acres), provided that the density does not exceed four dwellings per quarter-quarter section in the receiving quarter-quarter section. Lots of Record, shall be exempt from density standards.

GOALS AND POLICIES:

The current Land Use Plan as adopted in 2009 does not make reference to the establishment and operation of Contractors and Construction Companies along with Shops and Yards.

SITE INFORMATION

LOCATION: Property is located on 8 acres in the NE 1/4, Section 22, Lanesburgh Township.

ZONING: "A" Agricultural

GENERAL SITE DESCRIPTION: Existing Single Family Dwelling with accessory structures.

ACCESS: Existing Access off County Highway 3

EXISTING LAND USE WITHIN ¼ MILE:

North: Ag Land/Scattered Residential

South: Ag/Residence

East: Ag Land/Scattered Residential

West: Ag/Scattered Residential

TOWNSHIP BOARD NOTIFICATION

The applicant contacted Karen Schoenecker, Lanesburgh Township Board on October 26, 2016.

NATURAL RESOURCES INFORMATION

SHORELAND: The proposal is not located within the Shoreland District.

WETLANDS: According to the National Wetlands Inventory, Type 3 Wetlands located in the quarter-quarter section where the project is proposed.

ATTACHMENTS

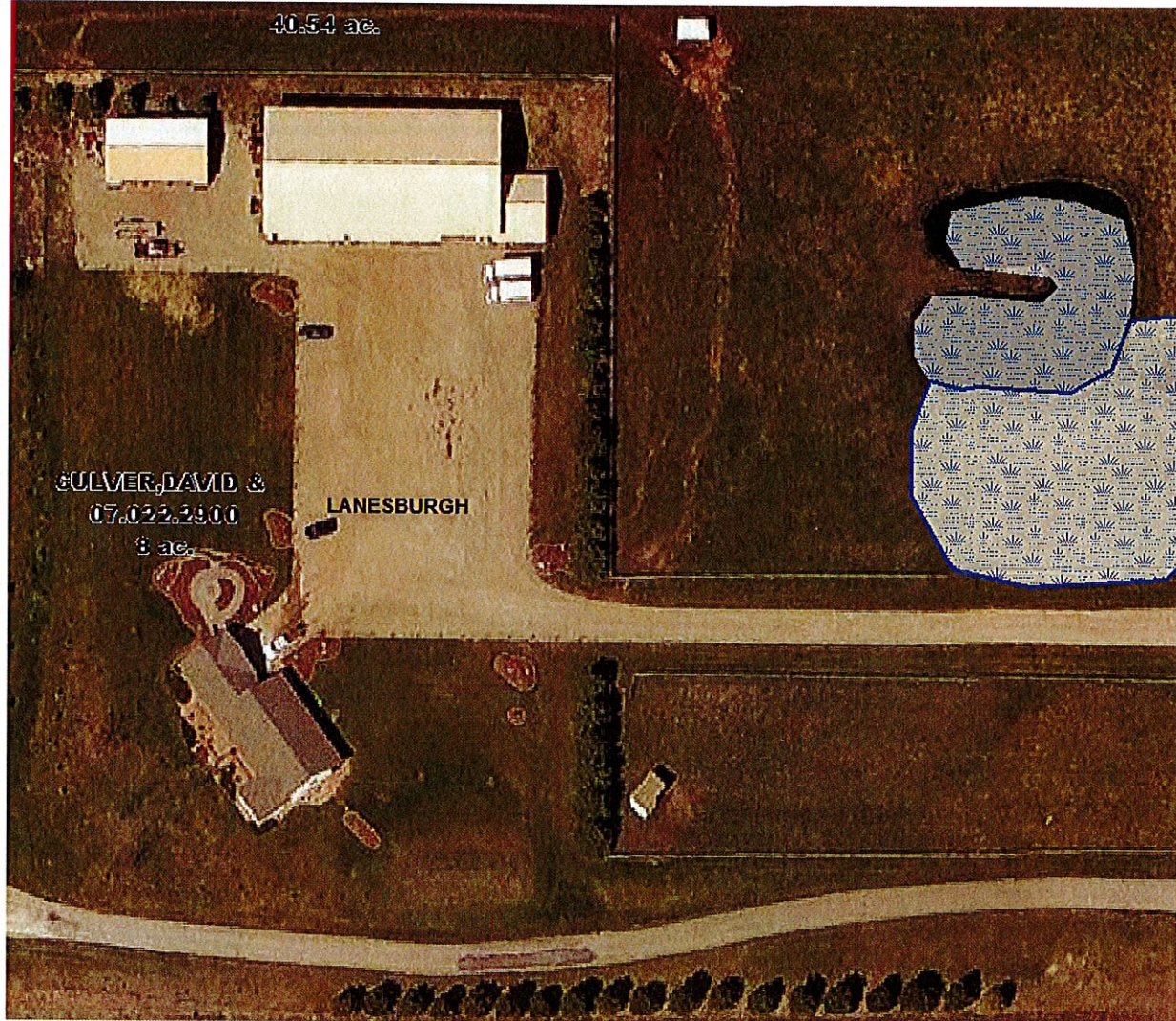
Application/Narrative, Site Plan

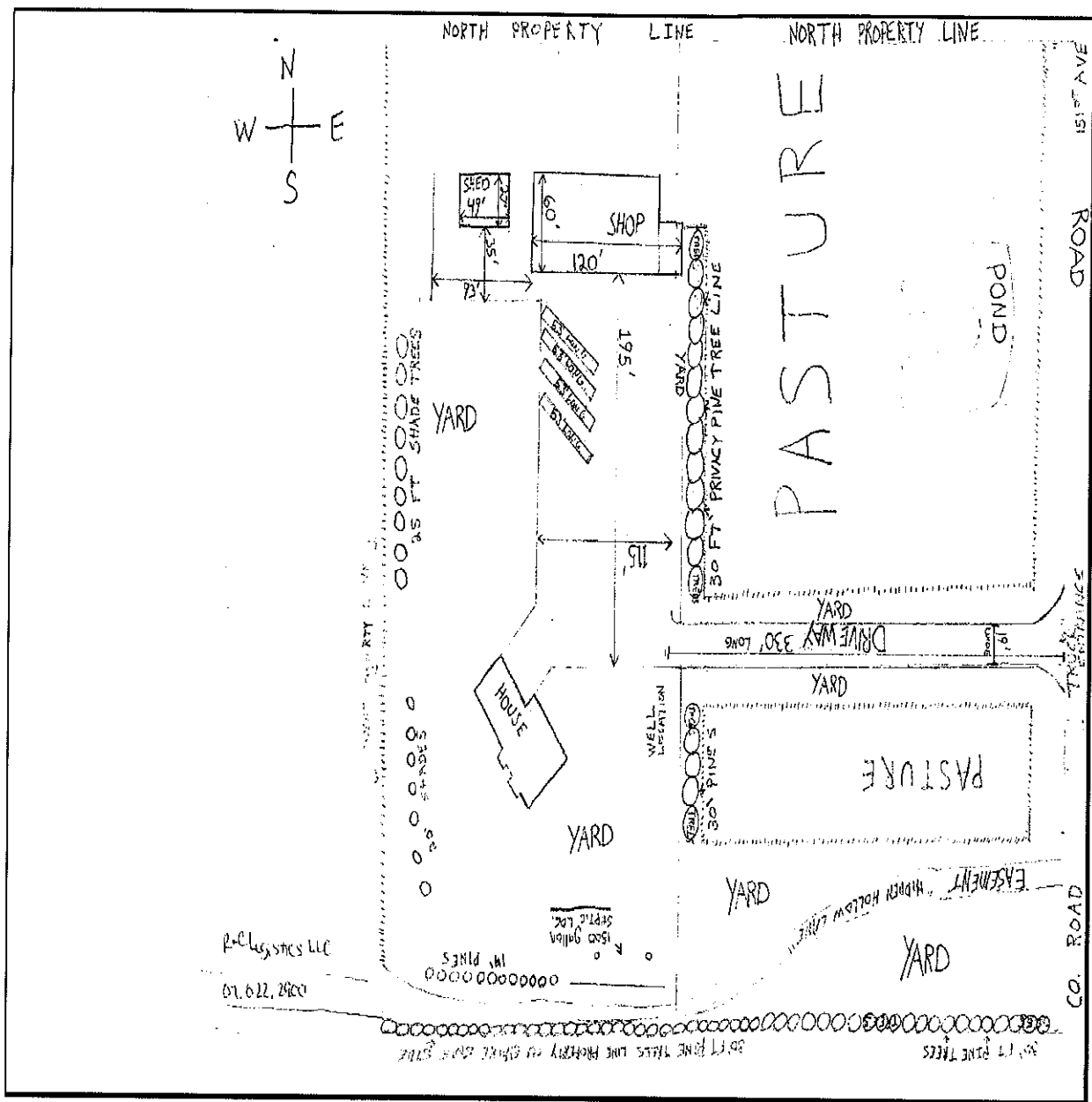
PERFORMANCE STANDARDS- SECTION 19, LE SUEUR COUNTY ZONING ORDINANCE

No specific performance standards listed for contractors/construction sites with shops and yards therefore refer to the following subdivisions in Section 19.

- Subdivision 6. Landscaping and Screening
- Subdivision 9. Nuisance Control (A. B. D.E.F.)
- All repairs shall be performed within a structure.

SITE PLAN/AERIAL PHOTO





PLANNING AND ZONING COMMISSION CONSIDERATIONS

The Planning Commission and staff shall consider possible adverse effects of the proposed conditional use and what additional requirements may be necessary to reduce such adverse effects. Its judgment shall be based upon the following factors to include, but not limited to:

1. Relationship to County plans.
2. The geographical area involved.
3. Whether such use will negatively affect surrounding properties in the area in which it is proposed.
4. The character of the surrounding area.
5. The demonstrated need for such use.
6. Whether the proposed use would cause odors, dust, flies, vermin, smoke, gas, noise, or vibration or would impose hazards to life or property in the neighborhood.
7. Whether such use would inherently lead to or encourage disturbing influences in the neighborhood.
8. Whether stored equipment or materials would be screened and whether there would be continuous operation within the visible range of surrounding residences.
9. Abatement of Environmental Hazards as regulated in this Ordinance
10. Other factors impacting the public health, safety and welfare.

PLANNING AND ZONING COMMISSION CONDITIONS

The Planning Commission shall recommend such conditions relating to the granting of said Conditional Use Permit, as they deem necessary to carry out the intent and purpose of this Ordinance or recommend that the request be denied. Such recommendation shall be in writing. The conditions may include, but are not limited to the following:

1. Increasing the required lot size or yard dimension.
2. Limiting the height, size, or location of the structures.
3. Controlling the location, size, and number of vehicle access points.
4. Increasing the street width.
5. Increasing the number of required off-street parking space.
6. Limiting the number, size, location, or lighting of signs.
7. Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.
8. Designating sites for open space.

PLANNING AND ZONING COMMISSION FINDINGS

Based on the information submitted by the applicant, contained in this report, and as required by the Le Sueur County Zoning Ordinance, the following findings have been developed for this request:

(Please circle one for each item: Agree, Disagree, Not Applicable.)

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
3. *Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
4. *Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
6. *Is the Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?*
7. *Is the Conditional Use Permit consistent with the Comprehensive Land Use Plan?*

LE SUEUR COUNTY CONDITIONAL USE PERMIT CRITERIA

Permit # 16356

Name of Applicant: R & C LOGISTICS LLC

Conditional Use Permit #: 16356

Name of Property Owner: DAVID & MEGAN CULVER

Conditional Use Permit Request: TO ALLOW THE APPLICANT TO ESTABLISH AND OPERATE A
DROP/STORAGE/MAINTENANCE HUB FOR TRACTOR/TRAILER TRANSPORTATION.

1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.

CR AG PT DR BB JD SO SK DK DRY TOTAL

1.

--	--	--	--	--	--	--	--	--	--	--	--

Explain _____

2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

CR AG PT DR BB JD SO SK DK DRY TOTAL

2.

--	--	--	--	--	--	--	--	--	--	--	--

Explain _____

3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.

CR AG PT DR BB JD SO SK DK DRY TOTAL

3.

--	--	--	--	--	--	--	--	--	--	--	--

Explain _____

4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to service the proposed use.

CR AG PT DR BB JD SO SK DK DRY TOTAL

4.

--	--	--	--	--	--	--	--	--	--	--	--

Explain _____

5. Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

CR AG PT DR BB JD SO SK DK DRY TOTAL

5.

--	--	--	--	--	--	--	--	--	--	--	--

Explain _____

6. The conditional use is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.

CR AG PT DR BB JD SO SK DK DRY TOTAL

6.

--	--	--	--	--	--	--	--	--	--	--	--

Explain _____

7. The conditional use is consistent with the Comprehensive Land Use Plan.

CR AG PT DR BB JD SO SK DK DRY TOTAL

7.

--	--	--	--	--	--	--	--	--	--	--	--

Explain _____

If all answers are "YES" by a majority of the Planning Commission, the criteria for granting of the Conditional Use Permit request have been met. The Conditional Use Permit will meet the goals of safety, health and the general welfare of the public.

Date: _____ APPROVED _____ DENIED _____ PZ Chairperson _____

COUNTY BOARD MEETING DATE _____

Le Sueur County

Conditional Use Application

I. Applicant:

Name R & C Logistics LLC
Mailing Address 31184 151st Ave
City New Prague State MN Zip 56071
Phone # 605-350-3911 Phone # 612-709-4017

Megan Culver 605-940-6805

II. Landowner:

Name David & Megan Culver
Mailing Address 31184 151st Ave
City New Prague State MN Zip 56071

Property Address 31184 151st Ave
City New Prague State MN Zip 56071
Phone # 605-350-3911 Phone # 605-940-6805

III. Parcel Information:

Parcel Number R 07.022.2900 Parcel Acreage 8
Attach Full Legal Description (NOT abbreviated description from tax statement)
Township Lanesburgh Section 22
Subdivision _____ Lot 6 Block 1

IV. Township Notification: Township must be notified of proposed use prior to application.

Lanesburgh Township notified on 10-26-16
(Township Name) (Date)

Board Member Karen Schoenecker regarding the proposed use.
(Name)

V. Quantities and Submittal Formats:

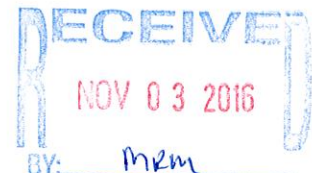
- One (1) reproducible 8.5" x 11" copy of the request and all other supporting documents.
- Twenty three (23) copies must be submitted, if any documents are in color, an aerial, or larger than 8.5" x 11" in size.
- Electronic version of any supporting documents *if available*.
- Additional copies may be requested as deemed necessary by the Department.
- Application must be made **in person** by the applicant and/or landowner no later than 12 P.M. on the date of application deadline.
- Appointment is necessary.
- Applications will not be accepted by mail.**

VI. Fees: Must be paid at the time of application.

Conditional Use Permit \$ 750 After-The-Fact fee is **doubled.**
Filing Fee \$ 46

Additional Fees:

Special Meeting \$ 2,000
After-The-Fact Penalty \$ 1,500 OR 10% of improvement, whichever is greater



VII. Type of Request:

- ☐ Self Service Storage
- ☐ School/Church/Cemetery
- ☐ Retail Nursery/Greenhouse
- ☐ School/Church/Cemetery

- ☐ Value Added Agriculture
- ☐ Antique Sales/Service/Repair
- ☐ Substation/Transmission Lines etc.

☒ Other truck storage hub

VIII. Description of Request:

a. A full description of request with detailed information must be attached.

b. Complete the following in relationship to the proposed Conditional Use Permit.

1. PROPOSED DAYS AND HOURS OF OPERATION: please see attached

2. ESTIMATED NUMBER OF PERSONS TO ATTEND PLACE OF BUSINESS/LOCATION ON A DAILY OR WEEKLY BASIS: see attached

3. LIST OF PUBLIC HEALTH PLANS:

i. Water Supply: see attached

ii. Toilet facilities: //

iii. Solid Waste Collection: //

4. FIRE PREVENTION: //

5. SECURITY PLANS: //

6. RETAIL SALES: //

7. FOOD OR ALCOHOL SERVED OR FOR SALE: //

8. DESCRIBE IF THE APPLICANT REQUESTS THE COUNTY TO PROVIDE ANY SERVICES OR COUNTY PERSONNEL: (For example, pedestrian and/or vehicular traffic control.) //

9. SOUND AMPLIFICATION, PUBLIC ADDRESS SYSTEM, PLAYING OF MUSIC: //

10. EXTERIOR LIGHTING: //

11. PARKING AND LOADING: //

12. SIGNAGE: //

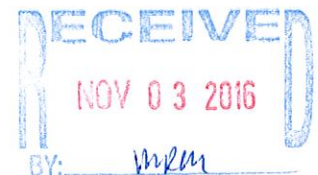
13. ROAD ACCESS: (Approved by the road authority) //

14. CERTIFICATE OF INSURANCE: //

15. MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS: (For example additional licensing and/or permitting) //

IX. Site Plan: Shall include but not limited to the following:

- North point
- Setbacks
- Property Lines
- Road Right-Of-Way
- Lake
- River
- Wetland
- Stream
- Existing Structures
- Proposed Structures
- Lot Dimensions
- Ponds
- Septic system
- Well
- Access (size & location)
- Easements
- Parking (Size & location-if applicable to application)
- Landscape, screening and buffering (if applicable to application)
- Location of significant trees to be removed (if applicable to application)



X. **Attachments:** shall include but not limited to:

- ☒ a. **Description of Request**-See Part VIII for full details and requirements.
- ☒ b. **Site Plan**-See Part IX for full details and requirements.
- ☒ c. **Full legal description**-Not abbreviated description from tax statement.
- ☒ d. **Access approval**-Attach approval in writing from proper road authority.
- ☒ e. **Township Notification**-See Part IV for details and requirements.
- ☒ f. **Septic System Compliance Inspection**
- ☐ g. **Erosion control plan**-Attach completed and signed plan including map.
- ☐ h. **Floor plans and/or blue prints**

XI. **Procedure:**

The Planning & Zoning Commission shall hold a public hearing on the proposed Conditional Use Permit at a scheduled Planning and Zoning Commission meeting.

The Planning and Zoning Commission is an advisory board to the County Board of Commissioners and will make a recommendation to the County Board.

The Department shall report the findings and the recommendations of the Planning Commission to the County Board for final decision.

Action by the County Board shall be a majority vote of its members.

The Department shall notify the applicant and/or landowner in writing of the County Board decision.

A certified copy of the Conditional Use Permit shall be filed with the Le Sueur County Recorder by the Department.

XII. **Signatures:**

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

[Signature]
Applicant signature

11/2/14
Date

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

[Signature]
Property Owner signature

11/2/14
Date

OFFICE USE ONLY

Request:

Pre-App Date <u>11-3-14</u>	Lake Classification <u>✓</u>	Feedlot	500'	1000'	N
Meeting Date <u>12-8-14</u>	Lake <u>✓</u>	Wetland Type	1-2	3-8	N
60 Day <u>1-2-14</u>	FEMA Panel # 27079C0 <u>200</u>	Water courses		Y	N
Zoning District <u>A</u>	Flood Zone <u>X-outside</u>	Bluff		Y	N

<input checked="" type="checkbox"/> Request Description	<input checked="" type="checkbox"/> Access Approval	<input checked="" type="checkbox"/> Septic	Comp Insp' / Design
<input checked="" type="checkbox"/> Site Plan	<input type="checkbox"/> Erosion Control Plan	<input checked="" type="checkbox"/> Meeting	Reg / ATF / Spec
<input checked="" type="checkbox"/> Full Legal	<input type="checkbox"/> Blue Prints	<input checked="" type="checkbox"/> Fee	\$ <u>746</u>
<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Other _____	<input type="checkbox"/> Penalty	\$ _____

<input checked="" type="checkbox"/> Application Complete	<u>Michelle R. Smith</u>	<u>11-3-14</u>	<u>16356</u>
	Planning & Zoning Department Signature	Date	Permit #

11-23-14 - ISD GY DL

RECEIVED
NOV 03 2014
BY: mem

Article VIII:

A: David Culver of 31184 151st Ave, New Prague MN wishes to file for a conditional use permit in regards to the use of his 8 acre property to serve as a drop/storage/maintenance hub for R & C Logistics. R & C Logistics is a refrigerated transportation company that owns 4 semi tractors that will be hauling refrigerated goods in the Midwest states area. Many dedicated runs with companies in the southern twin cities location makes my property a convenient location to drop/store/maintenance the tractor and trailer when its not en route. When the occasional tractor is not over the road and being stored in the shop, the tractor will have routine maintenance performed every 5-6 weeks. Maintenance performed at proposed property will consist of the changing of the engine oil. The oil will be collected in waste oil container and taken to Lakers Sanitation in New Prague for proper disposal. Garbage service for the location is provided by Lakers Sanitation currently and will continue to going forward. Any major repairs that need take place to tractors and trailers will occur at whatever ASE certified repair shop is closest to wherever the semi may be during time of break down.

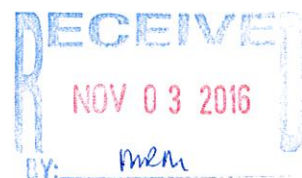
B:

B1. Proposed days and hours of operation: Hours and operations for the hub will be very minimal. The property will not act as a regular business with daily staffed employees. R&C semis spend an average of 5-6 days a week on the road transporting goods. The tractors and drivers of the tractors will only be at the location during the times they are not running the other 1-2 days per week. The drivers will park personal vehicles on the property while they are over the road hauling. The property merely will be a drop/storage hub for the 4 tractor trailers. The semi tractors will be entering and exiting the property at various times and all various days. The driver will exit the property in their personal vehicle after dropping the semi in the yard, and only return when their tractor is due to leave over the road again.

B2: Estimated number of persons to attend place of business/location on a daily or weekly basis: The number of persons entering and exiting the location will be the drivers of the 4 tractor trailers.

B3. PUBLIC HEALTH PLANS ARE AS FOLLOWED:

- I. Water Supply: The water supply for the property is a personal rural well. Regular plumbing in the home. Located in the shop is a bathroom area with plumbing plan and septic in place (M.S. Excavating). A floor drain is located in the concreted portion of the shop where tractors will be stored. Day-lit floor drain was inspected by M. S. Excavating on 10/28/2016. Water usage will be minimal in shop.
- II. Toilet Facilities: There are four toilets in home and one in shop. Design and floor plan for shop septic sent by M.S. Excavating.
- III. Solid Waste Collection: 1500 gallon septic tank for home. Septic was inspected and pumped on 10/28/2016. Design and floor plan for shop septic sent via email by M.S. Excavating.



B4. Fire Prevention: Fire extinguisher and exit signs located in shop.

B5. Security Plans: Motion lights are located on the shop. Recently replaced all door locks on shop and home. Security camera will be looked at being installed in near future.

B6. Retail Sales: No retail sales of any products will occur at the property as it will merely act as a drop/storage hub for tractor trailers.

B7. Food or Alcohol Served or for Sale: No food or alcohol will be served or sold on property.

B8. Describe if the applicant requests the county to provide any services of county personnel: There will be no request to the county to provide any services. I the landowner will resume all responsibility for maintenance of the driveway and lot for the property.

B9: Sound amplification, public address system, playing of music: No sound amplification, no public address system, no playing of music will occur on the property as none of that pertains to our business. Semi tractors pulling in and out of property once a week each per 4 tractors will be the only sound occurring. My closest neighbor is more than 200 yards away so no sound from equipment will be heard by anyone other than myself the landowner. Refrigerated trailers will sit outside, but will never be at location loaded with any goods therefore the refrigerator units will never be running on the proposed property. Tractors will be stored in heated shop and not be running while parked at location.

B10: Exterior lighting: A yard light is located on the property, as well as 2 motion lights on exterior of shop. My storage lot and shop both sit over 100 yards off County Road 3. They also both sit behind a wall of 30 foot tall Pine Trees (see site map) that acts as a privacy wall making it near impossible to see anything other than roof of shop from the County Road, therefore making lighting extremely minimal from the highway view.

B11. Parking and loading: Parking of tractor trailers is primarily what the property will be used for. The parking area for the tractor trailers is 195 feet long by 115 feet wide tucked behind a wall of privacy pine trees over 30 feet tall. (see site map). Trailers will be parked outside on the 195 x 115 gravel lot, and the tractors will be stored inside the 60ft by 120ft pole barn. The heated side of 60ft by 40ft will be primarily used as it is cemented and heated. No loading or unloading of goods will occur on the property, as the trailers entering the property will always be un-loaded prior the trailers entering the property. Empty trailers will be simply dropped outside and tractors will be parked inside for storage. The average R & C Logistic truck as mentioned above spends 5-6 days a week over the road, therefore the property will house usually no more than 1-2 tractor trailers at any given time.

B12: Signage: No signage will be posted for the location from the road.



B13: Road access: See attached approval from LeSeuer County Highway Department.

B14: Certification of Insurance: Please see attachment.

B15. Meet all applicable county, state, and federal regulations: Please see attachment.



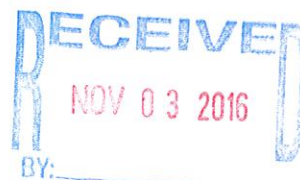
From: Megan Culver megan.eulberg@live.com
Subject: Notification
Date: Oct 26, 2016, 6:24:02 PM
To: lanesburgh.twshp@bevcomm.net

Karen, I'm emailing you per my husbands conversation with LeSueur County zoning office to give you notification that he and I are filing for a conditional use permit for our 8 acre property to act as a storage hub for ultimate logistics trucking company out of Boise Idaho. The property will store 1-4 semi tractor and trailers at any given time.

Thank you,

Megan and David Culver

Sent from iPhone



Mettler, Michelle

From: Tiegs, David
Sent: Wednesday, October 26, 2016 2:38 PM
To: Mettler, Michelle
Cc: megan.eulberg@live.com
Subject: Entrance Parcel 07.022.2900

Michelle, At the request of Megan Culver I have reviewed the existing entrance to Parcel 07.022.2900 for the proposed storage of Semi Tractor Trailers. Speaking with Megan she expects no more than 4 trucks will be stored there at any given time. The existing entrance is adequate to support this use. If anything else is needed regarding this matter please let me know.

Thanks,
Dave Tiegs
Assistant Engineer
Le Sueur County

Type or print all information. See reverse for instructions.

OMB No. 2040-0042 Approval Expires 4/2007

INVENTORY OF INJECTION WELLS		1. DATE PREPARED (Year, Month, Day)		2. FACILITY ID NUMBER	
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY OFFICE OF GROUND WATER AND DRINKING WATER <small>(This information is collected under the authority of the Safe Drinking Water Act)</small>		<div style="border: 1px solid black; padding: 5px; width: 100px; margin: 0 auto;">11/18/10</div>		<div style="border: 1px solid black; width: 100px; height: 30px; margin: 0 auto;"></div>	
<p>PAPERWORK REDUCTION ACT NOTICE</p> <p>The public reporting burden for this collection of information is estimated at about 0.5 hour per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Chief, Information Policy Branch, 213E, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, and to the Office of Management and Budget, Paperwork Reduction Project, Washington, DC 20503.</p>					
<p>3. TRANSACTION TYPE (Please mark one of the following)</p> <p><input type="checkbox"/> Deletion <input checked="" type="checkbox"/> First Time Entry <input type="checkbox"/> Replacement</p> <p><input type="checkbox"/> Entry Change</p>					
<p>A. NAME (last, first, and middle initial)</p> <p>Cuiver, David, B</p>		<p>C. LATITUDE</p> <p>DEG MIN SEC</p>		<p>E. TOWNSHIP/RANGE</p> <p>TOWNSHIP RANGE SECT 1/4 SECT</p>	
<p>B. STREET ADDRESS/ROUTE NUMBER</p> <p>31184 151st Ave</p>		<p>D. LONGITUDE</p> <p>DEG MIN SEC</p>		<p>J. INDIAN LAND (mark "X") <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>F. CITY/TOWN</p> <p>New Prague</p>		<p>H. ZIP CODE</p> <p>56071</p>		<p>I. NUMERIC COUNTY CODE</p> <p>56071</p>	
<p>A. TYPE (mark "X")</p> <p><input checked="" type="checkbox"/> Owner <input type="checkbox"/> Operator</p>		<p>C. PHONE (area code and number)</p> <p>605-350-3911</p>		<p>I. OWNERSHIP (mark "X")</p> <p><input checked="" type="checkbox"/> PRIVATE <input type="checkbox"/> PUBLIC <input type="checkbox"/> SPECIFY OTHER</p> <p><input type="checkbox"/> STATE <input type="checkbox"/> FEDERAL</p>	
<p>D. ORGANIZATION</p> <p>New Prague</p>		<p>E. STREET/R.O. BOX</p> <p>31184 151st Ave</p>		<p>G. STATE</p> <p>MN</p>	
<p>F. CITY/TOWN</p> <p>New Prague</p>		<p>G. STATE</p> <p>MN</p>		<p>H. ZIP CODE</p> <p>56071</p>	
<p>COMMENTS (Optional):</p> <p>Drain Floor drain in shop is daytime. Will be using for snowmelt. ok to write info in comments section per</p>					
<p>KEY:</p> <p>DEG = Degrees MIN = Minutes SEC = Seconds SECT = Section 1/4 SECT = Quarter Section</p> <p>COMM = Commercial NON-COMM = Non-Commercial AC = Active UC = Under Construction TA = Temporarily Abandoned PA = Permanently Abandoned and Approved by State AN = Permanently Abandoned and not Approved by State</p>					
<p>COMMENTS (Optional):</p> <p>Ross Micham at EPA</p>					

EPA Form 7528-16 (Rev. 5-01)



Le Sueur County, MN

Thursday, December 8, 2016

Regular session

Item 1

Approved December 8, 2016 Minutes

Staff Contact: Minutes

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
December 8, 2016

MEMBERS PRESENT: Don Reak, Jeanne Doheny, Don Rynda, Chuck Retka, Shirley Katzenmeyer, Steve Olson, Doug Krenik, Al Gehrke

MEMBERS ABSENT: Betty Bruzek, Pam Tietz

OTHERS PRESENT: Kathy Brockway, Commissioner Connolly.

The meeting was called to order at 7:00 PM by Chairperson, Jeanne Doheny.

ITEM #1: ROSS & RUTH HEILMAN, CLEVELAND, MN, (APPLICANT/OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of approximately 43 cubic yards of material within the shore impact zone for a rip rap project in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Jefferson. Property is located in Government Lot 5, Section 2, Washington Township.

Kathy Brockway presented power point presentation. Ross and Ruth Heilman were present for application.

TOWNSHIP: Notified through the application process, no comments. DNR: Granted a DNR permit received in order to do work below the ordinary high water level. LETTERS: Joshua Mankowski, LSC Resource Specialist, see file.

PUBLIC COMMENT: none.

Discussion was held regarding: applicants tried to correct the erosion problem with other alternatives but they failed, only option left is to place rip rap along the shoreline, loss of trees on the property due to the erosion problem, would like to complete the project during the winter, will match up with the current rip rap along the property, variance for more than 200' of rip rap was granted in October, buffer along shoreline.

Findings by majority roll call vote:

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity. Agreed*
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. Agreed*
3. *Adequate utilities, access roads, drainage and other facilities are being provided. Agreed*
4. *Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. Not applicable.*
5. *Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. Agreed*

Motion was made by Don Reak to approve the application as presented with the condition that they abide the condition that they maintain the 7' no-mow buffer to help reduce the possibility of future erosion issues. Seconded by Doug Krenik. Motion approved. Motion carried.

ITEM #2: R & C LOGISTICS LLC, NEW PRAGUE, MN, (APPLICANT); DAVID & JEREMY HUBER, NEW PRAGUE, MN, (OWNER): Request for Conditional Use Permit for a new building on a 10-acre property located on Highway 101, New Prague, MN.

Permit to allow the applicant to establish and operate a Contractor Company along with shop and yard in an Agriculture "A" District. Property is located in the NE 1/4, Section 22, Lanesburgh Township.

Kathy Brockway presented power point presentation. David Culver was present for application.

TOWNSHIP: Notified through the application process, no comments. DNR: N/A

LETTERS: None

PUBLIC COMMENT: Tim Tupy, landowner, questioned road tonnage. Trailers will be empty when coming onto the site.

Discussion was held regarding: Applicants propose to operate the business as R & C Logistics LLC. Main hub, dispatch, and offices located out of Boise, Idaho. The site consists of 8 acres and will serve as the drop off/storage and maintenance hub of the empty tractor/trailers. The business is a refrigerated transportation company that owns 4 semi-tractors. They haul refrigerated goods in the Midwest states area. When the occasional vehicle is not over the road, the vehicle will be parked at this location. Routine maintenance of the vehicles is done every 5-6 weeks. Routine maintenance will be performed at the site consisting of changing oil/tires. The oil will be collected in a waste oil container and taken to Lakes Sanitation in New Prague for the proper disposal. Any major repairs will be completed by an ASE Certified Repair Shop. Minimal day to day traffic at the site. 4 drivers of the tractor/trailers will park their personal vehicles on site. If future expansion were necessary applicant would need to locate elsewhere. Access approved by County Highway Department off County Road 3, 9 ton road, 7 ton road.

Findings by majority roll call vote:

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity. Agreed*
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. Agreed*
3. *Adequate utilities, access roads, drainage and other facilities are being provided. Agreed*
4. *Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use. Agreed*
5. *Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. Agreed*

Motion was made by Doug Krenik to approve the application as requested. Seconded by Don Rynda. Motion approved. Motion carried.

Motion was made by Chuck Retka to approve the minutes with changes from the November 10, 2016 meeting. Seconded by Al Gehrke. Motion approved. Motion carried.

Motion to adjourn meeting by Don Reak. Seconded by Shirley Katzenmeyer. Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,
Kathy Brockway
for Shirley Katzenmeyer.
Approved February 9, 2017

Tape of meeting is on file in the Le Sueur County Environmental Services Office